

ADMINISTRATIVE ORDER NO. 58-25-18
of the
Traffic Engineer of Public Works Maintenance's Traffic Operations Team
of the City of Eugene

TEMPORARY CLOSURE OF BICYCLE AND PEDESTRIAN PATH
BETWEEN 12TH AVENUE TO FERN RIDGE PATH

The Traffic Engineer of Public Works Maintenance's Traffic Operations Team of the City of Eugene finds that:

A. Under the provisions of Chapter IV, Section 16 of the Eugene Charter of 2002, the City Manager is designated as the administrative head of the City and is specifically authorized to enforce all ordinances of the City. In addition, EC 5.040 authorizes the City Manager or the Manager's designee to close or regulate access to and from any street. EC 5.055 sets forth the criteria the City Manager or the City Manager's designee should consider when taking administrative action authorized by EC 5.040.

B. On August 5, 2020, the City Manager issued Administrative Order No. 58-20-17 granting the Executive Director of the Public Works Department the authority to exercise all of the duties and responsibilities specifically defined as those of the City Manager in Sections 5.040, 5.045 and 5.050 of the Eugene Code, 1971. That Order also granted the Executive Director of the Public Works Department the authority to further delegate those duties and responsibilities to such person or persons qualified to perform the delegated duties.

C. On August 6, 2020, the Executive Director of the Public Works Department issued Administrative Order No. 58-20-18 granting the City Engineer the authority to perform the duties and responsibilities specifically defined as those of the City Manager in Sections 5.040, 5.045 and 5.050 of the Eugene Code, 1971. That Order also granted the City Engineer the authority to further delegate those duties and responsibilities to such person or persons qualified to perform the delegated duties.

D. On August 11, 2020, the City Engineer issued Administrative Order No. 58-20-19 granting the Traffic Engineer of Public Works Maintenance's Traffic Operations Team the authority to perform the duties and responsibilities specifically defined as those of the City Manager in Sections 5.040, 5.045 and 5.050 of the Eugene Code, 1971.

E. For purposes of public health, safety, and welfare, it is necessary to temporarily close and prohibit public access to the bicycle and pedestrian path located between 12th Avenue and the Fern Ridge Path shown in Exhibit A consistent with authority granted by 5.040(1)(m) to close any street to vehicular or pedestrian traffic and EC 5.040(1)(n) to regulate access to and from any street. The closure is needed to protect infrastructure and reduce other impacts and risks from illicit camping including human waste, needles, trash, and cooking and camping fires.

F. In making the decision, I have considered all the applicable criteria set forth in EC 5.055. The following findings support my decision to close the path to the public:

(a) Traffic engineering principles and traffic investigations.

The area to be closed by this Order is a bicycle and pedestrian path as shown in Exhibit A. The path serves as an access to connect 12th Avenue (a public street) from the Fern Ridge Path (a public pathway). Public access to this area is not needed as alternate connections exist.

(b) Standards, limitations, and rules promulgated by the Oregon Transportation Commission or the Oregon Public Utility Commission or their successors.

There are not recognized traffic control standards at this location.

(c) Other recognized traffic control standards.

Not applicable.

(d) The city's adopted transportation-related plans and policies.

The City's adopted transportation-related plans and policies do not require that this area remain open.

(e) Existing state and local laws regulating use of public ways.

State and City laws regulating use of public ways do not require that this area remain open to the public.

(f) The efficient use of the public way by the public.

At present, the path is not being efficiently used for its intended pedestrian and vehicular access. The temporary closure of the path is needed to protect public and private infrastructure (trees, vegetated and rock slopes, stormwater drainage systems, iron and chain link fences, street and path surfaces).

(g) The use of abutting property.

The abutting land use is multi-family residential. No such use requires that this area remain open to the public. The path is public by means of an easement granted for such use by the underlying property owner. The closure of the path to the public does not result in a prohibition on its use by the underlying property owner.

(h) The intensity of use of the street by vehicles and pedestrians.

EC 5.010 defines "street" as including sidewalks. The closure of this path / sidewalk will not interfere with the use of 12th Avenue or the shared-use path facility (Fern Ridge Path), both of which will remain accessible and open. This order will not impact, and may improve, accessibility of use by vehicles and pedestrians.

(i) The physical condition and characteristics of the street and abutting property.

The path is bordered with vegetated landscaping, turf, and stormwater treatment for the adjacent private property which are being trampled by misuse of the path area. The abutting properties on the street segments include one- and two-story buildings with asphalt surface parking lots.

(j) Emergencies.

The path is not required for any emergency service response vehicles, which are accommodated through bi-directional travel on 12th Avenue and through private parking lots.

(k) The public health, safety and welfare.

Since January 2024 the area subject to this Order has been visited 25 times by City officials in response to complaints addressing significant amounts of human waste, needles, excessive trash, cooking and camping fires, and damage to the high-end turf and landscape beds. While the cleanups have reduced the volume of these hazards and the frequency of damage to infrastructure, public use of the area has persisted and the City has needed to perform regular cleanup activities in the area to address concerns about public health, safety and welfare.

(l) Special events of community interest including parades and public gatherings.

There are no special events of community interest that occur on this path.

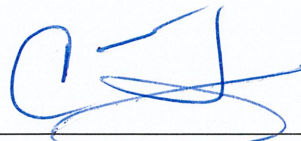
(m) Construction within or adjacent to the street.

No construction is currently taking place on this path.

(n) There is no designated parking for this area.

On the basis of these findings, I order that: The path connecting 12th Avenue and the Fern Ridge path that is shown on Exhibit A to this Order is hereby temporarily closed until December 31, 2030 (at which time the closure may either end or be extended), except to the private property owner (Firwood Apartments), law enforcement or other City authorized personnel.

Dated and effective this 14th day of July, 2025.



Christopher C. Henry, PE
Traffic Engineer of Public Works Maintenance's
Traffic Operations Team

12th Avenue Shared Use Path

EXHIBIT A



5/20/2025, 11:00:29 AM

