

In the Matter of the Closure of)
 Certain Roads in Columbia County to)
 Heavy Hauling)

Order No. 101-2007

WHEREAS, pursuant to ORS 810.030, a road authority may impose limits on any weight or dimension of vehicles or any combination of vehicles to protect any highway or section of highway from being unduly damaged, and to protect the interest and safety of the general public; and

WHEREAS, on February 7, 2007, the Board of County Commissioners adopted Order No. 20-2007, temporarily closing several public roads to vehicular traffic in excess of 10,000 pounds; and

WHEREAS, the County is the Road Authority over the following public roads:

Pisgah Home Road;
Holaday Road;
Chapman Road;
Chapman Grange Road;
Alder Creek Road
McDermott Road;
Tide Creek Road (from Nicolai Road to Orr Road);
Barker Road;
Lentz Road;
Shepard Road (from Delena Mayger to end of the pavement);
Johnson Road; and
Elk Creek Road; and

WHEREAS, pursuant to Ordinance No. 86-3, the Roadmaster has recommended placing a permanent weight restriction on the above listed roads, as follows: All vehicles over 26,000 pounds GVW shall be limited to hauling up to 75% of their legal maximum axle weights; and

WHEREAS, pursuant to Section 3.01 or Ordinance No. 86-3, no vehicle shall operate on a Columbia County road in excess of the posted weight limitation without having first obtained a Permit from the Board of County Commissioners; and

WHEREAS, pursuant to Section 3.03 of Ordinance No. 86-3, Permits issued under the Ordinance may establish any additional terms, limits or conditions on a Permit that are necessary or

desirable for the protection of the highways and streets and to the public interest;

NOW, THEREFORE, IT IS HEREBY ORDERED, as follows:

1. The Board of County Commissioners finds that undue damage will result to the following roads, in the event that heavy vehicles are permitted to travel on said roads:

Pisgah Home Road;
Holaday Road;
Chapman Road;
Chapman Grange Road;
Alder Creek Road
McDermott Road;
Tide Creek Road (from Nicolai Road to Orr Road);
Barker Road;
Lentz Road;
Shepard Road (from Delena Mayger to end of the pavement);
Johnson Road;
Elk Creek Road; and

2. The roads, as listed above, shall be closed to vehicular traffic, as follows: No vehicle in excess of 26,000 pounds GVW shall operate on said roads with an axle weight more than 75% of its legal maximum axle weight.
3. The Roadmaster shall post a sign, substantially in the form which is attached hereto as Attachment 1, and is incorporated herein by this reference, conspicuously at each end of a Road section affected by this Order, and shall endorse this Order accordingly.
4. The Columbia County Roadmaster is authorized to issue Permits in accordance with the Columbia County Transportation Ordinance (Ordinance No. 86-3), as amended, and this Order, on behalf of the Board of County Commissioners.
5. The Columbia County Roadmaster shall issue Permits as follows:
 - A. For hauling to be done during the months of June, July, August, and September, the Roadmaster shall issue Permits in substantially the same form as shown in Attachment 2, which is attached hereto and is incorporated herein by this reference.
 - B. For hauling to be done during the months of January, February, March, April, May, October, November and December, the Roadmaster shall issue Permits in substantially the same form as shown in Attachment 3, which is attached hereto and is incorporated herein by this reference. As shown in Attachment 3, no hauling shall occur under said Permits without the signature of the originating Property Owner on

an indemnity agreement and payment of \$5 per trip per mile or fraction thereof, or \$1.00 per Thousand Board Feet per mile or fraction thereof for log hauling. This fee shall not apply to "Delivery Trucks" defined as those trucks hauling to a residence for residential purposes. The indemnity agreement shall require the Property Owner to be responsible for repair of the road to pre-haul condition.

- C. There shall be no weight restrictions applied to Emergency Service Vehicles, County Maintenance Vehicles, or School Buses.
6. As the pavement on the above listed roads becomes unmanageable by the placement of cold mix asphalt in potholes, the subject section of road will be returned to gravel by the placement of adequate base rock. As sufficient funds become available, these sections of gravel will be given high priority for chip seal or pavement. The County will commit to placing dust control on these sections of gravel that are within 500 feet of a residential building.
7. Order No. 20-2007, is hereby repealed.
8. The Roadmaster shall provide to the Board of County Commissioners, periodic reports of road damage or degradation.
9. This Order shall be effective upon recording in the Commissioners' Journal, after the fact of posting has been properly endorsed, and shall remain in effect indefinitely.

Dated this 2nd day of May, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: Rita M. Bernhard
Rita Bernhard, Chair

By: Anthony Hyde
Anthony Hyde, Commissioner

By: Joe Corsiglia
Joe Corsiglia, Commissioner


Approved as to form

By: Sarah Hanson
Office of County Counsel

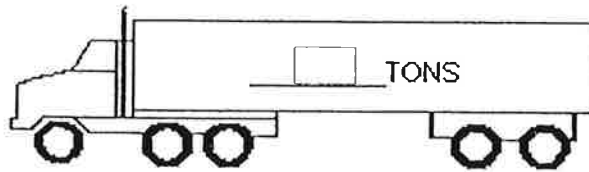
ENDORSEMENT

I certify that the following roads were posted on the following dates and times:

<u>Road</u>	<u>Date</u>	<u>Time</u>
Pisgah Home Road	6-13-07	1:00
Holaday Road	6-13-07	1:00
Chapman Road	6-13-07	1:00
Chapman Grange Road;	6-13-07	1:00
Alder Creek Road	6-13-07	1:00
McDermott Road;	6-13-07	1:00
Tide Creek Road (from Nicolai Road to Orr Road);	6-13-07	1:00
Barker Road;	6-13-07	1:00
Lentz Road;	6-13-07	1:00
- Shepard Road (from Delena Mayger to end of Pavement);	6-18-07	1:00
- Johnson Road;	6-18-07	1:00
Elk Creek Road; and	5-7-07	1:00

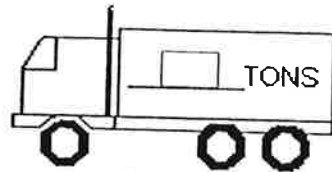


Dave Hill
County Roadmaster.



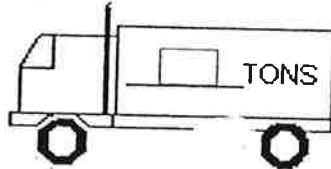
TYPE 3S2

30 Ton



TYPE 3

20 Ton



14 Ton

Additional

Weight

by

Permit

Only

503

-

397

-

5090

ATTACHMENT 2

PERMIT FEE: \$7.00

Permit Number _____

COLUMBIA COUNTY ROAD DEPARTMENT

1054 Oregon Street, St. Helens, Oregon 97051 ● Phone 503-397-5090 ● Fax 503-397-7215

Special transportation and Hauling Permit

Pisgah Home Road, Holaday Road, Chapman Road, Chapman Grange Road, Alder Creek Road, McDermott Road, Tide Creek Road, Barker Road, Lentz Road, Shepard Road, Johnson Road, Elk Creek Road

This Permit is required by the Columbia County Transportation Ordinance for all vehicles in excess of 26,000 pounds GVW and hauling 75% of their legal maximum axle weight or more, on the above listed roads (the "Restricted Roads"). The Operator must obtain a Permit for each Restricted Road to be used, and for each vehicle to be used. Subject to the following terms and conditions, including those on the reverse side, and pursuant to the Columbia County Transportation Ordinance and ORS 818.010 to 818.440, Permittee is hereby authorized to move the listed Commodity on the listed Vehicle over the named Restricted Roads, as set forth herein.

Effective Date: _____

Expiration Date: _____
(Not to exceed 3 months)

1. Permittee (Operator of the Vehicle).

Name of Permittee: _____
Address: _____
Phone: _____
Fax: _____

2. Owner of Vehicle (if other than Permittee).

Name of Owner: _____
Address: _____
Phone: _____
Fax: _____

Owner of Originating Property (Commodity).

Name of Owner: _____
Address: _____
Phone: _____
Fax: _____

4. Permit Route.

From _____ To _____ Via _____
Miles: _____

5. Commodity.

Commodity being hauled: _____ MBF (For Lumber) _____

6. Description of Vehicle.

Year: _____ Make: _____ ID#: _____ PUC#: _____ License#: _____ Firm#: _____ Number of Axles: _____
Load Length: _____ Width: _____ Height: _____ Overall Length: _____ GVW authorized by
ODOT: _____ Make of Trailer: _____ Trailer Plate No.: _____

7. Statement as to the public interest in granting this Permit: _____

8. Special Provisions: _____

9. Permit Conditions.

1. Posted Road Limits. Nothing in this Permit shall authorize travel across roads or bridges with posted weight restrictions, including winter freeze/thaw restrictions, unless specifically authorized as a special provision written above.
Coverage and Applicability. The equipment and load covered by this Permit shall conform to the Oregon Motor Vehicle Laws and the Oregon Motor Transportation Code as the same may be modified by the provisions of this Permit. This Permit must be carried at all times in the cab of the vehicle, and must be available for inspection by any police officer, the Weighmaster, or any representative of the Columbia County Road Department.
3. Cancellation. This Permit may be revoked at any time by the County Roadmaster if, in the Roadmaster's judgment, it is in the public interest to do so.
4. Acceptance of Conditions. The receipt of this Permit by the Permittee and initiation of any movement authorized hereby shall be deemed acceptance by the Permittee of all descriptions, terms and conditions set forth herein.
5. Crossing Highway/Centerline/Clearance. The movement authorized hereby shall at all times keep to the extreme right hand side of the traveled roadway. On two lane highways when the roadway width is such that any portion of the movement extends over, beyond or to the left of the centerline of the traveled roadway, except when overtaking or passing other vehicles or an obstruction on the highway, the permittee shall furnish a flagman-escort to precede the load and warn approaching traffic, whether or not such flagman-escort is required on the face of this Permit.
6. Speed. The Permittee shall at all times operate at a reasonable speed giving due consideration to existing conditions.
7. Indemnity. The Permittee, Owner and Property Owner, as listed above, shall be jointly and severally liable and shall indemnify the County for any damage to the Restricted Roads that may be caused under this Permit, and shall indemnify the County, its officers, agents and employees from any claim for damage to property or person that might arise out of the granting of this Permit or the use of the Roads under this Permit. The County Roadmaster may require the Permittee, Owner and/or Property Owner to furnish indemnity insurance or an indemnity bond, in an amount fixed by the County Roadmaster to secure such indemnity.
8. License and PUC Permit. Vehicles to be used on any road within the County's jurisdiction shall be properly licensed in the State of Oregon and shall carry the proper PUC certificate and plate or pass.
9. Temporary Revocation. The Board of County Commissioners, acting through the County Roadmaster, may at certain times, temporarily revoke this Permit and declare posted roads closed to vehicles operating in excess of the posted weight limitation. Any revocation decision shall be made by the Roadmaster based upon his/her judgment and discretion, and may be effective immediately if necessary to protect the Restricted Roads.
10. Premium Fee. For hauling during the months of January-May and October-December, no hauling shall occur under this Permit unless and until the Property Owner of the property where the Commodity originates pays a premium fee of \$5.00 per trip per mile or fraction thereof, or \$1.00 per trip per Thousand Board Feet or fraction thereof for timber hauling. Payment of the Premium Fee does not relieve the Permittee, Owner, or Property Owner from liability for damage to the Restricted Roads or from damage to persons or property as set forth above.

By signing below, Permittee and Owners covenant that the weight of the Vehicle cannot be reduced as provided in ORS 810.210, and agree to bound by and abide by the Permit Conditions listed above.

Signature of Permittee: _____ Date: _____
Signature of Vehicle Owner: _____ Date: _____
Signature of Property Owner: _____ Date: _____

Approved by: _____
Title: _____
Date: _____