

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

An Ordinance Prohibiting Logging)
Operations On Public Right-of-ways)
And Designating An Emergency.)

NO. 202
ORDINANCE

This matter having come on regularly at this time to be heard; and

It appearing to the Board of Commissioners that, pursuant to Chapter 282 of the Oregon Laws 1973, the governing body of the county may enact ordinances to exercise authority within the county over matters of county concern; and

It further appearing to the Board that logging operations conducted on county road and other public road right-of-ways within the county and the problems created thereby are matters of county concern; and

It further appearing to the Board that the adoption of this ordinance prohibiting and regulating logging operations being conducted on county road and other public road right-of-ways is in the best interest of the public, and being fully advised in the premises,

The Board of Commissioners of Columbia County ordains as follows:

SECTION 1. PURPOSE

The purpose of this ordinance is to protect county roads and other public right-of-ways within Columbia County from damage caused by logging operations being conducted within the right-of-way and to protect the traveling public from injury and property damage occasioned by hazardous logging operations within the public right-of-way.

SECTION 2. PROHIBITION

The following acts are prohibited on any county road, public highway or other public right-of-way within the boundaries of Columbia County:

- A. Cold decking or storing logs within said right-of-ways.
- B. Loading of logs within said right-of-ways.
- C. Skidding or yarding logs on or across said right-of-ways.

SECTION 3. PENALTY

Any person, persons or corporations violating Section 2 of this ordinance shall be punished, upon conviction, by a fine of not more than \$250.00. In addition, the District Attorney or the Board of Commissioners may bring suit to enjoin violations of this ordinance and may initiate civil proceedings in the name of the county to collect damages occasioned by violations of this ordinance.

SECTION 4. SEVERABILITY

If any provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction said portions shall be deemed a separate, distinct and independent provision, and such holdings shall not affect the validity of the remaining portions thereof.

SECTION 5. EMERGENCY CLAUSE

This ordinance being necessary for the immediate preservation of the public health, peace and safety, an emergency is declared to exist and this ordinance shall take effect upon its passage.

ENACTED this 20th day of February, 1974, being the date of the second reading and second public hearing before the Board of County Commissioners for Columbia County, Oregon.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By [Signature] Chairman

By [Signature] Recording Secretary

APPROVED AS TO FORM:

ROBERT A. LUCAS
District Attorney

BY [Signature]

Reading
First February 6, 1974
Second February 20, 1974
Vote Aye: 3
Naye: 0

Public Hearing
February 6, 1974
February 20, 1974