

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

An Ordinance Authorizing Columbia )  
County to Post Weight Limits, )  
Establish Permit Process and )  
Otherwise Regulate and Restrict )  
the Use of County Roads by )  
Certain Vehicles and to Provide )  
Penalties for Violation of the )  
Activities. )  
\_\_\_\_\_ )

NO. 83-3

TRANSPORTATION ORDINANCE

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

WHEREAS, It appears to the Board of Commissioners that, pursuant to Chapter 487 of the Oregon Laws of 1983, the governing body of the County may enact ordinances to restrict or prohibit the operation of any type of vehicle on County roads to protect said roads from being unduly damaged; and

WHEREAS, It further appears to the Board that the protection and maintenance of County roads is in the interest and safety of the general public; and

WHEREAS, the Board of County Commissioners, pursuant to ORS 483.533, has the authority to establish a permit process; and

WHEREAS, ORS 483.528 sets forth the specifications and requirements to be included in any type of permit process, now therefore,

THE BOARD OF COMMISSIONERS OF COLUMBIA COUNTY ORDAINS AS FOLLOWS:

ARTICLE 1. PURPOSE

The purpose of this ordinance is to authorize Columbia County's Board of Commissioners, through its Roadmaster, to post weight limits on County roads, establish a permit process to regulate use on these roads, to allow temporary revocation of said permits if the Roadmaster so advises and provide penalties for the violation thereof.

ARTICLE 2. BASIC PROVISIONS

The Board of Commissioners, through its Roadmaster, is hereby authorized to prohibit the operation on county roads of any vehicle having a gross weight in excess of 15 tons. A sign giving notice of the weight limitations shall be maintained in a

conspicuous manner and placed at each end of the highway or section of highway effected thereby.

In accordance with the terms and provisions of Article 3, permits shall be issued to certain vehicles allowing them to operate in excess of the posted weight limitations.

Violations of this ordinance are punishable by the terms of Article 5.

ARTICLE 3. PERMITS

Section 3.01. Permits.

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, which permit shall be granted upon compliance with the requirements of this ordinance. Violation of this ordinance shall be punishable by a \$50 fine per permit violation.

Section 3.02. Applications for Permits.

Applications for permits shall be in writing and shall specify:

- (1) The vehicle, combination of vehicles, machine or thing for which the permit is requested;
- (2) The amount by which the requested weight limit exceeds the posted limit;
- (3) The particular highways and streets for which the permit is requested;
- (4) Whether the permit is necessary for a single trip, number of trips or continuous operation; and
- (5) The name and address of the operator and owner of the vehicle for which the permit is sought.

Section 3.03. Issuance of Permits.

A permit issued under this section shall be in writing and shall specify:

- (1) The vehicle, combination of vehicles, machine or thing allowed to operate by the permit;
- (2) Maximum gross weights allowed by the permit;
- (3) All highways or streets for which the permit is valid;

(4) Whether the permit is necessary for a single trip, number of trips or continuous operation; and

(5) The name and address of the operator and owner of the vehicle for which the permit is sought.

#### Section 3.03. Issuance of Permits.

A permit issued under this section shall be in writing and shall specify:

(1) The vehicle, combination of vehicles, machine or thing allowed to operate by the permit;

(2) Maximum gross weights allowed by the permit;

(3) All highways or streets for which the permit is valid;

(4) The length of time for which the permit shall be valid, such time not to exceed one year;

(5) Any additional terms, limits or conditions that are necessary or desirable for the protection of the highways and streets and the public safety and interest.

#### ARTICLE 4. TEMPORARY REVOCATION OF PERMITS.

The Board of County Commissioners, acting through and upon the advice of the roadmaster, may at certain times temporarily revoke any permits issued under this ordinance 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 judgment and discretion, said decision to be effective immediately.

#### ARTICLE 5. PENALTIES.

Violations of this ordinance are punishable, upon conviction, by a fine based upon the excess gross weight of the vehicle over the posted or authorized weight limit. If the excess weight is:

1. 1,000 pounds or less - \$2.00 fine.
2. 2,000 pounds or less - \$15.00 fine.
3. 3,000 pounds or less - five (5) cents per pound of excess.
4. 5,000 pounds or less - seven (7) cents per pound of excess.
5. More than 5,000 pounds - ten (10) cents per pound of excess.

The failure to secure a permit in violation of Article 3 of this ordinance shall be punishable by a fine of \$50 per violation.

Violators of this ordinance shall also be jointly and severally liable to the County for all damage done to any County road or bridge as a result of the violation.

ARTICLE 6. EMERGENCY CLAUSE.

This ordinance being necessary for the immediate protection and maintenance of county roads and for the public safety and welfare, an emergency is declared to exist and this ordinance shall take effect upon its passage.

REGULARLY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS FOR COLUMBIA COUNTY,

THIS 16<sup>th</sup> day of March, 1983.

BOARD OF COUNTY COMMISSIONERS  
OF COLUMBIA COUNTY, OREGON

By Robert M. Lund  
Chairman, Board of Commissioners

Robert L. King  
Commissioner

B. Albain  
Commissioner

By James A. [unclear]  
Recording Secretary