

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Adopting the Public Land Corner
Preservation Fund Ordinance

ORDINANCE NO. 2026-2

The Board of County Commissioners for Columbia County, Oregon, ordains as follows:

SECTION 1. TITLE

This Ordinance shall be known as the Columbia County Public Land Corner Preservation Fund Ordinance.

SECTION 2. AUTHORITY

This Ordinance is adopted pursuant to ORS 203.035, ORS 203.148, and legislative amendments to ORS 203.148 enacted by the Oregon Legislature, specifically House Bill 3175 (2025) (“HB 3175”).

SECTION 3. PURPOSE

The purpose of this Ordinance is to repeal Ordinance No. 2006-10 and to adopt this ordinance in its place, which will allow for updates to the Public Land Corner Preservation Fund fee (“PLC Fee”), such fee to be adopted via separate Order of the Board of Commissioners (“Board”).

SECTION 4. BACKGROUND

On January 28, 2026, the County Surveyor presented an overview of the Public Land Corner Preservation Fund program to the Board of Commissioners, including changes to ORS 203.148 by HB 3175, which became effective January 1, 2026. The Board conducted a hearing on the matter on February 18, 2026.

SECTION 5. PUBLIC LAND CORNER PRESERVATION FUND

- A. The Public Land Corner Preservation Fund, which was established by previous ordinances of the County, shall continue in effect under this Ordinance.
- B. Moneys in the Public Land Corner Preservation Fund shall be used only to pay expenses incurred and authorized by the County Surveyor in the establishment, re-establishment and maintenance of corners of government surveys under ORS 209.070(5) and (6).

- C. No payments may be made from the Public Land Corner Preservation Fund without the prior written approval of both the Board of Commissioners and the County Surveyor.

SECTION 6. FEES

- A. The Columbia County Clerk shall collect, in addition to any other fees, a fee to be established by order of the Board of Commissioners for the recording all instruments under ORS 205.130(2).
- B. Five (5%) percent of the fees collected under subsection 6.A of this Section shall be retained by the County Clerk for the Clerk's costs in administering this Ordinance.
- C. After the administrative fees are deducted as provided in subsection 6.B of this Section, all remaining fees collected under subsection 6.A of this Section shall be deposited with the County Treasurer at least once a month, and shall be credited to the Public Land Corner Preservation Fund.
- D. No fee shall be charged to the State of Oregon, Columbia County, any commission or board thereof, or the Columbia County Tax Collector, under this Section by the County Clerk for filing or recording any instrument executed by or conveying real estate to the State of Oregon, Columbia County, any commission or board thereof, or the Columbia County Tax Collector.

SECTION 7. MISCELLANEOUS

- A. This Ordinance does not constitute an order of the Board of County Commissioners to establish or reestablish a particular corner or corners of government surveys, as provided for in ORS 209.070.
- B. This Ordinance does not authorize the County Surveyor to incur expenses other than those provided for periodically in the adopted budget of Columbia County or otherwise by order of the Board.

SECTION 8. REPEALER

Ordinance No. 2006-10 is hereby repealed. Such repeal shall not reinstate any ordinance, order or resolution repealed by that ordinance.

SECTION 9. SAVINGS CLAUSE

Nothing in this Ordinance shall be deemed to invalidate any action taken under Ordinance No. 2006-10 prior to the effective date of this Ordinance.

SECTION 10. SEVERABILITY

If for any reason a court of competent jurisdiction holds any portion of this Ordinance, including its attachments or any portion therein, to be invalid, and such holding is upheld on appeal, that portion shall be deemed a separate, distinct and independent portion. The court's holding shall not affect the validity of the remaining portions.

DATED this ____ day of _____, 2026.

Approved as to Form

BOARD FOR COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Office of County Counsel

By: _____
Kellie Jo Smith, Chair

By: _____
Recording Secretary

By: _____
Casey Garrett, Commissioner

First Reading: _____
Second Reading: _____
Effective Date: _____

By: _____
Margaret Magruder, Commissioner