



503 Marolf Loop Road
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Land of Cheese, Trees and Ocean Breeze

August 20th, 2008

In the past, Tillamook County Public Works mowed, patched, and graded local access roads. Due to a loss of 43% of our revenue because of the expiration of PL 106-393 (Federal Forest Dollars) we are no longer able to provide these services. We will continue to provide regulation signs (i.e. stop and street name signs) and in the event of a landslide or down trees, Public Works will re-open the road for emergency vehicles. This decision is based on the following Oregon Revised Statutes (ORS) 368.031.

The following definitions are defined in ORS. 368.001 (as used in ORS 368):

1. "County Road" means a public road under the jurisdiction of a county that has been designated as a county road by ORS 368.016.
2. "Local Access Road" means a public road that is not a county road, state highway or federal road.

As stated in ORS 368.031: "COUNTY JURISDICTION OVER LOCAL ACCESS ROADS." A local access road that is outside a city is subject to the exercise of jurisdiction by a county governing body in the same manner as a county road except the following: A county and its officers, employees, or agents are not liable to improve the local access road or keep it in repair...."

Public Works has concluded from ORS 368.031 that discontinuing the above mentioned services on local access roads is a viable means to stay within its reduced budget. Tillamook County has jurisdiction for local access road but is not required to maintain or repair local access roads. However, all road approach, utility, and non-utility operations within local access road right of ways are still under Tillamook County jurisdiction (according to ORS 374 and Tillamook County Ordinance #44) and therefore still require permit approval.

We appreciate your patience as we try to find new revenue sources. If you have any questions, please feel free to contact our office at 503-842-3419. For your information, the working list of Local Access Roads has been posted on our website: <http://www.co.tillamook.or.us/gov/pw/Roads.htm>.