

IN THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY

ADOPTING POLICY REGARDING)	
IMPROVEMENTS)	RESOLUTION AND ORDER
IN ROAD RIGHT-OF-WAY)	

WHEREAS, ORS 368.705 describes funding for improving county roads,
and

WHEREAS, Clatsop County is lacking clear written guidelines as to when
the county can move property owners improvements that have been placed in the
road right-of-way, and the alternative handling of such improvements depending
on whether they were placed in the right-of-way prior to the adoption of a permit
process for fencing in the right of way, which process was adopted effective
February 11, 2000 in Clatsop County Ordinance 99-18 "An Ordinance Adopting
Standards for Access Permits and Other Activities Occurring in Public Roadway"
or after, and

WHEREAS, to protect the condition of county roads, and provide for safe
ingress and egress onto said roads from private roads, the County requires a
policy regarding the paving of approaches to county roads, and

WHEREAS, such guidelines are necessary for consistent administration of
county roads,

NOW THEREFORE, IT IS HEREBY RESOLVED AND ORDERED:

The Board of Clatsop County Commissioners adopts the following policy
improvements in a county road right-of-way.

Dated this 9th day of March, 2005.

BOARD OF COMMISSIONERS FOR
CLATSOP COUNTY, OREGON

Richard Lee, Chair

POLICY ON IMPROVEMENTS IN COUNTY ROAD RIGHTS-OF-WAY

Mailboxes: As part of the cost of improving a county road, County will move any mailbox meeting US Postal Service regulations that requires re-location. Re-located mailboxes will be placed in accord with County Road Standards. If a mailbox does not meet US Postal Service regulations, County will move and install only a post for the mailbox.

Fencing: As part of the cost of improving a county road, county will move, or replace with like materials, any fence built prior to February 11, 2000, that requires relocation, if the property owner consents and agrees to hold the county harmless for damage to the fence as a result of the re-location. If a fence requires use of new material as part of reconstruction, County will use like material to that in the existing fence. Barriers consisting of shrubs or other living plants are not considered fences. County will move or replace to the right-of-way line only that portion of fence required to be re-located as a direct result of the improvement project or fences determined to be within the clear zone, and will connect any new and old fence sections appropriately. The "clear zone" is described as the area 10 feet from the outside of the edge of the travel lane. A "travel lane" is that portion of the roadway, exclusive of shoulders, designated for the movement of vehicles. If the property owner wishes to place a fence between the clear zone and the legal right-of-way, they will do so at their expense and additionally, they must execute a permit from the county for retaining an improvement in the right-of-way. For fences located within the right-of-way pursuant to a permit, or for which a permit should have been acquired, or for which no re-location consent is granted, County will notify landowner, or require its contractor to notify landowner, at least 60 days prior to commencing road improvements so that owners may move the fencing.

Landscaping: County will not move landscaping as part of the cost of improving a county road. County will notify landowner, or require its' contractor to notify landowners, at least 60 days prior to commencing road improvements that owners need to move any landscaping they wish to keep.

Driveway and Road Approaches: As part of the cost of improving a county road, County will pave driveway and road approaches to a distance of 10 feet, from the edge of pavement or to the right-of-way boundary if the right-of-way is within 15 feet of the pavement on the county road.

Driveway and Road Culverts: As part of the cost of improving a county road, county will install culverts to existing driveway and road approaches when (1) Changes are made to the alignment or grade of the roadway drainage system, or (2) Road widening improvements require the culvert to be relocated. Additionally, all driveway and road approach culverts in the roadway drainage system that are within the county road right-of-way will be maintained by the county.

Existing road approach culverts that the property owner wishes to be extended or modified, or culverts required for the approval of a road approach permit, will be installed at the expense of the property owner.