

BEFORE THE BOARD OF COMMISSIONERS

FOR MARION COUNTY, OREGON

APR 29 2 34 PM '98

An Ordinance Prohibiting)
Creation of a Road Hazard;)
Allowing for a Penalty and)
Declaring an Emergency.)

ALAN H. DAVIDSON
MARION COUNTY CLERK
BY _____

Ordinance No. 1084

THE MARION COUNTY BOARD OF COMMISSIONERS ORDAINS AS

FOLLOWS:

SECTION 1. Creation of road hazard prohibited

An owner or lawful occupant of land shall not allow:

(a) Any water to overflow, seep or otherwise discharge from that land onto a public road under county jurisdiction including, but not limited to, water that is passing over the land, diverted from the land by an obstruction on the land, flowing from the land because of rainfall or discharge from an irrigation sprinkler or other device.

(b) Any structure, tree, drainage way, soil deposit or other natural or man-made thing on that land to present a danger to or create a hazard for the public traveling on a public road or facilities within the right of way of the public road by obstructing, hanging over or otherwise encroaching or threatening to encroach in any manner on a public road that is under county jurisdiction.

SECTION 2. Defense

A person is not in violation of Section 1 of this ordinance if there is no reasonable method for the person to control, stop or remove the cause of the violation.

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SECTION 3. Penalty

Violation of this Ordinance shall be punishable by a fine not to exceed \$200.00.

SECTION 4. Emergency

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

SIGNED AND FINALIZED this 29th day of April, 1998.

MARION COUNTY BOARD OF COMMISSIONERS

Mary Pearmain
Chair

Angela E. Phipps
Recording Secretary