



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF ADOPTING THE IMMUNITY FROM LIABILITY FOR USE OF TRAILS OR STRUCTURES IN PUBLIC EASEMENTS OR UNIMPROVED RIGHTS OF WAY PROVIDED IN ORS 105.668, AS AMENDED BY SENATE BILL 1576

RESOLUTION #24-004

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Board of Commissioners being present; and

WHEREAS, the Wasco County Board of Commissioners finds that the Oregon Legislature enacted Senate Bill (SB) 1576 in its 2024 Regular Session; and

WHEREAS, as amended by SB 1576, ORS 105.668(2) provides cities with a population of 500,000 or more with immunity from liability for injury or property damage arising from use of trail or structures in public easement or unimproved right of way; and

WHEREAS, as amended by SB 1576, ORS 105.668(3) authorizes cities and counties with populations of less than 500,000 to opt in to the immunities provided in ORS 105.668(2) by adoption of an ordinance and resolution; and

WHEREAS, Wasco County desires to opt in to the immunities provided by ORS 105.668 to further advance the public interest by protecting and supporting efforts and activities of the County.

NOW, THEREFORE, BE IT RESOLVED by the Wasco County Board of Commissioners as follows:

SECTION 1 **Immunity.** Pursuant to ORS 105.668(3)(a) and (b), on behalf of the County and its elected officials, officers, employees and agents, Wasco County hereby opts in to the immunity from liability for injury or property damage arising from the use of trails or structures in public easements and/or unimproved rights of way as provided by ORS 105.668.

SECTION 2 **Extended Immunity.** Pursuant to ORS 105.668(3)(c) and (d), Wasco County further opts to extend the immunity adopted in Section 1 of this Resolution to:

- a. The owner(s) of land abutting public easements and unimproved right of ways located within the County; and

- b. Any nonprofit corporation and its volunteers for the construction and maintenance of trails or structures in a public easement or unimproved right of way located within the County.

SECTION 3 **Effective Date.** This resolution shall take effect immediately upon its adoption.

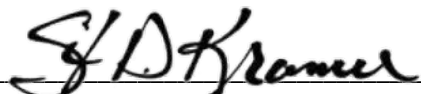
ADOPTED by the Wasco County Board of Commissioners on this 1st day of May, 2024.

APPROVED AS TO FORM:



Kristen Campbell, County Counsel

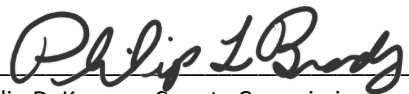
WASCO COUNTY BOARD OF COMMISSIONERS:



Steven D. Kramer, Commission Chair



Scott C. Hege, County Commissioner



Philip D. Kramer, County Commissioner