



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

IN THE MATTER OF RESTRICTING ACCESS TO 1,000 FOOT SECTION OF HOOD RIVER ROAD

ORDER #24-015

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

IT APPEARING TO THE BOARD: On April 10, 2023 certain Petitioners requested vacation of a portion of Hood River Road described as follows:

An approximately 1,000 foot section of Hood River Road, between the Hood River and Wasco County boundary line, and existing "east gate," lying just westerly of the driveway entrance to Tax Lot 600, Section 10, Township 2 North, Range 11 East, Willamette Meridian; Wasco County, Oregon (the "Road");
and

IT FURTHER APPEARING THE BOARD: That Residents of the below-described portion of Hood River Road , face challenges in managing access to their adjacent properties and the dumping of trash on their property as well as the public access road due to unauthorized motorized vehicles encroaching on their property through the public access road; and

IT FURTHER APPEARING TO THE BOARD: That it has been determined that the vacation of this road is not in the public interest based on the following need to:

- Maintain the connectivity of the public road system and direct links to accessibility, mobility, and modality.
- Maintain accessible routes for EMS.
- Maintain access for future private or public timber sales from private and public lands.
- Maintain access and potential future development of public roads and lands.
- Maintain and developing public trail systems and recreational opportunities.
- Comply with the US Department of Justice, Civil Rights Division (ADA), prohibiting discrimination against people with disabilities in everyday activities guaranteeing the same opportunities for participation.

IT FURTHER APPEARING TO THE BOARD: That ORS 810.030(1) allows the imposition of restrictions on highway use to protect any highway or section of highway from being unduly damaged or to protect the interest and safety of the general public; and

IT FURTHER APPEARING TO THE BOARD: That ORS 810.030(2) outlines restrictions that may be imposed to include the prohibition of the operation of any or all vehicles or any class or kind of vehicle; and

IT FURTHER APPEARING TO THE BOARD: That ORS 810.030(3) states that any restrictions or limitations imposed must be done by a proper order; and

IT FURTHER APPEARING TO THE BOARD: That ORS 164.245(3) stated that nothing in the statute prevents emergency or law enforcement vehicles from entering upon land closed to motor-propelled vehicles; and

IT FURTHER APPEARING TO THE BOARD: That ORS 164.270 Outlines the specific required when closing premises to motor-propelled vehicles.

NOW, THEREFORE, IT IS HEREBY ORDERED: That the Wasco County Public Works Director in collaboration with the Wasco County Surveyor and the Hood River Public Works Director determine the most effective approach to maintaining the integrity of the road and surrounding properties while balancing the public interest is to close the 1000' portion of the Road to motor vehicles by way of the installation of a gate and signage and to preserve the public's non-motor vehicle recreational and emergency services access to and across the Road. The prohibition of motor vehicles does not apply to emergency and law enforcement vehicles, utility owners, County Public Works vehicles, and agents or invitees of the adjacent property owners.

This Order shall be effective after the road has been posted at each end of the affected section.

DATED this 1st day of May, 2024.

APPROVED AS TO FORM




 Kristen Campbell, County Counsel

Wasco County Board of Commissioners



 Steven D. Kramer, Chair



 Scott C. Hege, Vice-Chair



 Philip L. Brady, County Commissioner