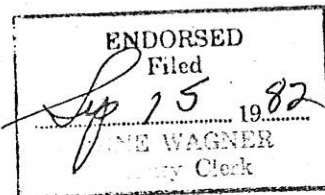




BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF TILLAMOOK COUNTY, OREGON



In the Matter of the Adoption )  
of Minimum Standards for Roads )  
Accepted into the Tillamook )  
County Maintained Road System )

Ordinance No. 16

The Tillamook County Board of Commissioners ordains  
as follows:

Section 1. Purpose.

It is the purpose of this Ordinance to provide minimum standards for public roads which are to be accepted into the county maintained road system. It is necessary to have minimum standards to govern the acceptance of new roads or older local access roads to assure that the roads will be economically feasible to maintain and will be safe for the general public to use. This Ordinance is not intended to replace existing state law, except as this Ordinance and a state law directly conflict and Tillamook County is permitted to provide a different standard by ordinance.

Section 2. Definitions.

The following definitions shall apply to the defined terms used in this Ordinance. All other terms shall have their ordinary meaning.

(1) "Aggregate haul road" means a road used for the transport of rock or gravel.

(2) "Board of Commissioners" means the Tillamook

County Board of Commissioners.

(3) "County" means Tillamook County, Oregon.

(4) "County engineer" means the Director of Public Works or other administrative officer designated by the Board of Commissioners as being responsible for administration of the road activities of the County.

(5) "County road" means a public road under the jurisdiction of the County that has been designated as a county road under ORS 368.016.

(6) "Department of Public Works" means the county department responsible for the construction and maintenance of county roads.

(7) "Local access road" means a public road that is not a county road, state highway or federal road.

(8) "Market road" means a road used for the commercial transport of agricultural products.

(9) "Minor street" means a street intended primarily for access to abutting properties.

(10) "Paved surface" means asphalt concrete pavement or a multiple lift macadam oil mat.

(11) "Public road" means a road over which the public has a right of use that is a matter of public record.

(12) "Road" means the entire right of way of any public or private way that provides ingress to or egress from property by means of vehicles or other means, or that provides travel between places by means of vehicle. "Road" includes,

but is not limited to:

(a) Ways described as streets, highways, throughways or alleys;

(b) Road related structures that are in the right of way, such as tunnels, culverts or similar structures; and

(c) Structures that provide for continuity of the right of way, such as bridges.

(13) "Right of way" is a general term denoting land, property or interest therein usually a strip acquired for or devoted to a road.

Section 3. Minimum Standards for Acceptance of County Roads.

Tillamook County may accept a public road within its jurisdiction as a county road only if the minimum standards of this Ordinance are met, except as otherwise provided in this Ordinance.

Section 4. Exception to Section 3.

If the Ordinance requirements for minimum continuous right of way are met and a local access road has a minimum of eighteen feet of good condition paved surface, the Board of Commissioners may accept the local access road as a county road if the Board specifically finds that the road usage meets at least one of the following criteria:

- (1) The road will be used by logging traffic;
- (2) The road will be used as an aggregate haul road;
- (3) The road will have more than three separate farms using the road as a market road;

(4) The road has more than twenty-five residences as of the effective date of this Ordinance whose residents use the road as a primary access; or

(5) The road has similar levels of usage to those listed in subsections (1) through (4) above, or has other characteristics which make it desirable for acceptance as a county road.

This section shall apply only to roads which are in existence with the minimum right of way, paved surface, and road usage as of the effective date of this Ordinance.

Section 5. Minimum Right of Way Width.

To be accepted as a county road, a public road must have a minimum of sixty feet of continuous right of way dedicated to the public, except as noted herein. Public roads established prior to July 5, 1947 may have a forty foot minimum continuous right of way. A minor street not extending, or expected to extend over 1,800 feet in length may have a fifty foot minimum continuous right of way.

Section 6. Standard Specifications for Construction.

Unless otherwise specified in this Ordinance or approved in writing by the county engineer, all roads which are to be accepted as county roads must be constructed in conformance with the standards in the current edition of the Oregon State Highway Division's "Standard Specifications for Highway Construction," hereafter referred to as the "Standard Specifications." Those standards are hereby incorporated as

a part of this Ordinance.

Section 7. Design Standards.

Unless otherwise specified in this Ordinance or approved in writing by the county engineer, all roads which are to be accepted as a county road shall be designed in conformance with the design standards in the 1965 edition of "A Policy on Geometric Design of Rural Highways," by the American Association of State Highway and Transportation Officials (AASHTO). Those design standards are hereby incorporated as a part of this Ordinance.

Section 8. Clearing of Right of Way.

The right of way of a road to be accepted as a county road shall be cleared of fixed objects such as rocks, trees and brush. However, in the case of certain landmark trees, the county engineer may make an exception to allow the tree to remain standing in the right of way if the engineer feels the danger to the public is minimal. The engineer shall make such a decision in writing. Trees or other objects may not be allowed to remain if the trees or other objects would create a danger to the public.

Section 9. Subgrade Construction.

Excavation and embankment construction necessary to construct the roadway subgrade of a road to be accepted as a county road shall be done in conformance with Sections 203.31 through 203.50 of the Standard Specifications. The subgrade shall be in close conformity to "Standard Roadway Section A,"

incorporated in this Ordinance as Exhibit "A."

Section 10. Aggregate Subbase.

All roads to be accepted as county roads must be constructed with aggregate for aggregate subbase as specified in Section 703.06 of the Standard Specifications. The aggregate subbase shall be compacted in accordance with Section 304.34 of the Standard Specifications. The aggregate subbase shall be laid in accordance with "Standard Roadway Section A" or "Standard Roadway Section B," incorporated in this Ordinance as Exhibits "A" and "B" respectively.

Section 11. Aggregate Base.

All roads to be accepted as county roads must be constructed with 3/4" - 0" aggregate for aggregate base as specified in Section 703.07 of the Standard Specifications. The aggregate base shall be compacted in accordance with Section 304.34 of the Standard Specifications. The aggregate base shall be laid in accordance with "Standard Roadway Section A" or "Standard Roadway Section B," incorporated in this Ordinance as Exhibits "A" and "B" respectively.

Section 12. Asphalt Concrete Pavement or Asphalt Penetration Macadam.

All roads to be accepted as county roads must be paved either with asphalt concrete pavement or with an asphalt penetration macadam. The minimum standards for either method must be met.

A. Asphalt Concrete Pavement.

When asphalt concrete pavement is used, it shall be constructed in accordance with Section 403 of the Standard Specifications. The asphalt cement shall be AR-2000 or AR-4000. The class of asphalt concrete shall be Class B or C. A "Mix Formula" shall be determined by a professional engineer licensed to practice in the State of Oregon. The "Mix Formula" shall indicate the proportions of each of the several constituents to be used in the mixture, including bituminous asphalt. The mix shall conform to the "Mix Formula" within the tolerances specified in Section 401.12 of the Standard Specifications. The asphalt concrete pavement shall also conform to the diagram entitled "Standard Roadway Section A," incorporated in this Ordinance as Exhibit "A."

Asphalt penetration macadam shall be applied in accordance with Section 406 of the Standard Specifications, except as otherwise specified in writing by the county engineer. The bituminous material used shall be CRS-2, unless an exception is granted by the county engineer in writing.

The minimum material quantities for each spread of the asphalt penetration macadam shall be as follows, unless an exception is granted in writing by the county engineer:

<u>SPREAD</u>	<u>QUANTITY CRS-2</u>	<u>SIZE AGGREGATE</u>	<u>QUANTITY AGGREGATE</u>
First	0.50 gal/s.y.	1/2" - 1/4"	0.010 c.y./s.y.
Second	0.40 gal/s.y.	3/4" - 1/2"	0.016 c.y./s.y.
Third	0.30 gal/s.y.	1/2" - 1/4" 1/4" - #10	0.008 c.y./s.y. 0.003 c.y./s.y.
Fourth	0.40 gal/s.y.	1/4" - #10	0.006 c.y./s.y.

The asphalt penetration macadam shall also conform to the diagram entitled "Standard Roadway Section B," incorporated in this Ordinance as Exhibit "B."

Section 13. Drainage.

A road which is to be accepted as a county road must have an adequate drainage system. Unless otherwise approved in writing by the county engineer, all roadway ditches, culverts and other storm drainage systems shall be designed in conformance with the "Rational Formula."

In addition, drainage systems must contain the following minimum culvert sizes, unless otherwise approved in writing by the county engineer:

(1) For under a driveway which requires a culvert not exceeding 20 feet in length, the culvert must be 12-inch minimum diameter.

(2) For under a roadway, or under a driveway which requires a culvert over 20 feet in length, the culvert must be 18-inch minimum diameter.



Section 14. Structures.

All structures which are an integral part of a road which is to be accepted as a county road shall be designed for an HS-20 live load. This includes bridges, box culverts, and structural plate structures. All structures constructed under this section shall have engineering plans prepared and stamped by a professional structural or civil engineer licensed to practice in the State of Oregon. The clear roadway width over all structures shall be at least 28 feet.

Section 15. Profile Grade.

The maximum profile grade on any road to be accepted as a county road shall be 12 percent. The county engineer may waive this requirement in writing when, in the engineer's judgment, the topographic characteristics of the road make compliance with this requirement impossible or highly impractical.

Section 16. Signs.

At each intersection of a road which is to be accepted as a county road, a road name sign shall be installed for both roads. Both name signs may be installed on the same post. A stop sign shall be installed where each local road intersects the collector or arterial roads identified in the Tillamook County 1981 "Roadway and Traffic Safety Management Plan."

All signs shall be constructed and installed in accordance with the current "Manual of Uniform Traffic Control Devices" (MUTCD) of the Federal Highway Administration.

Any naming of new roads shall be done in accordance with Tillamook County Planning and Zoning Ordinance No. 20.

Section 17. Enforcement By County Engineer.

The provisions of this Ordinance shall be enforced by the Tillamook County engineer. The Department of Public Works is responsible for insuring compliance with the requirements of this Ordinance.

The county engineer may grant written variances to the County standards, as stated in this Ordinance, if all of the following conditions are met:

- (1) The variance is not in conflict with other county ordinances, or state or federal laws.
- (2) The topographic and geologic conditions for the road make a lesser standard necessary.
- (3) Sound engineering principles and judgment indicate that the purposes of this Ordinance, as stated in Section 1 hereof, will be fulfilled.

The county engineer may require that additional design and construction work be done to a higher standard than required by the county standards, as stated in this Ordinance, if, in the county engineer's judgment, additional work is needed. This additional work could include, but is not limited to:

- (1) Specially designed intersections;
- (2) Engineering and geologist studies;
- (3) Wider paving and/or shoulders;

- (4) Thicker paving, base and/or subbase; or
- (5) Guard rails.

Section 18. County Engineer's Report.

Before any road is accepted as a county road by the Tillamook County Board of Commissioners in accordance with ORS 368.016, the county engineer shall submit a written report certifying that the road meets all of the requirements of this Ordinance and explaining any exceptions to the minimum requirements which may have been granted or additional requirements which may have been made.

Section 19. Acceptance of County Road.

Upon receipt of the written report from the county engineer, as required by Section 18, the Board of Commissioners may decide to accept a road as a county road in accordance with ORS 368.016. The Board of Commissioners is not required to accept any road into the county maintained system, even if it meets the minimum standards of this Ordinance. The Board of Commissioners should consider whether the road will be economically feasible to maintain and whether the road fits into the county road network. All roads to be accepted as a county road shall be accepted by an order of the Board of Commissioners.

Section 20. Separability Section.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Tillamook County

Board of Commissioners hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 21. Emergency Section.

This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect immediately upon its adoption.

DATE of First Reading: August 19, 1982.

DATE of Second Reading: September 9, 1982.

ADOPTED this 15<sup>th</sup> day of September, 1982.

APPROVED AS TO FORM

Lynn Rosik  
Lynn Rosik, County Counsel

BOARD OF COUNTY COMMISSIONERS  
OF TILLAMOOK COUNTY, OREGON

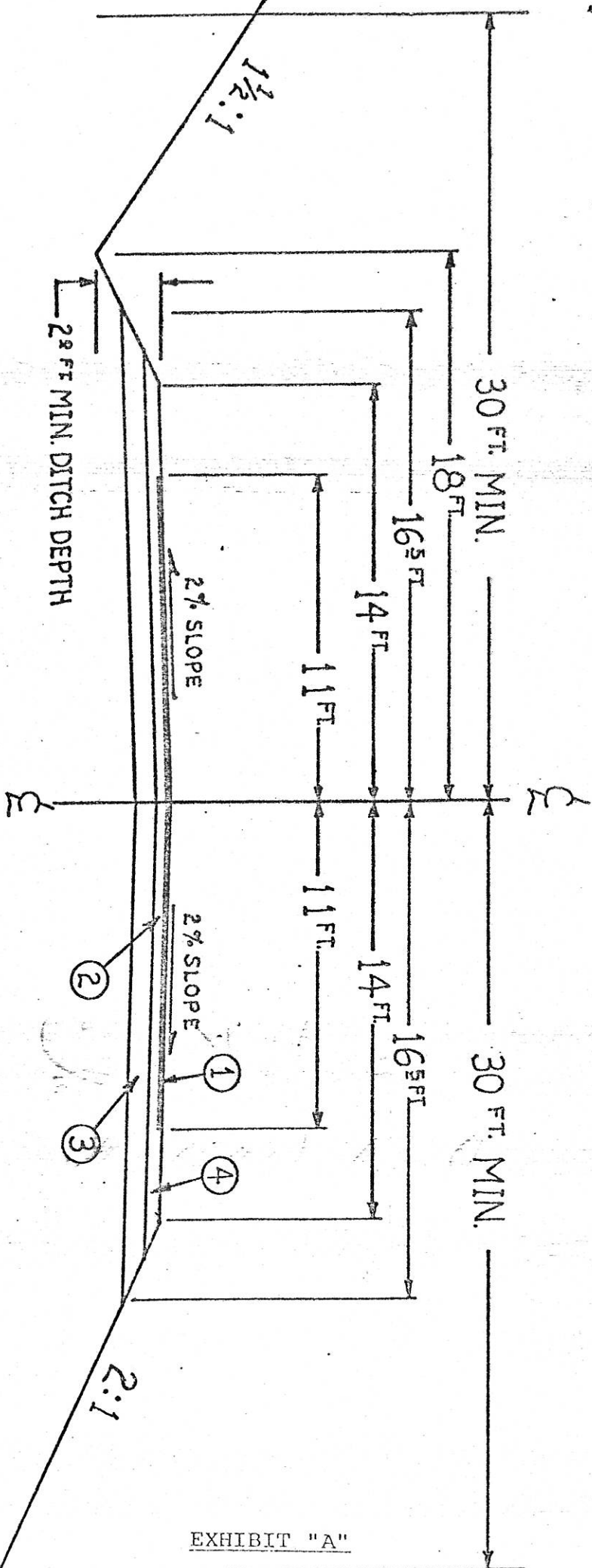
F. E. Knight  
F. E. Knight, Chairman

RECORDING SECRETARY

Nina Gallino  
Nina Gallino

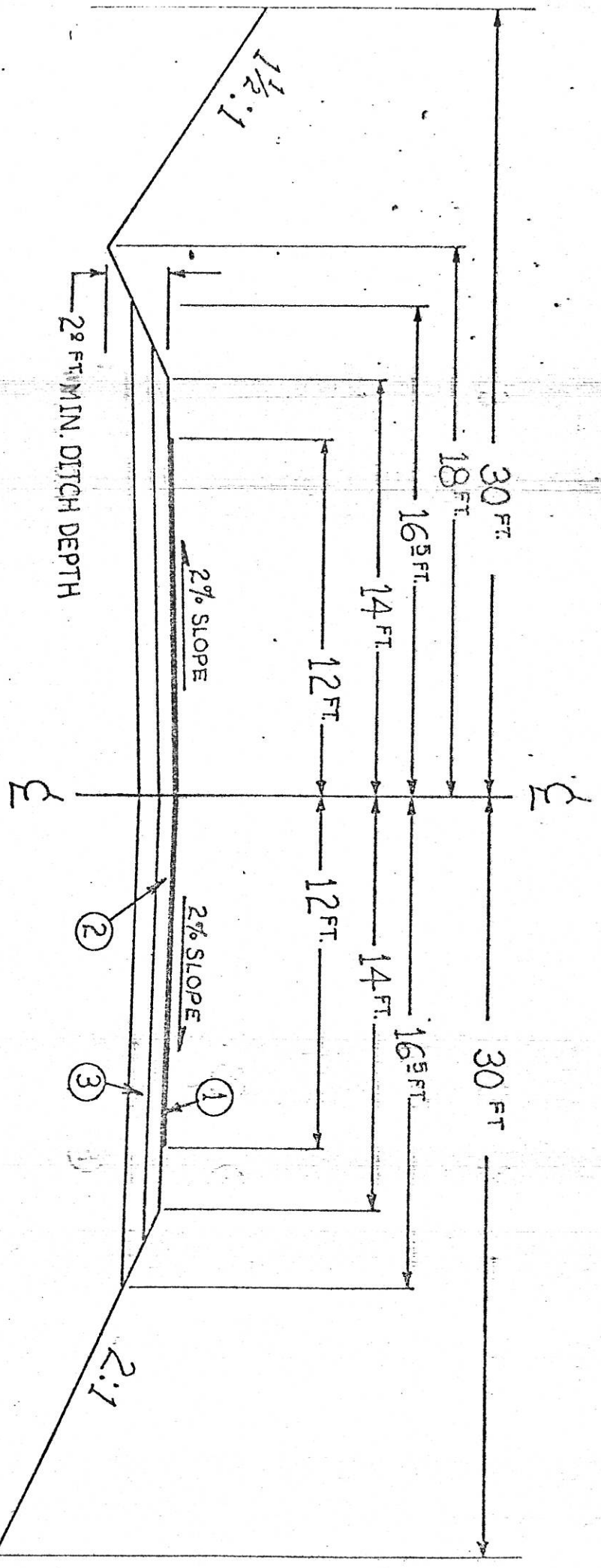
Carol Williams  
Carol Williams, Commissioner

Gerald A. Woodward  
Gerald A. Woodward, Commissioner



1. 3" MIN. COMP. DEPTH ASPHALT CONCRETE PAVING
  2. 3" MIN. COMP. DEPTH 3/4"-0" AGGREGATE BASE ROCK \*\*\*
  3. 9" MIN. COMP. DEPTH AGGREGATE BASE ROCK \*
  4. 6" MIN. COMP. DEPTH 3/4"-0" AGGREGATE BASE ROCK \*\*\*
- \* MUST BE IN ACCORDANCE WITH OREGON STATE HIGHWAY DEPT. STANDARD SPECIFICATION SECTION 703.06 - 1974 EDITION
- \*\* MUST BE IN ACCORDANCE WITH OREGON STATE HIGHWAY DEPT. STANDARD SPECIFICATION SECTION 703.07 - 1974 EDITION

STANDARD ROADWAY SECTION A



1. MACADAM OIL MAT WITH PRIME COAT AS PER COUNTY STANDARD
2. 6" MIN. COMP. DEPTH 3/4"-0" AGGREGATE BASE ROCK \*
3. 10" MIN. COMP. DEPTH AGGREGATE BASE ROCK \*

\* MUST BE IN ACCORDANCE WITH OREGON STATE HIGHWAY DEPT. STANDARD SPECIFICATION SECTION 703.06 - 1974 EDITION

# STANDARD ROADWAY SECTION B