

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. 8-03

IN THE MATTER OF AMENDING LANE CODE
CHAPTER 15 TO ESTABLISH A LAST RESORT
POLICY FOR RIGHT-OF-WAY HERBICIDE
APPLICATION (LC 15.500-15.520) (PW/IVM
version)

The Board of County Commissioners of Lane County ordains as follows:

AN ORDINANCE of Lane County Oregon, establishing policy, procedures and practices for the Department of Public Works relating to roadside vegetation management and herbicide use as a last resort.

WHEREAS, the County would like to strengthen its integrated vegetation management approach on roadsides; and

WHEREAS, the County has determined that the use some herbicides if used inappropriately can be hazardous to the health of the citizens and the environment; and

WHEREAS, the County wishes to maintain a healthy environment for its current citizens, wildlife, and future generations, now, therefore

Chapter 15 of Lane Code is hereby amended by removing, substituting and adding new sections as follows:

REMOVE THIS SECTIONS

NONE

INSERT THIS SECTIONS

15.500 through 15.520
located on page 15-35 through 15-36
(a total of 2 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to establish a Last Resort Policy for Right-of-Way Herbicide Application (LM 15.500 – 15.520) (PW/IVM version).

ENACTED this _____ day of _____ 2003.

Peter Sorenson, Chair
Lane County Board of Commissioners

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 7-8-03 Lane County

OFFICE OF LEGAL COUNSEL

15.320

Lane Code

15.335

(5) Requests by property owner, or authorized agent, for assignment of an address in situations other than above will be reviewed by the Department to insure compliance with land use guidelines before processing. *(Revised by Ordinance No. 13-84, Effective 11.9.84)*

15.320 Correction of Address.

Address corrections may be initiated at the request of the property owner, or authorized agent, or the Department when it is demonstrated that incorrect addresses jeopardize the safety of the dwelling(s) affected. *(Revised by Ordinance No. 13-84, Effective 11.9.84)*

15.325 Exceptions.

The County may choose not to assign addresses in certain areas adjacent to any municipality where the municipality has extended its numbering system beyond its incorporated limits. *(Revised by Ordinance No. 13-84, Effective 11.9.84)*

15.330 Responsibility.

The Department shall be charged with the responsibility of notifying affected agencies of assigned addresses. *(Revised by Ordinance No. 13-84, Effective 11.9.84)*

15.335 Fees.

All applications and requests for address assignment shall be accompanied by the fee amount established by separate order of the Board. *(Revised by Ordinance No. 13-84, Effective 11.9.84)*

ROADSIDE VEGETATION MANAGEMENT - LAST RESORT HERBICIDE POLICY

15.500 Purpose.

The purpose of this subchapter is to establish a last resort policy for herbicide application within Lane County rights-of-way.

15.505 Definitions.

As used in this subchapter, the following terms have the following meanings:

(1) Herbicide means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any plant from growing where unwanted.

(2) Roadside Vegetation Management Plan means the Lane County Integrated Vegetation Management (IVM) Program Policy Document (April 14, 1999) and the Lane County Integrated Vegetation Management (IVM) Program Standards and Guidelines Document (August 2001), or the current versions of the same.

15.510 Roadside Vegetation Management Plan.

(1) The Public Works Department, in consultation with the Lane County Vegetation Management Advisory Committee (VMAC), shall periodically review and update, as appropriate, the Roadside Vegetation Management Plan.

(a) The Policy Document shall establish overall direction for the program and articulate the County's IVM Philosophy, Goals and Limitations.

(b) The Standards and Guidelines Document shall implement the Policy Document and provide direction for the day-to-day operation of the Vegetation Management Program.

15.600

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(c) The Roadside Vegetation Management Plan shall include, among other things, specific requirements for No Spray Areas (NSA's), employee training and education, public notification and record keeping.

(2) Each review and update of the Policy Document will be presented to the Board of County Commissioners for approval. The Board may elect to solicit input regarding herbicides from the Public Health Advisory Committee.

(3) Each review and update of the Standards and Guidelines Document shall be prepared by the Public Works Department, and reviewed and adopted by the Vegetation Management Advisory Committee.

15.520 Use of Herbicide Products.

(1) The Roadside Vegetation Management Plan notwithstanding, manual, mechanical, biological and cultural techniques will be given preference in the control of vegetation along Lane County road rights-of-way.

(2) Herbicides may be utilized for vegetation control only after these other methods have been considered and rejected. Herbicides used shall be the least toxic available to accomplish the desired level of control.

(3) The Public Works Director shall provide annually to the Board of Health, a list of herbicides to be used for roadside vegetation control during the coming year, and under what circumstances that use may occur.

(4) The Director shall also report on new control methods that have replaced herbicide use from the previous year, that have been considered and rejected, or that the Department intends to investigate as an alternative to herbicide use during the coming year.

(5) Prior to submitting the report to the Board of Health, the Director's list and report shall be presented to the Vegetation Management Advisory Committee and the Public Health Advisory Committee. Any committee comments will also be presented to the Board of Health.

LEVYING, COLLECTING AND ENFORCING SPECIAL ASSESSMENTS

15.600 Authority.

The following provisions relating to the application of a special assessment policy for public improvements are hereby adopted pursuant to the authority granted to Lane County by the Lane County Home Rule Charter. Except as expressly modified in this subchapter, the provisions of ORS Chapter 371 are applicable in Lane County. *(Revised by Ordinance No. 11-73, Effective 9.28.73)*

15.605 Purpose.

The requirements set forth herein are for the purpose of defining policies, conditions and procedures whereby specially benefited property owners shall be assessed for the costs of road improvements. Remonstrance procedures included in Section 9 of the Lane County Home Rule Charter are not repeated herein, but apply in full. The procedures set forth in this subchapter shall constitute a determination by the Board of County Commissioners, absent the express determination inconsistent with these procedures, of the extent to which the cost of road improvements in Lane County is to be defrayed by special assessments on property to be specially benefited. *(Revised by Ordinance No. 11-73, Effective 9.28.73)*

15.610 Definitions.

(For LC 15.600 to 15.645).

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 Strikethrough indicates material being deleted
 15.32015.955 Lane Code

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