

Local Access Roads Primer

Tillamook County has jurisdiction over 375 miles of roadway; 271 miles are paved and 96 miles are graveled. Of the 375 total miles of roadway, 48 miles were never adopted into the County Road System and are designated as Local Access Roads (LAR). Oregon Revised Statute 368.031 states that the County and its officers, employees or agents are not liable for failure to improve the LAR or keep it in repair.

Tillamook County Public Works (TCPW) has historically performed work on LAR's as the manpower and funding were previously available. Unfortunately, the expiration of PL-106.393 (Federal Forest Dollars) and the decline of federal timber harvesting resulted in a loss of 43% of the TCPW revenue. The reduced annual budget resulted in the loss of 50% of staffing levels of the early 90's. TCPW is funded primarily by gas taxes and vehicle license fees, which are based on the number of vehicles registered by residents of the county. Roughly 50% of residences in Tillamook County are owned by someone from outside of area which indicates a substantial reduction in local vehicle registration. Unfortunately, the increase of fuel-efficient vehicles has compounded revenue shortfalls through reduced gas consumption. The Road Department receives 30% of the TLT funds which has helped to offset these reduced revenue streams.

Tillamook County has had a high frequency of Presidentially declared disasters with storm damage constituting a regular drain on annual budgets. Years with federally declared storms in recent record include 1990, 1996, 2004, 2006, 2007, 2009, 2011, 2012, 2015, 2016, 2023, and 2024. Repairing damage caused by the December 2015 storm event is expected to be completed in the summer of 2026. Loss of stable funding, reduction of maintenance crew size, costs associated with storm damage, and maintaining one bridge per every three miles of road does not allow TCPW to extend services to roads that we are not required to maintain.

While TCPW can provide assistance in an emergency, property owners adjacent to the LAR are responsible for the general maintenance of the road that they use to access their property. Tillamook County provides additional services to Local Access Roads above and beyond what other counties do and beyond that required by ORS. In 2008, the Board of County Commissioners (BOCC) issued Board Order #08-110 authorizing TCPW to continue to install and maintain stop signs. This board order also allowed for small storm response projects and bridge inspections on LAR's.

Board Order #14-003 was issued in 2014 to amend and clarify Order #08-110. This order allows TCPW to respond to flooding and erosion that would otherwise damage county roads. This order also allows TCPW to work on documented emergency evacuation routes for communities (no documented routes exist as of 2020). If the TCPW Director supports a project, or determines that a county-maintained road is part of the problem, TCPW may participate if the property owners cover 25% or more of the project cost (landowners funded 67% of the project cost in the last approved funding request). However, any approved project on a LAR is required to compete with ongoing projects for priority. The property owners are responsible for ongoing maintenance of the LAR after a project is complete. In addition, the Board order limits LAR

projects to an expenditure cap that shall not exceed \$75,000 per fiscal year unless the BOCC determines that there are extenuating circumstances. These funds are not set aside in the budget, which requires the money to be diverted from other projects. As mentioned above, the decreased revenue is not adequate to perform necessary work on county-maintained roads.

The easiest way of determining if you live on a local access road is by calling Tillamook County Public Works. Local Access Roads can be difficult to identify due to the legal requirements for acceptance, as well as, Tillamook's unique road dedication history. A single road can have multiple designations along its length, even within close proximity. For example, a portion of a road could be a county-maintained road, yet have another section considered LAR based on the circumstances of the original dedication. Some roads are county responsibility until they enter city limits. In other cases, a city has formed around existing LAR without the road being conveyed to the city government. This can leave roads, or segments of roads, isolated within the city limits.

The most direct way for a community to improve a local access road is for the neighbors to pool their funds together to complete work then apply for a Public Road Improvement Permit as described in County Ordinance #55. TCPW staff can assist with planning efforts while the community works to pool their resources to hire a contractor. Some communities choose to form local improvement districts to raise the funds needed. This can be a somewhat lengthy process, but it has the potential to result in a steady long-term solution for the community.

Requests for TCPW to perform work on a LAR must be supported by the Director and then recommended by the County Road Advisory Committee for approval by the Board of County Commissioners.