

Chapter 368

County Roads

368.039 Road standards adopted by local government supersede standards in fire codes; consultation with fire agencies

368.039 Road standards adopted by local government supersede standards in fire codes; consultation with fire agencies. (1) When the governing body of a county or city adopts specifications and standards, including standards for width, for roads and streets under the jurisdiction of the governing body, such specifications and standards shall supersede and prevail over any specifications and standards for roads and streets that are set forth in a uniform fire code adopted by the State Fire Marshal, a municipal fire department or a county firefighting agency.

(2) This section applies to specifications and standards for roads and streets adopted by the governing body of a county or city in a charter, acknowledged comprehensive plan or ordinance adopted pursuant to ORS chapter 92, 203, 221 or 368.

(3) Before adopting or amending any comprehensive plan, land use regulation or ordinance that establishes specifications and standards for roads and streets, a governing body of a county or city shall consult with the municipal fire department or other local firefighting agency concerning the proposed specifications and standards. The county or city governing body shall consider the needs of the fire department or firefighting agency when adopting the final specifications and standards. [1997 c.409 §1]

Note: 368.039 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 368 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.