

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 12-10-24-04

IN THE MATTER OF AMENDING
CHAPTER 3 OF LANE MANUAL TO
TRANSFER WEIGHMASTER STAFF
AND RESPONSIBILITIES FROM
SHERIFF TO PUBLIC WORKS (LM
3.044, 3.124)

WHEREAS, the Lane County Board of Commissioners has the authority to approve amendments to the Lane Manual; and

WHEREAS, certain changes to Lane Manual Chapter 3 are desired to transfer the Weighmaster staff and responsibilities from the Sheriff's Office to Public Works.

NOW, THEREFORE, IT IS HEREBY ORDERED, Lane Manual Chapter 3 is amended by removing, substituting and adding the following sections:

REMOVE THESE SECTIONS

3.044
as located on page 3-5
(a total of 1 page)

3.124
as located on page 3-13 through 3-14
(a total of 2 pages)

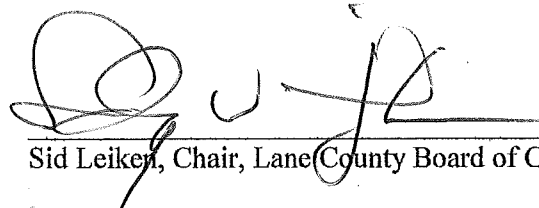
INSERT THESE SECTIONS

3.044
as located on page 3-5
(a total of 1 page)


3.124
as located on page 3-13 through 3-14
(a total of 2 pages)

Amended sections 3.044 and 3.124 are attached hereto and incorporated herein by reference.

ADOPTED this 24th day of October, 2012.



Sid Leiken, Chair, Lane County Board of Commissioners

APPROVED AS TO FORM
Date 10/19/12 Lane County


OFFICE OF LEGAL COUNSEL

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Bold indicates material being added
~~Strikethrough~~ indicates material being deleted

LEGISLATIVE FORMAT

3.044 Functions.

(1) The Department shall have the functions of the County Sheriff under general State law, except the functions of the Sheriff regarding the collection of taxes, and such further functions as have heretofore been allocated and assigned to the Sheriff that are not allocated and assigned to the Department of Assessment and Taxation by the Board, subject to contrary provisions included in this Manual, and such further functions as are herein allocated and assigned to the Department by the Board.

(2) The allocation and assignment to the Department of the functions described in LM 3.044(1) above is hereby declared to include all of the functions of the County Sheriff under general State law regarding the execution and garnishment on judgments for taxes, except for judgments entered pursuant to ORS 311.625, and the same are hereby allocated and assigned to the Department.

No mention or enumeration in this paragraph of particular functions of the Department shall be construed to be exclusive or to restrict the functions the Department would have if such functions were not so mentioned or enumerated, the intention of the Board in so mentioning and enumerating such functions being to assign to the Department any functions so mentioned or enumerated which are functions allocated and assigned to the Department in LM 3.044(1) above and not otherwise allocated and assigned to the Department of Assessment and Taxation.

(3) The Department shall have the functions of the County Sheriff under general State law with respect to proceeding upon warrants issued by the Department of Revenue pursuant to ORS 314.430 and by the Public Utility Commission pursuant to ORS 767.865, and filed with the Division of Records and Elections by the Department of Assessment and Taxation.

(4) The Department shall have the functions of the Office of Constable of the District Court of the State of Oregon for Lane County.

(5) The Department shall have the functions under State law of the local organization for Emergency Management for Lane County. The Director shall be the Director of the local organization for the Management for Lane County.

~~(6) The Department shall establish a Weighmaster Section which shall be responsible for enforcement of applicable State and County laws on vehicle length, width, height and weight.~~

~~(7)~~(6) All contracts concerning functions of the Department to which County is a party shall be prepared by the Department, reviewed and approved by the County Administrator and executed by the Board, except when the power to contract has been expressly delegated otherwise. *(Revised by Order No. 94-2-15-7, Effective 2.15.94)*

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3.124

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3.124 Functions.

(1) The Department shall have the functions of the County Engineer under general State law and all road and highway functions of Lane County, and such further functions as have been heretofore allocated and assigned to the County Engineer by the Board, and such functions as may in the future be allocated and assigned to the Department.

(2) The Director shall have authority and responsibility for issuance or denial of permits provided for in ORS 374.310, provided that a denial of such permit may be appealed to the Board whose decision shall be final, and provided further that in unusual circumstances where fairness and justice to the applicant requires a modification in the application of the rules governing facility permits, the Board alone may make modifications and grant the permit in accordance therewith.

(3) The Department shall have the functions of issuing permits provided for in ORS 483.502-.545, and the Director shall have the responsibility and discretion to determine proper limits and suitable roads or sections thereof to be specified in permits provided for in ORS 483.502-.545.

(4) The Director, or said Director's expressly designated representative, shall have the authority to issue fire permits pursuant to the provisions of ORS 476.380.

(5) The Director or the Director's designated representative shall have authority to authorize the erection of traffic signs and signals for Lane County.

(6) The Department shall have the functions of operating the Motor and Equipment Pool and Fleet Services.

(7) The Department shall have the functions of County Surveyor under general State law.

(8) The Department shall be responsible for the functional areas of Park and Recreation activities, including planning, operation and maintenance, public information and assistance and park improvement.

(9) The Department shall be responsible for the activities of Solid Waste management, including, but not limited to planning, public information, facility construction and operation.

(10) The Department shall be responsible for public works construction.

(11) The Department shall be responsible for real property acquisition and management pursuant to LM Chapter 21.

(12) The Department shall be responsible for developing and administering transportation plans for the County.

(13) The Department shall be responsible to serve the planning and development needs of Lane County citizens.

(14) The Department shall be responsible for regional and community planning, zoning and subdivision administration and staff assistance to Planning Commission(s).

(15) The Department shall provide plan checks, issue building construction permits and conduct inspections as required by State law, Lane Code and Lane Manual.

(16) The County Surveyor shall be accountable for the Public Land Corner Preservation Account of the General Fund. The County Surveyor is authorized to pay expenses incurred and authorized in the establishment, reestablishment and maintenance of corners of governmental surveys, ORS 209.070(5) and (6), consistent with state and County budget requirements.

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(17) The Department shall be responsible for technical support services such as flood elevation and flood hazard permits, land development engineering evaluation, sand and gravel zoning and subdivision engineering.

(18) The Manager of the Land Management Division, or the Manager's designee, in addition to any other duties assigned by the Director of the Department, shall perform the duties of Planning Director under state law and Lane Code.

(19) The Department shall establish a Weighmaster Section with responsibility for enforcement of applicable State and County laws on vehicle length, width, height and weight. *(Revised by Order No. 00-4-25-14; Effective 4.25.00)*

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