

RESOLUTION NO. 2311

**A RESOLUTION ADOPTING THE IMMUNITY FROM LIABILITY FOR USE
OF TRAILS OR STRUCTURES IN PUBLIC EASEMENT OR UNIMPROVED RIGHT
OF WAY PROVIDED IN ORS 105.668**

WHEREAS, ORS 105.668(2) provides to cities with a population of 500,000 or more immunity from liability for injury or property damage against cities including their officers, employees, or agents, adjacent property owners, and certain nonprofit groups and their volunteers that arise from the use of trails or structures located on public easements or unimproved right of way; and

WHEREAS, ORS 105.668(3) authorizes cities with populations of less than 500,000 to opt into the immunities provided in ORS 105.668(2) by adoption of an ordinance or resolution; and

WHEREAS, the City desires to opt into the immunities provided by ORS 105.668 to further the public interest by protecting and supporting efforts and activities of the City.

NOW, THEREFORE, THE CITY OF HERMISTON RESOLVES AS FOLLOWS:

1. The Hermiston City Council hereby opts into the immunity from liability for injury or property damage arising from the use of trails or structures in public easement or unimproved right of way provided by ORS 105.668.
2. That this resolution is effective immediately upon its passage.

PASSED by the Common Council this 12th day of February 2024.
SIGNED by the Mayor this 12th day of February 2024.

Dr. David Drotzmann, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER