

**BEFORE THE CITY COUNCIL OF THE
CITY OF ADAIR VILLAGE, OREGON**

**In the Matter of Opting in)
to Recreational Immunity)
From Certain Personal Injury)
or Property Damage Claims)
Described in ORS 105.668,)
as Amended by Senate Bill 1576)**

RESOLUTION NO. 2024 – 5

WHEREAS, the City of Adair Village City Council finds that the Oregon Legislature enacted Senate Bill 1576 in its 2024 Regular Session; and

WHEREAS, ORS 105.668, as amended by Senate Bill 1576, limits private claims or rights of action based on negligence for personal injury or property damage resulting from “use of a trail that is in a public easement or in an unimproved right of way, or from use of structures in the public easement or unimproved right of way, by a suer on foot, on a horse or on a bicycle or other nonmotorized vehicle or conveyance” (ORS 105.668); and

WHEREAS, ORS 105.668 applies automatically to cities with a population of 500,000 or more and allows cities with a lesser population to opt in to limit liability in the manner established by law; and

WHEREAS, the City of Adair Village has several trails located in both easements and unimproved right of ways; and

WHEREAS, the City of Adair City Council finds the City of Adair Village will limit its liability from certain claims by opting in to the recreational immunity provided for in ORS 105.668.

NOW, THEREFORE, BE IT RESOLVED that the City of Adair Village City Council hereby opts to limit liability in the manner established by ORS 105.668(2) with respect to personal injury or property damage resulting from use of a trail that is in a public easement or in an unimproved right of way, or from use of structures in the public easement or unimproved right of way, with respect to claimants who may be a user on foot, on a horse, or on a bicycle or other nonmotorized vehicle or conveyance.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the City Council and approval by the Mayor.

Dated and effective this 7th day of May, 2024.



City Administrator



Mayor