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SNOHOMISH COUNTY

EXECUTIVE OFFICE

JAN 20 1983 519

COUNTY COUNCIL
Snohomish County, Washington



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W.T. _____ K.B. _____

D.F. _____ S.W. _____

G.H. _____ D.J. _____

ORDINANCE NO. 82-152
RELATING TO TIMBER ON
COUNTY PROPERTY

BE IT ORDAINED:

That new sections are added to the Snohomish County Code
as follows:

Chapter 2.53

PROPERTY MANAGEMENT

2.53.135 Definitions.

(1) "Fallen timber" means trees that have been downed
by county personnel or by natural causes.

(2) "Personal use" means that the fallen timber removed
may not, pursuant to a permit issued under Section 2.53.136,
be resold or exchanged for anything of value.

2.53.136 Disposal of Timber by permit. Whenever the
executive, upon request of the head of the department having
jurisdiction of the property upon which the timber is
situated, determines that it is in the best interest of the
county to sell and dispose of, for personal use, fallen
timber upon county property in lots, the value of any of
which lots shall not exceed five hundred dollars, he may
dispose of such timber in such lots by permits issued by the
head of the department having jurisdiction. The fee for any
such permit may be changed by the executive after
consultation with the involved department head and the
property manager, taking into consideration the value of the
timber, costs of administration and supervision, benefits to
the county, and other pertinent factors. All fees shall be
paid in full before a permit is issued.

ORDINANCE RE: TIMBER OF COUNTY PROPERTY - 1

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2.53.137 Terms of permit. Permits issued under section 2.53.136 shall contain the following or similar provisions:

(1) The fee for this permit is \$10 per half cord. A half cord equals 64 cubic feet (8' x 2' x 4'). The timber to be cut consists of fallen timber, exact area to be marked or otherwise designated by the county.

(2) The applicant certifies that the timber removed pursuant to this permit shall not be resold or exchanged for anything of value.

(3) This permit shall be for ten (10) day(s). All timber cut, if permitted, shall be removed on the day cut. The permittee shall cut or remove timber only from 9:00 a.m. to 5:00 p.m.

(4) NO SMOKING or the igniting of any combustible material is permitted in the area covered by this permit. No power saw shall be used which is not equipped with a spark arrester. Gasoline, insofar as possible, shall be kept in the permittee's truck or automobile. Saws shall be filled with gasoline only on roadways.

(5) Cutting will be accomplished only in areas as marked and controlled by the county. Access shall be as designated by the county. Any timber not of the kind designated cut or removed outside of the area designated shall be the property of the county; or alternatively the county may seek treble damages from the permittee for the value of timber cut.

(6) All slash and debris incidental to removal shall be piled on the day of removal.

(7) The permittee shall indemnify and hold harmless Snohomish County from all claims, suits, actions, costs, counsel fees, expenses, damages, judgments or decrees by reason of any person or property, including county property, being damaged or injured as a result of any acts, or failure to act, by the permittee, his agents, or anyone accompanying the permittee during the progress of the work, whether by negligence or otherwise.

(8) This permit may be revoked by the county at any time. If revocation is based upon breach of any term of this permit, the permittee shall immediately remove himself, his truck or automobile, and his equipment from county property, forfeiting and leaving any timber cut by him.

(9) It is unlawful to consume alcoholic beverages on county property subject to this permit.

(10) The county makes no express or implied warranties of any sort including those of merchantability and suitability with respect to the quality or quantity of timber or otherwise. All risks incidental to exercise of rights incidental to this permit are assumed by the permittee.

(11) No permittee shall hold more than one valid permit at any one time or perform any work under another permit while holding a valid permit.

(12) Any cutting or removing of timber from county property without permission is a criminal offense.

(13) No permit shall be issued to any County employee or official.

The permit may provide that timber is to be used only for residential or charitable uses and may restrict the type of vehicles used in removing timber.

PASSED this 19th day of January, 1983.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Cliff Bailey
Chairperson

Approved as to Form:

Deputy Prosecuting Attorney

ATTEST:

Ellie Snyder
Clerk of Council

- () APPROVED
() VETOED
() EMERGENCY

DATE: 1-24-83

Willis D. Tucker
County Executive

PUBLISHED 1-10-83 and 2-1-83