

# TITLE 2

## COUNTY GOVERNMENT; ADMINISTRATION

### CHAPTER 245

#### WAYS OF NECESSITY CODE

---

---

#### TABLE OF CONTENTS

<i>Section</i>	<i>Title</i>
245.005	Title [reserved]
245.010	Legislative policies
245.100	Jurisdiction yielded to Circuit Court
245.200	Savings section
Statutory References and Other Authorities	
Legislative History of Chapter 245	

---

---

#### 245.005 Title [reserved]

#### 245.010 Legislative policies

(A) WHEREAS, ORS 376.200 provides that a county governing body may adopt an ordinance removing the governing body from jurisdiction of the statutory establishment of ways of necessity, whereupon the Circuit Court would assume jurisdiction; and

(B) WHEREAS, ORS 376.300 became effective on October 3, 1979; and

(C) WHEREAS, The Board of Commissioners has determined that ways of necessity proceedings require it to sit in a judicial capacity concerning matters which would be better served by their being in Circuit Court; and

(D) WHEREAS, It is in the best interest of the citizens fo Linn County that the Circuit Court have jurisdiction of the statutory establishment of ways of necessity.

[The text of LCC 205.010 appeared in the legislative history section of Ordinance 80-298. It was not adopted as ordinance, but is set forth in full here for its legislative history.]

#### 245.100 Jurisdiction yielded to Circuit Court

(A) The Board of County Commissioners of Linn County is hereby removed from jurisdiction

of the statutory establishment of ways of necessity.

(B) The Circuit Court in this Chapter affects any proceedings to establish a way of necessity if that proceeding is initiated before the effective date of this Chapter.

#### 245.200 Savings section

Nothing in this Chapter affects any proceedings to establish a way of necessity if that proceeding is initiated before the effective date of this Chapter.

---

---

**Statutory References and Other Authorities:**  
ORS 203; 376

#### Legislative History of Chapter 245:

Adopted 80-298 eff 8/20/80

Amendments to 80-298:

#1 none

---

---

[This page is intentionally blank]