

FERRY COUNTY ORDINANCE NO. 2009-06

"RAIL CORRIDOR INTERIM MANAGEMENT PLAN"

WHEREAS, a portion of Kettle Falls International Railway, LLC, San Poil Subdivision from milepost 48.779, near Danville, and milepost 77.14 at San Poil, a distance of 28.361 miles, in Ferry County, Washington was rail banked in December of 2008; and

WHEREAS, rail banking law as it is part of the National Trails Act, does not allow for extensive closure of a rail banked public use rail trail; and

WHEREAS, the Ferry County Board of Commissioners believe that it is imperative that basic emergency mandated rules of law be put in place to allow an appropriate law enforcement presence on the trail; and

WHEREAS, the "Rail Corridor Interim Management Plan" is effective immediately with a sunset clause of 120 days from the time this Interim Management Plan is adopted; and

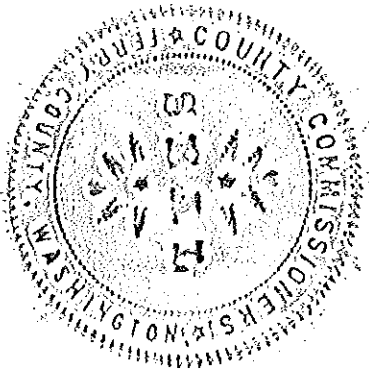
WHEREAS, the railroad right-of-way is not developed for public use at this time and the rules shall apply as follows:

1. No public access to all trestles and tunnels
2. The section between the Danville Bridge and the Canadian Border will have NO access at any time with the exception of emergencies
3. No hunting or shooting from the corridor at any time
4. Foot traffic only, except for authorized vehicles
5. No camping
6. No Fires
7. No littering
8. Only open during daylight hours
9. Public must stay on the Rail Bed
10. No blocking of passage by fences, boulders or obstacles on the rail corridor
11. No private signs on the right-of-way
12. No removal of material including wood, ballast, signs, vegetation or rocks
13. Pets are required to be on a leash at all times
14. The public may observe and report all violators, confronting violators is prohibited
15. Special use permits may be applied for through the County Commissioners Office
16. Users of the trail shall yield to traffic at road crossings
17. Violations may be reported to the Sheriffs' Office and may be subject to fines

WHEREAS, "No Public Access" signs shall be placed at the entrance to all tunnels and trestles and "Informational" signs shall be placed at all intersections.

NOW THEREFORE BE IT ORDAINED, the Ferry County Board of Commissioners' hereby adopts the following "Rail Corridor Interim Management Plan" to be effective immediately with a sunset clause of 120 days from the time of the plan adoption.

ADOPTED this 17th day of August 2009.



BOARD OF FERRY COUNTY COMMISSIONERS

Brad L. Miller
BRAD L. MILLER, Chairman

ABSTAINED
RONALD "JOE" BOND, Vice Chair

Robert L. Heath
ROBERT L. "BOB" HEATH, Member

ATTEST:

Debbie Bechtol
for Debbie Bechtol, Clerk of the Board

APPROVED AS TO FORM:

Mike Sandona
Mike Sandona, County Prosecutor