

Chapter 377

Hedges, Trees and Advertising Along Public Highways

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CROSS REFERENCES

Acquisition and development of scenic places adjacent to state highways, 366 345	377.030
Logs and trees deposited on state highways or county roads, removal of, 98 640 to 98 644, 98 650 to 98 654	Digging or injuring plants along rights of way prohibited, 564 020
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377.010 Planting hedge or trees on line of highway; temporary protecting fence. Any person or company may lawfully.

(1) Plant, for cultivation and growth, any hedge fence or trees for use or ornament along any public highway or road in this state, on the line of his or its land and the highway

(2) Use temporarily, for the protection of such hedge or trees, a space in the highway not to exceed eight feet for cultivating the hedge or trees

(3) Construct and maintain a temporary fence within such space for the period of four years first after such hedge or trees have been planted

377.020. Planting trees on roads within irrigation projects; protecting fences. Where any county road within the limits of any irrigation project under the control of the United States Bureau of Reclamation exceeds 50 feet in width, the county court of the county in which the project is situated may, in its discretion.

(1) Upon a petition presented to it by the landowner or entryman, permit any such landowner or entryman whose land is contiguous to the road to use a portion of the road which adjoins the land for the purpose of planting trees therein

(2) Permit the landowner or entryman to enclose and fence in the portion of road in order to protect the trees so planted. In no case shall the permission so granted for said purposes cause any road to be decreased to a width of less than 50 feet

377.030 Destruction or removal of trees on state highways without permission prohibited. No person shall dig up, cut down, injure, destroy or in any manner remove any trees growing upon the right of way of any state highway without first procuring the written consent of the State Highway Commission

377.040 Application to highway commission to remove trees along state highways. Whenever any person, firm or corporation, including any public, municipal or private corporation and any privately or publicly-owned utility or cooperative association, desires to dig up, cut down, injure, destroy or in any manner remove any trees growing upon the right of way of any state highway, such person shall file with the State Highway Commission an application in writing, setting forth the reasons and

purpose for the removal or destruction of the trees

377.050 Consent of highway commission for removal of trees along state highways. (1) Upon the filing of the application mentioned in ORS 377 040 the State Highway Commission may, if in its judgment and discretion the destruction or removal of the trees will not mar or in any way affect the scenic beauty of or otherwise harm, injure or affect the highway, issue a permit authorizing the cutting down, digging up, removal or destruction of the trees under such conditions and in such manner as the commission may in such permit designate.

(2) Such permits may be granted when it becomes necessary to cut or remove brush and tree growth which otherwise would be hazardous to the operation or maintenance of lines for the transmission of electric energy or communication, or which would impair the efficiency of the service of such lines to the public, but such cutting or removal shall be done in such manner as not substantially to impair the scenic beauty of the highway

377.060 to 377.300 [Reserved for expansion]

377.310 [Repealed by 1953 c 335 §1]

377.320 [Repealed by 1953 c 335 §1]

377.330 [Repealed by 1953 c 335 §1]

377.340 Posting signs near public highway regulated. Except as provided in ORS 377.360, no person, firm or corporation shall paste, paint, brand or in any manner whatsoever place or attach to any building, fence, gate, bridge, tree, rock, board, structure or anything whatever within the limits of any public highway, or on the property of another within view of the public highway without such owner's written consent, any written, printed or painted advertisement, bill, notice, sign, picture, card or poster, except within the limits of any city, town or village through which the public highway runs

377.350 Removal of prohibited signs. Any person may lawfully remove or destroy, without resort to legal proceedings, any advertisement, bill, notice, sign, picture, card or poster placed in violation of ORS 377.340.

377.360 Posting signs near public highway lawful in certain cases. ORS 377.340, 377.350 and subsection (4) of ORS 377 990

do not prevent the posting or maintaining of any notice required by law to be posted or maintained, or the placing and maintaining of signs giving directions or distances for the information of the traveling public, when such signs are approved by the State Highway Commission or the county court or board of county commissioners

377.990 Penalties. (1) Violation of the conditions and provisions of a permit procured under ORS 377.050 by any person having procured the permit is punishable, upon

conviction, by a fine not to exceed \$100, or imprisonment in the county jail not to exceed 30 days, or both.

(2) Violation by any person of any of the provisions of ORS 377.030 to 377.050 is punishable, upon conviction, by a fine not to exceed \$100, or imprisonment in the county jail not to exceed 30 days, or both.

(3) Violation of any provision of ORS 377.340 to 377.360 is punishable, upon conviction, by a fine not less than \$5 nor more than \$50. [Amended by 1953 c.335 §2]

CHAPTERS 378 TO 380

[Reserved for expansion]