

Oregon Department of Forestry



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Questions & Answers about the Oregon Forestland-Urban Interface Fire Protection Act



Who's affected by the act?

The Oregon Forestland-Urban Interface Fire Protection Act of 1997 will apply to lands classified as "forestland-urban interface" by a local county classification committee. It will be limited to areas protected by the Department of Forestry where structure density ranges from a setting of urban (inside a city or urban growth boundary) to suburban (lot sizes generally 10 acres or less). Parcels greater than 10 acres that are intermingled with smaller lots may be included as forestland-urban interface land by the committee.

Who decides what properties should be identified as forestland-urban interface land?

Each county in which the act is being implemented has a forestland-urban interface classification committee that considers what private lands within the county meet forestland-urban interface requirements. Three committee members are chosen by the county, one by the state forester, and one by the state fire marshal. At least one committee member must live in a forestland-urban interface area. Committee meetings are open to the public.

What can you do if your property should not be included in a forestland-urban interface area?

Any owner of land classified under the Oregon Forestland-Urban Interface Fire Protection Act who is aggrieved by the classification may, within 30 days after the date that the order making the classification is filed with the county clerk, appeal to the circuit court for that county.

Can a homeowner be fined if his or her property isn't certified?

No. There is no fine for not complying with the act.

What happens if a property isn't certified and a fire occurs?

Under this act, the state is empowered to collect up to \$100,000 in suppression costs from a landowner if:

- a landowner does not certify his or her property
- a wildland fire originates on the property
- the fire spreads within the protection zone around a structure and driveway that does not meet the standards
- and the Oregon Department of Forestry incurs extraordinary costs for suppression.

The cost collection may be greater than \$100,000 if a landowner is found to be willful, negligent or malicious in the origin of the fire.

Is it necessary to cut down a lot of trees?

In most cases, no. Trees can protect a home from a fire's radiant heat, or airborne embers. It may be necessary to thin some young trees to reduce the volume of fuel on a property, but it is generally wise to leave the oldest trees, if they are healthy, since mature trees are quite resistant to damage from low- to medium-intensity wildland fire.

Does the act replace or supercede other laws?

The act and its administrative rules do not supercede or replace any federal law or regulation, any other state agency law or regulation, or any more restrictive local government ordinance or code.

Apparent conflicts with other laws and regulations, for which the state forester is responsible and has jurisdiction, shall be resolved within the scope of the state forester's authority.

Compliance with the act does not relieve a property owner of the requirements of any other law or regulation that applies to the lands in question.

Is there any cost to you if you comply with the standards?

Each landowner is responsible for the cost of meeting the obligation under the act. Also, the Legislature has empowered the local Department of Forestry district to assess up to \$25 per tax lot each year to help and encourage landowners to meet the standards, and to pay for special costs in administering the program.

At this time, no lots are being assessed this surcharge.

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