



**COUNCIL RESOLUTION No. 10-2026**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, OPTING IN TO RECREATIONAL LIABILITY LIMITATIONS ESTABLISHED IN OREGON REVISED STATUTE (ORS) 105.668 (2).**

**WHEREAS** the city maintains a network of publicly accessible infrastructure used for recreational activities by the greater Milwaukie community and beyond; and

**WHEREAS** the City Council, on behalf of the city, has been advised to elect to limit its liability under ORS 105.668 (2); and

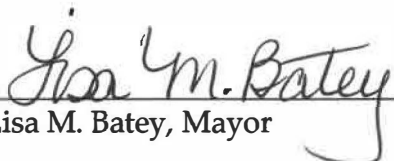
**WHEREAS** immunity provided by the statute will apply to personal injury or property damage arising from use of a trail, use of structures in a public easement or unimproved right-of-way (ROW), and by users on foot, equine, bicycle, or other non-motorized means; and

**WHEREAS** the city will also extend immunity to owners of land abutting public easements/unimproved ROW's, nonprofit organization and volunteers that construct or maintain trails.

**Now, Therefore, be it Resolved** by the City Council of the City of Milwaukie, Oregon, that the City of Milwaukie elects to limit its liability as allowed under ORS 105.668 (2).

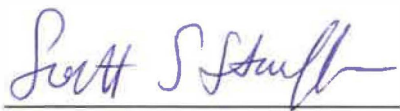
Introduced and adopted by the City Council on **March 3, 2026**

This resolution is effective **immediately**.

  
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Lisa M. Batey, Mayor

ATTEST:

APPROVED AS TO FORM:

  
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Scott S. Stauffer, City Recorder

  
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Justin D. Gericke, City Attorney