

# INSTRUCTIONS FOR NOTICE OF COUNTY ROAD USAGE BY TIMBER OWNER

Section IV of the Elmore County Logging Notice Ordinance ("Ordinance"), adopted by the Elmore County Commission pursuant to Ala. Code § 23-1-80.1, requires a timber owner intending to conduct activities governed by the Ordinance to first submit a NOTICE OF COUNTY ROAD USAGE BY TIMBER OWNER ("NOTICE") to the Elmore County Highway Department for review by the county engineer. A copy of the Ordinance is available at the Elmore County Highway Department or online at [www.elmoreco.org](http://www.elmoreco.org).

The completed NOTICE may be delivered by fax, email, U.S. Mail or hand delivery to:

Elmore County Engineer  
155 County Shop Rd  
Wetumpka, AL 36092  
email: [wrbechd@elmore.rr.com](mailto:wrbechd@elmore.rr.com)  
fax:334-567-1100

A separate NOTICE shall be submitted for each separate tract of land where the timber owner intends to conduct activities governed by the Ordinance.

Additionally, a timber owner using haul routes on county roads in another county shall contact the other county regarding its notice requirements, if any.

The timber owner shall submit the NOTICE *four business days* before commencing any planned activities which will require use of a new access point to the tract of land where such activities will take place and *two business days* before commencing any planned activities which will require use of an existing access point for the tract of land.

If the county engineer determines that the submitted NOTICE provides all required information and that the intended access points and routes are adequate, the timber owner will receive a PROPER NOTICE CONFIRMATION ("CONFIRMATION"). No activities governed by the Ordinance may commence until and unless the CONFIRMATION has been received. Any deficiencies identified by the county engineer shall be adequately addressed as required in the Ordinance before any activities governed by the Ordinance shall commence.

## IMPORTANT NOTICES

The Elmore County Commission preserves its general superintendence of the roads and bridges within its jurisdiction including its authority to promulgate and enforce rules and regulations related thereto as provided in Ala. Code § 23-1-80, Ala. Code § 11-3-11 or any other general or local laws applicable to the county.

Compliance with the NOTICE provisions of the County Logging Notice Ordinance shall in no way operate to relieve the timber owner or his or her representatives, employees, or contractors from liability for any damages which may arise from use of public roads, bridges, or rights-of-way in the county.

Additionally, the issuance of a PROPER NOTICE CONFIRMATION shall in no way constitute an act on behalf of the county which shall result in the county commission, the county engineer, or any employees of the county commission being held liable in any matter arising from the actions or inactions of the timber owner, of his or her representatives, employees, or contractors.

Any questions regarding the requirement to provide NOTICE as provided herein or any other county policy or regulation related to use of the county roads, bridges, or rights of way should be directed to Richie Beyer, Elmore County Engineer, at 334-567-1162 or by email listed above.