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Sweet Home, OR Code of Ordinances

TITLE 1: GENERAL PROVISIONS

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Section

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§ 1.01.010 ADOPTION.

There is adopted the “Sweet Home Municipal Code”, as now and hereafter compiled, edited and published for the City of Sweet Home by American Legal Publishing Corporation, Cincinnati, Ohio and any subsequent publishing company hired by the City of Sweet Home for said purpose.

(Ord. 1240, § 1, 2015; Ord. 1046, 1992)

§ 1.01.020 TITLE—CITATION—REFERENCE.

This code shall be known as the Sweet Home Municipal Code and it shall be sufficient to refer to the code as the Sweet Home Municipal Code or SHMC in any prosecution for the violation of

any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the Sweet Home Municipal Code. Further reference may be had to the titles, chapters, sections and subsections of the Sweet Home Municipal Code and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code.

(Ord. 1046, 1992)

§ 1.01.030 REFERENCE APPLIES TO ALL AMENDMENTS.

Whenever a reference is made to this code as the Sweet Home Municipal Code or to any portion thereof, or to any ordinance of the City of Sweet Home, Oregon, codified herein, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

(Ord. 1046, 1992)

§ 1.01.040 TITLE, CHAPTER AND SECTION HEADINGS.

Title, chapter and section headings contained in the Sweet Home Municipal Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof.

(Ord. 1046, 1992)

§ 1.01.050 REFERENCE TO SPECIFIC ORDINANCES.

The provisions of the Sweet Home Municipal Code shall not, in any manner, affect matters of record which refer to, or are otherwise connected with, ordinances which are therein specifically designated by number or otherwise and which are included within the Sweet Home Municipal Code, but the reference shall be construed to apply to the corresponding provisions within the Sweet Home Municipal Code.

(Ord. 1046, 1992)

§ 1.01.060 ORDINANCES PASSED PRIOR TO ADOPTION OF THE CODE.

The last ordinance included in the Sweet Home Municipal Code was Sweet Home Ord. ____, passed _____. The following ordinances, passed subsequent to Ord._____, but prior to adoption of this code, are hereby adopted and made a part of the Sweet Home Municipal Code: _____.

(Ord. 1046, 1992)

§ 1.01.070 EFFECT OF CODE ON PAST ACTIONS AND OBLIGATIONS.

The adoption of the Sweet Home Municipal Code does not affect prosecutions of ordinance violations committed prior to the effective date of this code, does not waive any fee or penalty due and unpaid on the effective date of this code and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance.

(Ord. 1046, 1992)

§ 1.01.080 CONSTITUTIONALITY.

If any section, subsection, sentence, clause or phrase of the Sweet Home Municipal Code is, for any reason, held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Sweet Home Municipal Code.

(Ord. 1046, 1992)

§ 1.01.090 ORIGINAL ORDINANCE STATUS.

Any original ordinance that is or shall be passed by the Council of the City of Sweet Home shall be in full force and effect as stated therein. The Sweet Home Municipal Code facilitates their usage and, if necessary, the original ordinance may be referred to and used to accomplish the necessary function, prosecution or abatement.

(Ord. 1046 1992)

CHAPTER 1.04: CITY SEAL

Section

1.04.010 City seal.

§ 1.04.010 CITY SEAL.

The seal of the city shall be circular in form and shall have engraved around the outside circle the following words all in capital letters: "City of Sweet Home Oregon". It shall also have engraved upon the face "Incorporated 1893" and with a small diagram in the center of the face.

(Ord. 222, 1952)

TITLE 2: ADMINISTRATION AND PERSONNEL

Chapter

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CHAPTER 2.04: CITY COUNCIL

Section

- 2.04.010 Regular meetings.
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- 2.04.050 Manner of voting.
- 2.04.060 Resolutions.
- 2.04.070 Ordinance bills.
- 2.04.080 Signing and dating of resolutions and ordinances.
- 2.04.090 Debate and withdrawal of motions.
- 2.04.100 Procedure.
- 2.04.110 Elections officer.
- 2.04.120 Nominations.
- 2.04.130 Qualification for Council member.

§ 2.04.010 REGULAR MEETINGS.

The City Council shall hold regular meetings on the second and fourth Tuesdays of each month, commencing at the hour of 6:30 p.m.; however, when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, the meeting shall be held at the same hour on the next succeeding day not a holiday.

(Ord. 1253, 2016; Ord. 761, 1979; Ord. 340, 1958; Ord. 190, 1951)

§ 2.04.020 SPECIAL MEETINGS.

At special meetings of the Council, called in a manner provided by the Charter, no business shall be acted upon except that mentioned in the notice or call of the special meeting.

(Ord. 190, 1951)

§ 2.04.030 ORDER OF BUSINESS.

In the conduct of business of the Council, the following procedure shall be substantially followed:

- A. Roll call;
- B. Consent agenda;
- C. Recognition of visitors and hearing of petitions;
- D. Old business;
- E. New business;
- F. Introduction, first and second reading of ordinance bills;
- G. Third reading of ordinance bills;
- H. Reports of committees;
- I. Reports of city officials; and
- J. Adjournment.

(Ord. 884, 1983; Ord. 190, 1951)

§ 2.04.040 PRESIDING OFFICER.

The presiding officer shall preserve order and decorum. He or she may speak on all questions of order in preference to any other member and he or she shall decide on all questions of order, subject to an appeal to the Council. In cases of appeal from the decision of the Chairperson, the appeal shall be stated as follows: "Shall the decision of the Chairperson stand as the decision of the Council?"

(Ord. 190, 1951)

§ 2.04.050 MANNER OF VOTING.

All questions shall be voted on by affirmation except those involving the expenditure of money and third reading of ordinance bills, in which case a roll call shall be had. If the presiding officer doubts or a decision is called for, a roll call shall be had.

(Ord. 1036, 1991; Ord. 190, 1951)

§ 2.04.060 RESOLUTIONS.

All resolutions shall be in writing and numbered consecutively in the order in which they are introduced in each calendar year.

(Ord. 190, 1951)

§ 2.04.070 ORDINANCE BILLS.

A. Proposed ordinances shall be known as “ordinance bills”. They shall be numbered consecutively and filed by the City Manager in the order in which they are introduced.

B. All bills and resolutions may be introduced by any member of the Council or any committee. If objection be made to the introduction of an ordinance bill or resolution, it shall lay over until the next meeting except when the bill is reported by a committee or unless otherwise directed by the Council.

(Ord. 190, 1951)

§ 2.04.080 SIGNING AND DATING OF RESOLUTIONS AND ORDINANCES.

All ordinances and resolutions shall be signed by the Mayor and City Manager and shall have therein the date of their passage by the Council and the date of approval by the Mayor.

(Ord. 190, 1951)

§ 2.04.090 DEBATE AND WITHDRAWAL OF MOTIONS.

No motion shall be debated until it has been seconded and distinctly announced by the presiding officer and shall have been reduced to writing if so desired by any member. It shall be read by the City Manager when required by members for information. A motion may be withdrawn at any time before amendment.

(Ord. 190, 1951)

§ 2.04.100 PROCEDURE.

In all cases not specifically provided for herein or in the Charter, the Council shall be governed by the law and precedents laid down in the then current edition of *Robert's Rules of Order*.

(Ord. 1240, § 2, 2015; Ord. 190, 1951)

§ 2.04.110 ELECTIONS OFFICER.

The City Manager is the ex-officio City Recorder and is also the Chief Elections Officer of the city.

(Ord. 949, 1986)

§ 2.04.120 NOMINATIONS.

Only a qualified elector under state law who has resided in the city at least one year immediately before the election may be nominated for the Council by one of the following methods.

A. A petition to make such a nomination shall be signed by not less than ten, nor more than 20, electors. No elector shall sign more than one such petition and, should an elector do so, his or her signature shall be void as to the petition or petitions last filed. The petitions shall be filed not earlier than 100 days, nor later than 64 days, before the election date. Each candidate shall have the signatures of the electors on his or her petition verified by the County Elections Officer, prior to filing the petition with the City Elections Officer.

B. A declaration of candidacy shall be signed and a fee of \$10 shall be paid to the city at the time of filing. The declaration of candidacy shall be filed not earlier than 100 days, nor later than 64 days, before the election date.

C. A write-in vote at the time of the election as allowed by state law.

(Ord. 1240, §§ 3, 4, 2015; Ord. 1050, 1992; Ord. 949, 1986)

§ 2.04.130 QUALIFICATION FOR COUNCIL MEMBER.

Only a qualified elector under state law who has resided in the city at least one year immediately before an appointment to Council may be a Council member.

(Ord. 1240, § 5, 2015)

CHAPTER 2.08: LOCAL CONTRACT REVIEW BOARD

Section

2.08.010 Designated.

2.08.020 City Council—Authority.

§ 2.08.010 DESIGNATED.

Pursuant to O.R.S. 279A.060, the City Council is designated as the Local Contract Review Board for the city. Relative to contract concerns of the city, and not as a limit thereon, the Board shall have all the powers granted under state law to a local contract review board.

(Ord. 1203, § 1, 2008; Ord. 659, 1976)

§ 2.08.020 CITY COUNCIL—AUTHORITY.

The City Council, acting as the Local Contract Review Board, shall adopt rules to govern public contracts of the city.

(Ord. 1203, § 1, 2008; Ord. 659, 1976)

CHAPTER 2.12: LIBRARY BOARD OF TRUSTEES

Section

2.12.010 Library—Established.

2.12.020 Library Board.

2.12.030 Board organization.

2.12.040 Library Board—General powers.

2.12.050 Acceptance of gifts for library purposes.

2.12.060 Internal administrative policies and procedures.

2.12.070 Prohibited actions and penalties.

§ 2.12.010 LIBRARY—ESTABLISHED.

A. A public library is established for the city under the provisions of O.R.S. 357.400 to 357.621.

B. The public library shall be financed through the use of General Fund monies, revenue obtained from the operation of the library, grants, gifts, donations and bequests received and designated to be used for library purposes and any tax levies that may be authorized by the electors.

C. The Sweet Home Public Library shall be the public agency responsible for providing and making freely accessible to all residents in the city library and information services suitable to persons of all ages.

(Ord. 983, 1989)

§ 2.12.020 LIBRARY BOARD.

A. The Sweet Home Public Library Board is created. The Board shall consist of five members to be appointed by the City Council.

B. The term of office of the Board members shall be four years and their terms shall commence on July 1 in the year of their appointment. The terms of office shall be staggered so that the terms of not more than two Board members will expire in the same year. Of the first five Board members appointed, one member shall initially hold office for one year, one for two years, one for three years and two for four years. At the expiration of the term of any members of the Board, the City Council shall appoint a new member or may reappoint a member for a term of four years. If a vacancy occurs during a term of office, the governing body shall appoint a new member for the balance of the unexpired term.

C. Members of the Board shall receive no compensation for their services, but may be reimbursed for expenses incurred in the performance of their duties.

(Ord. 983, 1989)

§ 2.12.030 BOARD ORGANIZATION.

A. The Library Board shall elect a chairperson and vice-chairperson.

B. The Library Director shall be an ex-officio member and shall serve as Secretary to the Board and keep the record of its actions.

C. Three appointed members of the Board shall constitute a quorum.

D. The Board may establish and amend rules and regulations for its government and procedure consistent with the laws of the state and with the Charter, ordinances, resolutions and regulations of the city.

E. The Board shall meet at least once a month and at such other times as it may provide by its rules.

(Ord. 983, 1989)

§ 2.12.040 LIBRARY BOARD—GENERAL POWERS.

The Library Board shall be an advisory board and shall have no executive or administrative powers or authority and this chapter shall not be construed as depriving elected or appointed officials of the city of any power they may have under the laws of the state or the Charter of the city. The Board shall have powers and duties as follows.

A. Upon request by the City Manager, the Library Board may assist in the interview process of selecting and appointing a library director. The City Manager, as the fiscal and administrative agent for the library, shall have primary responsibility for library personnel, including recruitment, selection, classification and pay and supervision.

B. The Library Board shall make recommendations to the City Council about rules and policies for the efficient and effective operation of the library, its services and programs.

C. The Library Board shall approve the budget request prepared by the Library Director for submittal to the Budget Committee.

D. The Library Board shall make recommendations for the acceptance, use or expenditure of any real or personal property or funds donated to the library under § 2.12.050.

E. The Library Board shall make recommendations for the selection of sites for public library buildings or for location of library facilities.

F. The Library Board shall approve an annual report to the state library and to the City Council submitted in a timely manner on a form supplied by the state library.

G. The Library Board shall develop and recommend to the City Council long-range plans for library service, consistent with city priorities and with state, regional and national goals for libraries.

(Ord. 983, 1989)

§ 2.12.050 ACCEPTANCE OF GIFTS FOR LIBRARY PURPOSES.

Gifts of any real or personal property or funds donated to the library and accepted by the governing body shall be administered in accordance with each gift's terms and all property or funds shall be held in the name of the city.

(Ord. 983, 1989)

§ 2.12.060 INTERNAL ADMINISTRATIVE POLICIES AND PROCEDURES.

The City Manager shall be the fiscal and internal administrative agent for the Sweet Home Public Library and the library shall operate in conformance with city administrative procedures, including those pertaining to the following:

- A. Personnel, including recruitment, selection, classification and pay for library personnel;
- B. Receipt, disbursement and accounting for monies;
- C. Maintenance of general books, cost accounting records and other financial documents;
- D. Budget administration; and
- E. Operation and maintenance of equipment and buildings.

(Ord. 983, 1989)

§ 2.12.070 PROHIBITED ACTIONS AND PENALTIES.

A. O.R.S. 357.975 and O.R.S. 357.990 are to be consulted and used to process the willful detention of library property.

B. The Library Director is an enforcement officer to write citations under O.R.S. 153.005 for violations of this section and state law.

(Ord. 1240, § 6, 2015; Ord. 983, 1989)

CHAPTER 2.16: PARK BOARD

Section

2.16.010 Established.

§ 2.16.010 ESTABLISHED.

A. *General.* There is established the park board of the city to serve at the pleasure and in service to the City Council. It shall consist of five voting members and one ex-officio member, to be appointed as follows:

1. The Chairperson of the Park Subcommittee of the City Council as appointed by the Mayor;
2. Four members at large appointed by the Mayor and confirmed the Council. Each term will be four years or until successors are appointed. The members of the first Board appointed shall draw lots for the length of their terms of office so that one member shall serve for one year, one for two years, one for three years and one for four years. At the expiration of the term of each member, the Mayor shall appoint a member to fill the vacancy; and
3. The City Manager or his or her appointed Park Director will serve as ex-officio member of the Board.

B. *Duties.* The Board is charged with the responsibility of recommending the following programs to the City Council:

1. A capital development program for each fiscal year, to include acquisition of new land and/or development of existing property;
2. An outline of the recreation programs to be carried on by the city's Recreation Department for the next fiscal year;
3. To recommend an operating budget to carry out the recreation program as outlined for the forthcoming fiscal year; and
4. Additional duties and studies as may be required from time to time by the City Council.

C. *Meetings.* There will be a minimum of four meetings a year, beginning with the month of December, which meeting should be devoted to the development of next year's capital and recreation programs.

D. *Attendance.* Any member who misses two consecutive meetings without a leave of absence granted by the Chairperson will be asked to step down and a new member will be appointed to fill the vacancy.

E. *Chairperson.* The Board shall elect from its members a chairperson. It shall also keep a permanent record of its proceedings and deposit the record in the office of the City Recorder.
(Ord. 585, 1972)

CHAPTER 2.20: CITY PLANNING COMMISSION

Section

- 2.20.010 Establishment.
- 2.20.020 Membership.
- 2.20.030 Terms of office.
- 2.20.040 Vacancies and removal.
- 2.20.050 Presiding members.
- 2.20.060 Staff and consultation services—Expenses.
- 2.20.070 Meetings.
- 2.20.080 Conflict of interest.
- 2.20.090 Powers and duties.

§ 2.20.010 ESTABLISHMENT.

There is established a City Planning Commission for the city.
(Ord. 652, 1975)

§ 2.20.020 MEMBERSHIP.

A. The Planning Commission shall consist of seven voting members to be appointed by the City Council. These members shall not be officials or employees of the city. Not more than two of the members shall be non-residents of the city. To be eligible for appointment, non-city members must reside within the boundaries of Sweet Home School District No. 55.

B. In addition to the members appointed by the City Council, the City Manager and the City Engineer shall serve as ex-officio non-voting members of the Planning Commission.

C. No more than two of the voting members may engage principally in the buying, selling or developing of real estate for profit as individuals, or be members of any partnership, or officers or employees of any corporation, that engages principally in the buying, selling or developing of real estate for profit. No more than two of the members appointed by the City Council shall be engaged in the same kind of business, trade or profession.

(Ord. 652, 1975)

§ 2.20.030 TERMS OF OFFICE.

The term of office of voting members of the Planning Commission shall be four years, except that the following procedure shall be used for initial appointments. At the first meeting of the Planning Commission, the seven appointed members shall choose their term of office by lot as follows: one for one year; two for two years; two for three years; and two for four years. The Planning Commission shall immediately thereafter notify the City Council in writing of the allotment.

(Ord. 652, 1975)

§ 2.20.040 VACANCIES AND REMOVAL.

Appointments to fill vacancies shall be for the remainder of the unexpired term. A member may be removed by the City Council, after hearing, for misconduct or non-performance of duty. A member who is absent from two consecutive meetings without the permission of the Planning Commission Chairperson is rebuttably assumed to be in non-performance of duty and the City Council shall declare the position vacant unless finding otherwise following the hearing.

(Ord. 652, 1975)

§ 2.20.050 PRESIDING MEMBERS.

At its first meeting of each calendar year, the Planning Commission shall elect a chairperson and vice-chairperson to serve one-year terms. The Chairperson and Vice-Chairperson shall be eligible for reelection and shall be elected from among the voting members of the Planning Commission.

(Ord. 652, 1975)

§ 2.20.060 STAFF AND CONSULTATION SERVICES—EXPENSES.

A. The City Manager shall provide the Commission with a secretary who shall keep an accurate record of Planning Commission proceedings.

B. The city shall provide the Planning Commission with such other staff and consultation services as is deemed necessary by the Planning Commission and City Council.

C. The expenses of the Planning Commission and those incurred by staff and consultants to the Commission shall be met by such funds as are budgeted by the City Council for such purposes.

D. Members of the Planning Commission shall receive no compensation, but shall be reimbursed only for duly authorized expenses.

(Ord. 652, 1975)

§ 2.20.070 MEETINGS.

A. Four members of the Planning Commission appointed by the City Council shall constitute a quorum.

B. The Planning Commission may make and alter rules and regulations for its government and procedure consistent with the laws of the state and with the Charter and ordinances of the city.

C. The Planning Commission shall meet at least once a month, at such time and place as may be fixed. All meetings of the Planning Commission shall be open to the public.

D. Meetings other than at regularly-scheduled times may be announced at a prior meeting and thereby be made a part of the meeting records. Special meetings may be called at any time by the Chairperson, or by three members, by notice served upon each member of the Planning Commission at least 24 hours before the time specified for the proposed meeting. Notice of a previously unannounced meeting shall be provided to the news media at least 24 hours prior to the meeting.

(Ord. 652, 1975)

§ 2.20.080 CONFLICT OF INTEREST.

A. A member of the Planning Commission shall not participate in any Planning Commission proceeding or action in which any of the following has a direct or substantial interest:

1. The member or his or her spouse, brother, sister, child, parent, father-in-law, mother-in-law;

2. Any business in which he or she is then serving or has served within the previous two years; or

3. Any business with which he or she is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.

B. Any actual or potential interest shall be disclosed at the meeting of the Commission where the action is being taken.

(Ord. 652, 1975)

§ 2.20.090 POWERS AND DUTIES.

The duties of the Planning Commission shall include the following.

A. The Planning Commission shall base its decisions relating to land use, public facilities, transportation, housing and related matters on the city General Plan as now or hereafter constituted.

B. The Planning Commission shall conduct an overall review of the city General Plan every odd-numbered year and recommend to the City Council amendments to the plan.

C. The Planning Commission shall recommend, after public hearing, to the City Council specific amendments to the city General Plan that may be proposed from time to time by the public, the Planning Commission or the City Council. The amendments shall be based upon further studies or changed community priorities or conditions.

D. The Planning Commission shall formulate and recommend to the City Council various programs, policies and ordinances intended to implement the city's General Plan.

E. The Planning Commission shall prepare, or cause to have prepared, various studies and plans related to community or neighborhood development problems, issues and needs.

F. The Planning Commission shall review the annual capital improvement program for submittal to the City Council.

G. On request, the Planning Commission shall review and submit recommendations to the City Council regarding city boundary changes or any public program for the acquisition and development of public facilities and transportation.

H. The Planning Commission shall review and take final action on all proposed subdivisions.

I. The Planning Commission shall conduct public hearings, prepare and maintain accurate minutes and records of these hearings and perform such other duties relating to the city's land use control ordinances, including zoning and subdivision regulations, as may be prescribed by state law and city ordinance.

J. At the request of the City Council, the Planning Commission shall perform other duties related to some aspect of community planning and development.

K. The Planning Commission shall submit an annual report to the City Council, by October 1 of each year, on the activities of the Planning Commission.

L. The Planning Commission shall forward copies of the minutes of its proceedings to the City Council on a monthly basis.

M. The Planning Commission shall encourage cooperation and coordination with public and semipublic agencies, civic and private organizations and other individuals and groups having an interest in the development of the city and its surrounding area.

N. The Planning Commission shall also have all the powers which are now, or may hereafter be, given to it, under the general laws of the state or the Charter or ordinances of the city.

(Ord. 652, 1975)

CHAPTER 2.24: STREET TREE COMMISSION

Section

2.24.010 Established—Membership.

2.24.020 Term—Vacancies.

2.24.030 Quorum—Rules and meetings.

2.24.040 Powers and duties—Generally.

2.24.050 Reports.

2.24.060 Compensation.

§ 2.24.010 ESTABLISHED—MEMBERSHIP.

There is established a Street Tree Commission which shall consist of seven voting members and certain non-voting ex-officio members, including a representative of the Planning Commission, a member of the City Council, the City Planner and a representative from the Public Works Department.

(Ord. 1095, 1996; Ord. 993, 1989)

§ 2.24.020 TERM—VACANCIES.

A. Initial terms will be as follows:

1. Two terms of four years;
2. Two terms of three years;
3. Two terms of two years; and
4. One term of one year.

B. The terms of members shall be for four years, expiring on December 31 of the last year of the term. Any vacancy shall be filled by appointment by the Mayor with confirmation by the City Council for the unexpired portion of the term. Successors shall be appointed for four-year terms.

(Ord. 1095, 1996; Ord. 993, 1989)

§ 2.24.030 QUORUM—RULES AND MEETINGS.

Four voting members of the Street Tree Commission shall constitute a quorum. The Commission may make rules and regulations for its meetings and procedures consistent with city ordinances and shall meet at least once a month. In January each year, the Commission shall elect a chairperson and a vice-chairperson.

(Ord. 1095, 1996; Ord. 993, 1989)

§ 2.24.040 POWERS AND DUTIES—GENERALLY.

The powers, duties and responsibilities of the Street Tree Commission shall be as follows:

A. To conduct an inventory of existing street trees, including historical trees and public properties in need of beautification and plantings and present a written report to the City Council of its findings;

B. To develop and recommend to the City Council, for its adoption, a master list of street trees suitable for planting along the streets of the city. The list shall be reviewed annually, a copy of which shall be kept on file in the office of the City Recorder for public information;

C. To develop and recommend to the City Council, for its adoption, an official street tree plan, designating specific trees for specified locations or streets in the city, a copy of which shall be kept on file in the office of the City Recorder for public information;

D. To develop and recommend to the City Council, for its adoption, ordinances and policies for the planting, care and protection of street trees throughout the city;

E. To act in an advisory capacity to the Planning Commission with respect to landscape design, suitable plantings, protection of natural vegetation and street tree requirements;

F. To submit recommendations to the City Council regarding the beautification of public properties and rights-of-way; and

G. To promote public knowledge and acceptance of the value of street tree planting programs and requirements.

(Ord. 993, 1989)

§ 2.24.050 REPORTS.

The Commission shall submit copies of its minutes to the City Council and shall prepare and submit such reports as from time to time may be requested of it by the City Council or the Planning Commission.

(Ord. 993, 1989)

§ 2.24.060 COMPENSATION.

Voting members of the Commission shall receive no compensation for services rendered. The Commission may receive gifts, bequests or devices of property to carry out any of the purposes of this chapter which shall be placed in a special account for use by the Commission.

(Ord. 993, 1989)

CHAPTER 2.28: TRAFFIC SAFETY COMMITTEE

Section

- 2.28.010 Establishment.
- 2.28.020 Membership.
- 2.28.030 Terms of office.
- 2.28.040 Powers and duties.

§ 2.28.010 ESTABLISHMENT.

There is established a Traffic Safety Committee for the city.

(Ord. 707, 1977)

§ 2.28.020 MEMBERSHIP.

A. The Traffic Safety Committee shall consist of seven voting members: the Chairperson of the City Council Public Safety Committee and six other persons as appointed by the City Council. No more than one of these voting members may be an official or employee of the city. Not more than two of the members shall be non-residents of the city. To be eligible for appointment, non-city members must reside within the boundaries of Sweet Home School District No. 55.

B. In addition to the seven voting members, the City Engineer and Police Chief shall serve as ex-officio non-voting members of the Traffic Safety Committee.

C. The Chairperson of the City Council Public Safety Committee shall be Chairperson of the Traffic Safety Committee. The Vice-Chairperson shall be elected by the Committee.

(Ord. 788, 1980; Ord. 707, 1977)

§ 2.28.030 TERMS OF OFFICE.

The term of office of the six appointed members shall be for two years, except that the following procedure shall be used for initial appointments. At the first meeting of the Traffic Safety Committee, the six appointed members shall choose their term of office by lot as follows: three for one year and three for two years. The Traffic Safety Committee shall immediately thereafter notify the City Council in writing of the allotment.

(Ord. 788, 1980; Ord. 707, 1977)

§ 2.28.040 POWERS AND DUTIES.

A. The Traffic Safety Committee shall work closely with the state's Traffic Safety Committee and shall seek whatever assistance as would benefit the city. The Committee shall engage in a traffic safety program within the city to ensure public traffic safety awareness.

B. The Traffic Safety Committee shall review all requests to establish or alter traffic controls and parking controls and all traffic safety problems coming to the attention of the Committee. The Committee shall be empowered to make recommendations to the City Council for corrective action.

C. The Chairperson of the Traffic Safety Committee shall report the activities of the Committee to the regular Council meetings.

(Ord. 721, 1978; Ord. 707, 1977)

CHAPTER 2.44: MUNICIPAL COURT

Section

2.44.010 Proceedings.

2.44.020 Authority.

§ 2.44.010 PROCEEDINGS.

Except as otherwise provided by the Constitution and statutes of the state and the Charter of the city, all proceedings in the Municipal Court shall be governed and regulated by the general laws of the state applicable to justice courts in like or similar cases.

(Ord. 260, 1953)

§ 2.44.020 AUTHORITY.

The Municipal Judge may issue search warrants, inspection warrants and impound warrants to facilitate the enforcement of city ordinances, including any abatement processes therein. This source of authority is in addition to any other source of authority that the Municipal Court may have in issuing the warrants.

(Ord. 979, 1988)

CHAPTER 2.48: PERSONNEL SYSTEM

Section

2.48.010 Title.

2.48.020 Purpose.

2.48.030 Adoption and amendment of rules.

2.48.040 Administration of rules.

§ 2.48.010 TITLE.

The title of this chapter shall be, “The Personnel Ordinance of the City of Sweet Home”.

(Ord. 643, 1974)

§ 2.48.020 PURPOSE.

This chapter is adopted to establish an equitable and uniform procedure for dealing with personnel matters; to attract to municipal service and to retain the best and most competent persons available; to assure that appointments and promotions of employees will be based on merit and fitness; and to provide a reasonable degree of job security for qualified employees.

(Ord. 643, 1974)

§ 2.48.030 ADOPTION AND AMENDMENT OF RULES.

Personnel rules shall be adopted and amended by resolution of the City Council. The rules shall provide means to recruit, select, develop and maintain an effective and responsive work force and shall include policies and procedures for employee hiring and advancement, training and career development, job classification, salary administration, retirement, fringe benefits, discipline, discharge and other related activities. All appointments and promotions shall be made in accordance with the personnel rules without regard to sex, race, color, age, religion or political affiliation; and, furthermore, shall be based on merit and fitness.

(Ord. 643, 1974)

§ 2.48.040 ADMINISTRATION OF RULES.

The City Manager shall be responsible for:

A. Administering all the provisions of this chapter and of the personnel rules not specifically reserved to the City Council; and

B. Preparing or causing to be prepared and recommending to the City Council personnel rules and revisions and amendments to the rules.

(Ord. 643, 1974)

CHAPTER 2.52: EMERGENCY MANAGEMENT PROGRAM

Section

2.52.010 Purposes.

2.52.020 “Emergency” defined.

2.52.030 Emergency Program Manager.

2.52.040 Powers and duties of the Emergency Program Manager.

2.52.050 Emergency Operations Planning Team.

2.52.060 Powers and duties of the Emergency Operations Planning Team.

2.52.070 Emergency organization—composition.

2.52.080 Expenditures.

2.52.090 Violations—penalties.

§ 2.52.010 PURPOSES.

The declared purposes of this chapter are to:

A. Provide for the preparation and carrying out of plans for the protection of persons and property within this city in the event of an emergency; the direction of the emergency management organization; and the coordination of the emergency functions of this city with all other public agencies, corporations, organizations and affected private persons; and

B. Implement the provisions of O.R.S. Chapter 401.

(Ord. 1147, § 1, 2002)

§ 2.52.020 “EMERGENCY” DEFINED.

As used in this chapter, **EMERGENCY** means any human-made or natural event or circumstance causing or threatening loss of life, injury to person or property, human suffering or financial loss, and includes, but is not limited to, fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of oil or hazardous material, as defined in O.R.S. 466.605, contamination, utility or transportation emergencies, disease, blight, infestation, crisis influx of migrants unmanageable by the county, civil disturbance, riot, sabotage, terrorist actions, including employment of weapons of mass destruction and war.

(Ord. 1203, § 5, 2008; Ord. 1147, § 2, 2002)

§ 2.52.030 EMERGENCY PROGRAM MANAGER.

The City Manager is designated as the City of Sweet Home Emergency Program Manager.

A. The Emergency Program Manager may appoint an Emergency Management Coordinator to serve as his or her deputy and to coordinate the preparation of the Emergency Management Plan and operation of the city's Emergency Communications Center.

B. The city's Emergency Program Manager shall be responsible for the development of the city's Emergency Plan which shall provide for the effective mobilization of all of the resources of the city, both public and private, to meet any condition constituting a local emergency and shall provide for the organization, powers and duties, services and staff of the emergency organization. The plan shall take effect upon adoption by resolution of the City Council.

(Ord. 1147, § 3, 2002)

§ 2.52.040 POWERS AND DUTIES OF THE EMERGENCY PROGRAM MANAGER.

The Emergency Program Manager is empowered to:

A. Request the City Council to proclaim the existence or threatened existence of a "state of emergency" or to issue such proclamation if the City Council is not reasonably available. Whenever the Emergency Program Manager proclaims a state of emergency, the City Council shall take action to ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect;

B. Request the County Board of Commissioners to proclaim a "state of emergency" and provide needed resources when, in the opinion of the Emergency Program Manager, the locally-available resources are inadequate to cope with the emergency;

C. Control and direct the effort of the emergency organization of the city for the accomplishment of the purposes of this chapter;

D. Direct cooperation between and coordination of services and staff of the emergency organization of this city and resolve questions of authority and responsibility that may arise between them;

E. Represent the city in all dealings with the public or private agencies on matters pertaining to emergencies as defined in this chapter; and

F. In the event of the proclamation of a "state of emergency" as provided in this section, the proclamation of a "state of emergency" by the Governor or the existence of a "state of war emergency", the Emergency Program Manager is empowered, to the extent lawfully permissible:

1. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by the emergency; provided, however, the rules and regulations must be confirmed at the earliest practicable time by the City Council;

2. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of life and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use;

3. To require emergency services of any city officer or employee and, in the event of the proclamation of a "state of emergency" in Linn County or the existence of a "state of war

emergency”, to command the aid of as many citizens of this community as he or she deems necessary in the execution of his or her duties; the persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered emergency service workers;

4. To requisition necessary personnel or material of any city department or agency; and

5. To execute all of his or her ordinary power as City Manager, all of the special powers conferred upon him or her by this chapter or by resolution or emergency plan pursuant hereto adopted by the City Council, all powers conferred upon him or her by O.R.S. Chapter 401, by any agreement approved by the City Council and by any other lawful authority.

(Ord. 1147, § 4, 2002)

§ 2.52.050 EMERGENCY OPERATIONS PLANNING TEAM.

The Emergency Operations Planning Team is created and shall consist of at least six representatives as designated by the city’s Emergency Program Manager.

(Ord. 1147, § 5, 2002)

§ 2.52.060 POWERS AND DUTIES OF THE EMERGENCY OPERATIONS PLANNING TEAM.

The Emergency Operations Planning Team shall, under the supervision of the Emergency Program Manager, develop emergency plans and manage the emergency program of the city and shall have such other powers and duties as may be assigned by the Emergency Program Manager.

(Ord. 1147, § 6, 2002)

§ 2.52.070 EMERGENCY ORGANIZATION—COMPOSITION.

All officers and employees of the city together with those volunteer forces enrolled to aid them during an emergency, and all groups, organizations and persons who may, by agreement or operation of law, including persons impressed into service under the provisions of this chapter, charged with duties incident to the protection of life and property in the city during the emergency, shall constitute the emergency organization of the city.

(Ord. 1147, § 7, 2002)

§ 2.52.080 EXPENDITURES.

Any expenditures made in connection with emergency activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the city.

(Ord. 1147, § 8, 2002)

§ 2.52.090 VIOLATIONS—PENALTIES.

It shall be a misdemeanor, punishable by a fine not to exceed \$1,000 and imprisonment with a maximum of 30 days or both, for any person, during an emergency to:

A. Willfully obstruct, hinder or delay any member of an emergency organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter, or in the performance of any duty imposed upon him or her by virtue of this chapter;

B. Do any act forbidden by any lawful rule or regulation issued pursuant to this chapter, if the act is of such nature as to give, or be likely to give, assistance to the enemy or to imperil the lives and property of inhabitants of the city or to prevent, hinder or delay the defense or protection thereof; and

C. This section is not intended to, nor shall it prevent a peace officer from enforcing O.R.S. 162.247, Interfering With a Peace Officer.

(Ord. 1147, § 9, 2002)

CHAPTER 2.56: (RESERVED)

CHAPTER 2.60: POLICE DEPARTMENT POLICIES

Section

2.60.010 Police Inventory and Search Policy adopted.

2.60.020 Vehicle inventory search.

§ 2.60.010 POLICE INVENTORY AND SEARCH POLICY ADOPTED.

Policy 902, inclusive, of the *Sweet Home Police Department Policy Manual* is hereby adopted. These policies pertain to searches of those in police custody.

(Ord. 1223, § 1, 2011)

§ 2.60.020 VEHICLE INVENTORY SEARCH.

Policy 510.6 of the *Sweet Home Police Department Policy Manual* is hereby adopted. This policy pertains to the inventory of vehicles towed or impounded by the Sweet Home Police Department.

(Ord. 1223, § 2, 2011)