

ORDINANCE BILL NO. 12 FOR 1990

ORDINANCE NO. 1020

AN ORDINANCE AMENDING ORDINANCE NO. 876, PERTAINING TO INFRACTIONS AND DECLARING AN EMERGENCY.

The City of Sweet Home does ordain as follows:

Section 1. Section 2(a) of Ordinance No. 876 is amended by adding the words "and Section 17" after the words "... Section 16.." in the first sentence of 2(a), and deleting the last sentence of Section 2(a).

Section 2. Section 3 of Ordinance No. 876 is amended to read as follows:

Section 3. Notice. When an infraction of a City ordinance covered by this procedure is brought to the attention of the City Manager or other City employe authorized to enforce the provisions of the City ordinance that is believed to have been violated, said person may determine that the responsible party be given written notice of the infraction and allow a specified length of time in which the infraction may be remedied.

Section 3. Section 7(b) of Ordinance No. 876 is amended to read as follows:

(b) Service shall be personal or by first class mail, except the procedures set out in ORS 221.340 and ORS 810.425 concerning parking cases may be followed when applicable.

Section 4. Section 14 of Ordinance No. 876 is amended to read as follows:

Section 14. Penalty. The penalty for committing an infraction shall be a fine, not to exceed \$200.00. The Court may suspend a fine, or a part thereof, on such conditions as it deems proper.

Section 5. Section 15(c) of Ordinance No. 876 is amended to read as follows:

Section 15(c). Delinquent fines which are assessed against a property owner for infractions occurring on his real property, or for improper use of his real property may be imposed as City liens against said real property by resolution of the City Council and collected in the same manner as other such debts owing to the City, including using the procedures set out in Section 30, Ordinance 955 as now enacted or hereafter amended.

Section 6. Ordinance No. 876 is hereby amended by adding Section 15(e) to read as follows:

Section 15(e). The Court may order a defendant to remedy a violation as part of a sentence and if the defendant does not comply with the Court order, the Court may order the violation be remedied by the City.


Section 7. Section 17 of Ordinance No. 876 is amended by adding the following phrase at the end of the section.

"... and the form and procedures set out in ORS 221.340 and ORS 810.425 concerning parking cases may be followed when applicable and the owner of a vehicle is responsible and liable as a defendant for any city parking violation, including those in the Vehicle Code."

Section 8. All city ordinances that have adopted the infraction procedure of Ordinance No. 876 in the past are hereby updated to and by this ordinance.

Section 9. Emergency Clause. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 8th day of May, 1990.

  
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Mayor

ATTEST:

  
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City Manager and ex officio City Recorder