

ORDINANCE BILL NO. 1 FOR 2015

ORDINANCE NO. 1240

SWEET HOME ORDINANCE AMENDING AND CREATING SECTIONS OF THE SWEET HOME MUNICIPAL CODE

The City of Sweet Home does ordain as follows:

Section 1. Sweet Home Municipal Code Section 1.01.010 is amended to read as follows:

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.

Section 2. Sweet Home Municipal Code Section 2.04.100 is amended to read as follows:

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.

Section 3. Sweet Home Municipal Code Section 2.04.120 is amended by amending the first sentence to read as follows:

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.

Section 4. Sweet Home Municipal Code Section 2.04.120 is amended by creating Subsection C to read as follows:

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

Section 5. Sweet Home Municipal Code Chapter 2.04 is amended by adding thereto Sweet Home Municipal Code Section 2.04.130 to read as follows:

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.

Section 6. Sweet Home Municipal Code Section 2.12.070 is amended to read as follows:

A. ORS 357.975 and ORS 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 ORS 153.005 for violations of this section and

state law.

Section 7. Sweet Home Municipal Code Chapter 2.56 is revoked with its enacting Ordinance 1195.

Section 8. Sweet Home Municipal Code Section 3.08.080 is amended to read as follows:

After all procedural and legal processes are finished, any vehicle not returned to its owner or to a person who has a right to possession thereof, shall be disposed of as if it were a vehicle that had been taken into custody pursuant to ORS 819.110 and the persons involved shall have all the rights and duties created by ORS 819.110, 819.140, 819.150, 819.160, 819.185, 819.190, 819.200, 819.210 and 819.215. However, ORS 819.160 shall apply from the time the vehicle is towed, notice shall be given to the owner and secured party at their last known address before final disposition of the vehicle and the city shall have a lien against the vehicle and its contents for all costs incurred by the city for towing, storage and processing of the vehicle and its contents.

Section 9. Sweet Home Municipal Code Section 5.04.020 is amended to read as follows:

Violation of this chapter constitutes a violation and may be prosecuted under the provisions of Chapter 9.36 and any amendments thereto. Each day's violation of a provision of this chapter shall constitute a separate offense.

Section 10. Sweet Home Municipal Code Subsection 5.12.040 C is amended by adding at the end of it the following sentence:

The License issued shall in substance have the above referred to information thereon.

Section 11. Sweet Home Municipal Code Subsection 5.12.100 D thereof is amended to read as follows:

D. For a peddler or solicitor conviction within the last fifteen years for any felony that would relate directly to the safety (either economic or physical) of the public by the person conducting or participating in the event or business or within the last five years for any misdemeanor that would relate directly to the safety (either economic or physical) of the public by the person conducting or participating in the event or business. For a solicitor or peddler who is a current subject of a Stalking Order which is based on danger, force or threat to a victim or a Restraining Order involving physical abuse or threat of physical abuse issued by a Court of competent jurisdiction. Time spent in jail or prison shall extend the time period for the 15 year period and the 5 year period for a maximum of 2 years from the date of application.

Section 12. Sweet Home Municipal Code Subsection 5.24.050 O is

amended by removing therefrom the text of \$300 and replacing it with the text of \$500.

Section 13. Sweet Home Municipal Code Subsection 6.12.060 E is amended by replacing the word infraction in the two places used therein with the word violation.

Section 14. Sweet Home Municipal Code Subsection 6.12.070 A is amended by replacing the word infraction used therein with the word violation.

Section 15. Sweet Home Municipal Code Subsection 6.12.090 A is amended to read as follows:

A. Violation of any provision of this chapter constitutes a violation and may be prosecuted under the provisions of Chapter 9.36 and any amendments thereto. Each day's violation is a separate offense.

Section 16. Sweet Home Municipal Code Subsection 8.04.040 A 1 is amended to read as follows:

1. Any machinery, equipment or other devices; and any structures or walls in a dilapidated condition that are not regulated by the building or dangerous building codes; and any common law attractive nuisance to children on such property which are attractive and dangerous to children and which are accessible to children;

Section 17. Sweet Home Municipal Code Section 8.04.250 title is to read LIEN-INTEREST.

Section 18. Sweet Home Municipal Code Subsection 9.24.040 A is amended by removing the word chapter therein and replacing it with the word code.

Section 19. Sweet Home Municipal Code Section 9.24 is amended by adding thereto Sweet Home Municipal Code Subsection 9.24.040 E to read as follows:

No person shall allow or permit any personal property or real property from or on that person's real property to encroach on, over or above a sidewalk unless otherwise allowed or permitted by law.

Section 20. Sweet Home Municipal Code Subsection 10.08.030 G is amended by removing the text O.R.S 819.260 therefrom and replacing it with the text O.R.S. 819.215 in the two places referenced therein.

Section 21. Sweet Home Municipal Code Section 10.11.020 is amended by removing the text O.R.S. 819.260 therefrom and replacing it with the text O.R.S. 819.215.

Section 22. Sweet Home Municipal Code Section 10.12.010 is hereby revoked.

Section 23. Sweet Home Municipal Code Section 10.16.040 is amended by removing the text O.R.S. 819.260 therefrom and replacing it with the text O.R.S. 819.215.

Section 24. Sweet Home Municipal Code Section 10.24.020 is amended to read as follows:

Violation of this chapter constitutes a violation and may be prosecuted under the provisions of Chapter 9.36 and any amendments thereto. Each day's violation of a provision of this chapter shall constitute a separate offense.

Section 25. Sweet Home Municipal Code Section 12.08.110 is amended to read as follows:

Violation of this chapter constitutes a violation and may be prosecuted under the provisions of Chapter 9.36 and any amendments thereto. Each day's violation of a provision of this chapter shall constitute a separate offense.

Section 26. Sweet Home Municipal Code Section 12.12.100 is amended to read as follows:

No person in a park shall have brought into the park, shall have possession of in the park or shall drink in the park alcoholic beverages with alcoholic content of more than 5% by volume at any time.

Section 27. Sweet Home Municipal Code Section 12.12.210 is amended to read as follows:

Violation of this chapter constitutes a violation and may be prosecuted under the provisions of Chapter 9.36 and any amendments thereto. Each day's violation of a provision of this chapter shall constitute a separate offense.

Section 28. Sweet Home Municipal Code Section 13.04.180, Sweet Home Municipal Code Section 13.09.130, Sweet Home Municipal Code Section 13.12.180 and Sweet Home Municipal Code Section 15.12.190 are each respectively amended by removing the text " and Sweet Home Ord. 1128 " or " as amended by Sweet Home Ord. 1128 " as found therein.

Section 29. Sweet Home Municipal Code Section 13.20.070 is amended by removing the word infraction and replacing it with the word violation.

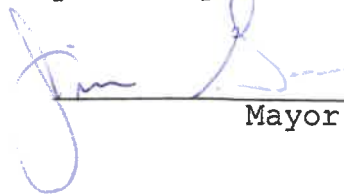
Section 30. Sweet Home Municipal Code Subsection 15.03.040 D is amended by having the final sentence read as follows:

Any such person who fails to comply with any such order is guilty of a violation that may be prosecuted as a violation pursuant to SHMC Chapter 9.36 as now enacted or hereafter amended, except that violation of the Uniform Code for the Abatement of Dangerous Buildings by entering or remaining in a building posted pursuant to Section 404 or Section 701, defacing or removing the posted notice or violating Section 703 of the code shall be dealt with by prosecution under applicable criminal laws as they apply to the situation being an exception to SHMC 15.01.150 A.

Section 31. Sweet Home Municipal Code Subsection 17.24.030 L is amended by the text of Temporary dwelling unit for medical hardship purposes being removed with Subsection L and the remainder of the subsections in the section placed in alphabetical order.

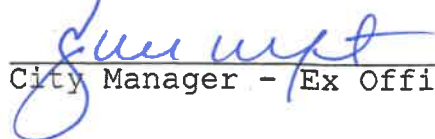
Section 32. The Sweet Home Municipal Code as it is now compiled, edited and published is hereby affirmed and reaffirmed hereby with the changes (amendments and repeals) as stated herein and the enacting ordinances and parts thereof are correspondently changed thereby.

PASSED by the Council and approved by the Mayor this 24th day of MARCH, 2015.



Mayor

ATTEST:



City Manager - Ex Officio City Recorder