

ORDINANCE NO. 767

AN ORDINANCE AMENDING ORDINANCE NO'S 306, 380, 393, 401, 418, 465 and 620 OF THE CITY OF CANBY, AND DECLARING AN EMERGENCY.

WHEREAS, the Canby City Council determined that it is in the City's best interest to adopt a Municipal Code for the City of Canby; and

WHEREAS, Book Publishing Company was retained by the City of Canby for the purpose of analyzing present City ordinances and making recommendations concerning amendments of those ordinances out-dated or otherwise in need of change; and

WHEREAS, Book Publishing Company has made such recommendations concerning the amending of present ordinances through a report presented to the Canby City Council; and

WHEREAS, it is the desire of the Canby City Council to enact the recommended amendments prior to completion of the codification process by Book Publishing Company;

NOW THEREFORE,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1 Section 3 of Ordinance No. 306 is amended to read:

SECTION 3. The Chief of Police shall be a conservator of the peace and shall execute all processes directed to him by the Mayor or Recorder or by any magistrate of this state; he shall attend regularly upon the sittings of the Municipal Court; he shall make arrests for breach of the peace, for a violation of any City ordinance, or for the commission of a crime within the City limits the same as any peace office(r) may under the laws of the state; when any person doing business within the City or engaged in any occupation for which a City license is required shall neglect or refuse to take out the same as required by the City ordinance, it shall be the duty of the Chief of Police, to inform against and prosecute such person before the Municipal Judge, and to enforce the payment of such license fee from such delinquent; and in the discharge of his duties he shall exercise vigilant control over the peace and best interest of the City and shall be present at all meetings of the City Council.

Section 2. Section 7 of Ordinance No. 380 is amended to read:

SECTION 7. Initiative petitions for any proposed ordinance, charter amendment or measure shall be signed by a number of legal voters equal to ten (10%) percent of the electors registered in the City. Referendum petitions against any ordinance or measure proposed by the City Council shall be signed by a number of legal voters equal to ten (10%) percent of the electors registered in the City.

Section 3. Section 10 of Ordinance No. 393 is amended to read:

SECTION 10. Appeal. Any person feeling aggrieved by assessments made as herein provided, may within twenty (20) days from the passage of the ordinance levying the assessment, appeal therefrom to the circuit court of the State of Oregon for Clackamas County. Such appeal and the requirements and formalities thereof shall be heard, governed and determined and the judgment thereon rendered and enforced so far as is practical in the manner provided for appeals for reassessments contained in Oregon Revised Statutes 34.010 to 34.100 as now appears or hereafter amended. The result of such an appeal shall be a final and conclusive determination of the matter of such assessment except with respect to the City's right of reassessment as provided herein.

Section 4. Section 12 of Ordinance No. 401 is amended to read:

SECTION 12. Any person violating any of the terms of this ordinance shall upon conviction in the Municipal Court or upon a plea of guilty before such court, be subject to a fine not exceeding \$500.00.

Section 5. Section 1, number 7 of Ordinance NO. 418 is amended to read:

SECTION 1, NUMBER 7. No person while in a City park may operate a concession, either fixed or mobile, or engage in the business of soliciting, selling or peddling any liquids or edibles for human consumption, or distribute circulars of a commercial nature, or hawk, peddle or vend any goods, wares or merchandise in a City park without permission from the Canby City Council.

Section 6. Section 15 of Ordinance No. 465 is amended to read:

SECTION 15. Notices of Advertisements.

(1). No person may affix or cause to be distributed any placard, bill, advertisement or poster of a commercial nature upon real or personal property, public or private, without first securing permission from the owner or person in control of the property. This section shall not be construed as an amendment to or a repeal of any regulation now or hereafter adopted by the City regulating the use of and the location of signs and advertising.

(2) No person, either as principal or agent, may scatter, distribute or cause to be scattered or distributed on public or private property any placards or advertisements or other similar material of a commercial nature.

(3). This section does not prohibit the distribution of advertising material during a parade or approved public gathering.

Section 7. Section 1, number 11 of Ordinance No. 620 is amended to read:


SECTION 1, NUMBER 11. Written briefs by any interested party if filed with the secretary or clerk of the hearing body at least five (5) days prior to the hearing.

Section 8. Emergency Declared. In view of the necessity to amend certain ordinances in order to codify all Canby Municipal Ordinances and to promote the health, safety and welfare of the citizens of the City of Canby, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its final reading and passage by the Canby City Council.

Submitted to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, January 2, 1985; ordered posted as provided by the Canby City Council and scheduled for second reading and action of the Canby City Council at a meeting thereof to be held on January , 1985, after the hour of 7:30 o'clock p.m. at the Council meeting chambers at the Canby City Hall in Canby, Oregon.


Marilyn K. Perkett, City Recorder

ENACTED by the Canby City Council at a meeting thereof on the day of January, 1985 by the following vote: YEAS 4 NAYS 0



William F. Pulver, Mayor

ATTEST:

Marilyn K. Perkett, City Recorder