

ORDINANCE NO. 778

AN ORDINANCE ADOPTING THE CANBY MUNICIPAL CODE, CODIFYING ALL PREVIOUS ORDINANCES OF THE CITY OF CANBY AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Adoption. There is hereby adopted the "Canby Municipal Code" as published by Book Publishing Company, Seattle, Washington.

Section 2. Title - Citation - Reference. This code shall be known as the "Canby Municipal Code" and it shall be sufficient to refer to said code as the "Canby Municipal Code" 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 "Canby Municipal Code." Further reference may be had to the titles, chapters, sections and subsections of the "Canby Municipal Code," and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code.

Section 3. Contents. This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the City of Canby, Oregon.

Section 4. Ordinances Passed Prior to Adoption of the Code. The last ordinance included in the original code is Ordinance No. 769, passed January 16, 1985. The following ordinances, passed subsequent to Ordinance No. 769, but prior to adoption of this code, are hereby adopted and made a part of this code: Ordinance No.s, 770 through 777.

Section 5. Reference Applies to all Amendments. Whenever a reference is made to this code as the "Canby Municipal Code" or to any portion thereof, or to any ordinance of the City of Canby, Oregon, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

Section 6. Title, Chapter and Section Headings. Title, chapter and section headings contained herein 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.

Section 7. Reference to Specific Ordinances. The provisions of this code shall not in any manner affect matters of

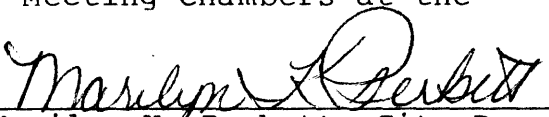
record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within the code.

Section 8. Effect of Code on Past Actions and Obligations. Neither the adoption of this code nor the repeal or amendments hereby of any ordinance or part or portion of any ordinance of the City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license, fee, or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee, or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

Section 9. Constitutionality. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The Council hereby declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

Section 10. Emergency. In view of the necessity to adopt the Canby Municipal Code and to promote the health, safety and welfare of the citizens of the City of Canby, an emergency is hereby declared to exist. This code shall become effective immediately upon its enactment after final reading.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on September 18, 1985; ordered posted as required by the Canby City Charter and scheduled for second reading thereof on October 2, 1985, commencing at 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

PASSED on final reading of the Canby City Council at a regular meeting thereof held on the 2nd day of October, 1985, by the following vote: YEAS 6 NAYS 0

William F. Pulver  
William F. Pulver, Mayor

ATTEST:

Marilyn H. Perkett  
Marilyn H. Perkett, City Recorder