

ORDINANCE NO. 75

AN ORDINANCE PROVIDING MINIMUM LOT SIZES, WIDTHS, AND BUILDING SETBACK LINES, PROVIDING FOR A HEARING THEREON, PROVIDING AN EFFECTIVE DATE AND PENALTIES, REPEALING ORDINANCE NO. 74 ON THE EFFECTIVE DATE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF TROUTDALE:

SECTION 1. Compliance. No building, structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered to violate any provision of this ordinance.

SECTION 2. Lot Size. The minimum lot size permitted for a residential building shall be 7000 square feet, and for a non-residential structure 5000 square feet.

SECTION 3. Lot Width. The minimum lot width permitted for a residential building shall be 60 feet, and for a non-residential structure 50 feet.

SECTION 4. Setback Lines. The minimum setback distance for a residential building shall be 25 feet at the front, 5 feet at each side, and 5 feet at the rear, except that along street, the side and rear shall be 10 feet. Where a structure will be used for purposes other than residential, and the property it occupies abuts residential property, it shall be set back from the line of the residential property at least 5 feet.

SECTION 5. Nonconforming Structures and Lots. No building or structure in existence at the time this ordinance is adopted shall be required to be cut off or removed by the provisions of Sections 2, 3 or 4 of this ordinance. Any lot which has been platted or conveyed at the time of the adoption of this ordinance which is at least 50 feet in width and contains at least 5000 square feet shall be exempt from the provisions of Sections 2 and 3 hereof.

SECTION 6. Hearing. A hearing shall be held by the Common Council at its next regular meeting on January 8, 1963, at the Troutdale City Hall at 7:30 P.M., to consider any objections to the provisions of this ordinance as they relate to particular streets or properties. No objection shall be considered which shall not have been made in writing, signed by the objector, and filed with the City Recorder at least 5 days before the date of said hearing. The objection shall specify the street or property affected, the objector's address, the location of the objector's property, the particular provision objected to and the reasons for objection. After hearing all such objections on said date or on any later date to which the hearing may be adjourned or recessed, the Common Council shall amend this ordinance to provide for any changes found by it necessary to respect constitutional rights or to prevent unreasonable restrictions on the use of property.

SECTION 7. Notice. A copy of this ordinance shall be posted in three public places within 5 days after it is signed by the Mayor.

SECTION 8. Effective Date of Restrictions. The lines, restrictions and requirements provided by this ordinance shall be deemed in effect and established on March 1, 1963, unless sooner amended or repealed by ordinance.

SECTION 9. Repeal. Ordinance No. 74 of the City of Troutdale, adopted November 13, 1962, shall be repealed effective March 1, 1963.

SECTION 10. Severability. The provisions of this ordinance are hereby declared to be severable. If any section, sentence, clause or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 11. Penalty. A person violating a provision of this ordinance shall, upon conviction thereof, be punished by imprisonment in the city jail for

not to exceed 10 days or by a fine not to exceed \$500.00, or both. No building permit shall be issued permitting a violation of this ordinance.

SECTION 12. Emergency. 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 of the Town, and therefore an emergency is declared to exist and this ordinance shall take effect and be in full force and effect when signed by the Mayor.

Passed by the Common Council of the Town of Troutdale this 11 day of Dec, 1962.

YEAS: 6

NAYS: 2

Signed by the Mayor this 11 day of Dec, 1962.

Herbert Rothman  
MAYOR

ATTEST:

R. H. ...  
RECORDER