

ORDINANCE NO. 333-0

AN ORDINANCE PROVIDING FOR THE CONTROL OF TRESPASSING UPON THE PROPERTY OF ANOTHER.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE

SECTION 1. ORDINANCE TITLE

This Ordinance shall be known as the City of Troutdale Criminal Trespass Ordinance.

SECTION 2. DEFINITIONS

As used in this Ordinance, unless the context requires otherwise.

A.) "Trespass" shall mean entry upon the property of another.

B.) Enter or remain unlawfully means:

(a) To enter or remain in or upon premises when the premises, at the time of such entry or remaining, are not open to the public or when the entrant is not otherwise licensed or privileged to do so; or

(b) To fail to leave premises that are open to the public after being lawfully directed to do so by the person in charge.

C.) "Open to the Public" means premises which by their physical nature, function, custom, usage, notice or lack thereof or other circumstances at the time would cause a reasonable person to believe that no permission to enter or remain is required.

D.) "Person in Charge" means a person, his representative or employee who has lawful control of premises by ownership, tenancy, official position or other legal relationship. It includes, but is not limited to the person, or holder of a position, designated as the person or position-holder in charge by the Governor, board, commission or governing body of any political subdivision of this state.

E.) "Premises" includes any building and any real property, whether privately or publicly owned.

SECTION 3. POLICY

The Council has determined it necessary to control and abate trespasses which constitute a hazard to the health, safety or welfare of the people of the City of Troutdale and this Ordinance shall be liberally construed to effectuate that purpose.

SECTION 4. CRIMINAL TRESPASS PROHIBITED

A person commits the crime of criminal trespass if he/she enters or remains

unlawfully in or upon premises.


SECTION 5. PENALTIES

Violation of this Ordinance shall be punishable by up to 30 days in jail and/or a fine of no more than two hundred and fifty (\$250) dollars.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 3RD DAY OF JUNE, 1980.

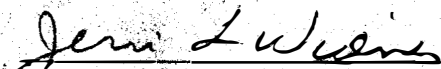
YEAS: 6

NAYS: 0 UNANIMOUS



R. M. Sturges, Mayor

ATTEST:



Jerri Widner,
Finance Director/
City Recorder