

AN ORDINANCE AMENDING ORDINANCE NO. 1283)
RELATING TO TRAFFIC CONTROL; AND DECLARING)
AN EMERGENCY.)

ORDINANCE BILL NO. 28
for 1980
ORDINANCE NO. 1794

THE CITY OF LEBANON ORDAINS:

Section 1. Repeal. Whereas Chapter 487 of Oregon Revised Statutes has been incorporated by reference into Lebanon Ordinance No. 1283, the following sections of said Ordinance are deemed to be unnecessary and are hereby repealed:

Section 3. "Conflicts"
Section 7. "Duty to Obey Traffic Signs and Signals"
Section 8. "Vehicles stopping at Stop Signs"
Section 9. "Stop When Traffic Obstructed"
Section 11. "Method of Parking"
Section 20. "Use of Sidewalks"
Section 28. "Driving Under the Influence"
Section 29. "Drinking in Motor Vehicles"
Section 30. "Reckless Driving"
Section 30-A. "Driving While License Revoked or Suspended"
Section 31. "U-Turns"
Section 33. "Limitations on Backing"
Section 34. "Driving on Divided Streets"
Section 35. "Driving Wrong Way on One-Way Street"
Section 36. "Emerging from Vehicle"
Section 38. "Riding on Motorcycles"
Section 40. "Clinging to Vehicles"
Section 45. "Removing Glass and Debris"
Section 50. "Exceptions - Emergency Vehicle"
Section 52. "Illegal Cancellations of Traffic Citations"
Section 54. "When Warrant to be Issued"

Section 2. Amendments. Section 12, subsection (6) of Ordinance No. 1283 is amended to read as follows:

"(6) A vehicle in an area that has been painted yellow for no parking or so signed or marked."

Section 3. A new section is added to Ordinance No. 1283 to read as follows:

"Section 3. Offenses on Property Open to Public Travel - Applicability of Oregon Vehicle Code. The provisions of this chapter and the provisions of Oregon Revised Statutes incorporated in Section 1 of this ordinance shall apply upon any property open to public travel. Any conduct or status that would constitute a violation of said statute if it occurred on a public

street will, if it occurs on other property open to public travel, constitute a municipal traffic infraction under the provisions of this section."

Section 4. Parade Ordinances Amended. Section 23 of Ordinance 1283 is amended to read as follows:

"Section 23. Parades - Prohibited Activity. No person shall participate in a parade unless a permit has been obtained prior to commencement of the parade. 'Parade' means a gathering of at least ten persons who travel more than 100 feet on the streets, sidewalks, alleys, thoroughfares or parklands, for a common purpose.

"Section 23-A. Parades - Permit.

(1) Application for parade permits shall be made in writing to the Chief of Police or his designate at least ninety-six (96) hours prior to the intended time of the parade.

(2) If the Chief of Police or his designate, upon receipt of the application, determines that the parade can be conducted without endangering public safety and without seriously inconveniencing the general public, he shall approve the route and issue the permit. In determining whether endangerment of the public safety or serious inconvenience of the public safety will occur by conducting the parade, the Chief of Police shall consider the following criteria:

a. Whether the parade is likely to incite violence or cause excessive traffic congestion;

b. Whether the parade is likely to interfere substantially with previously approved or planned parades or public gatherings; and

c. Whether the parade is likely to interfere substantially with the orderly operation of governmental or private commercial business by blocking access to such enterprises for a long period of time.

(3) If the Chief of Police or his designate determines that the parade cannot be conducted without endangering public safety or seriously inconveniencing the general public, he shall:

a. Propose an alternate route;

b. Propose an alternate date; or

c. Refuse to issue a parade permit.

(4) The Chief of Police shall notify the applicant of his decision within forty-eight (48) hours of receipt of the application.

(5) A person may appeal the decision of the Chief of Police by filing a written request of appeal with the City Administrator within five (5) days after receipt of the notification of the decision of the Chief of Police. The City Administrator shall schedule a hearing date before the City Council which shall not be later than the second regular session of Council following the filing of the written Appeal and shall notify the applicant in writing of the date and time that he may appear.

"Section 23-B. Parades - Permit Revocable. The Chief of Police or his designate may revoke a parade permit if:

(a) The circumstances clearly show that the parade can no longer be conducted consistent with public safety; or

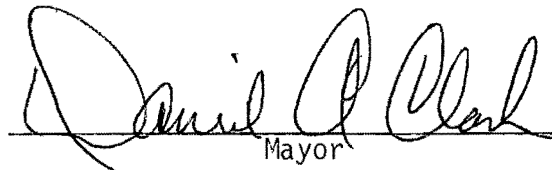
(b) There is significant deviance from the route designated in the application or approval or assembly at points not shown in the application or approval."

Section 5. Section 51 of Ordinance 1283 is amended to read as follows:

"Section 51. Penalties. Unless stated otherwise, a violation of this ordinance shall constitute a traffic infraction and shall be punishable as indicated in ORS 484.350 through 484.365."

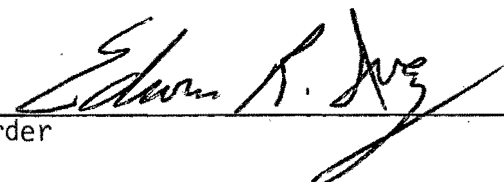
Section 6. Inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council by a vote of 6 for and 0 against and approved by the Mayor this 13th day of August, 1980.



Mayor

ATTEST:



Recorder