

1989 GENERAL ORDINANCES

<i>BS</i> 89-1096	01-16-89	An Ordinance Revising Section 13 of Ordinance No. 974-A by Deleting the Ability to Obtain City Council Permission to Store Motor Vehicles or Personal Property Upon City Streets.
<i>BS</i> 89-1097 <i>Repealed by #94-1181</i>	04-03-89	An Ordinance Creating a City of The Dalles Convention and Visitors Commission, Establishing Duties, Designating Funding and Declaring an Emergency.
<i>BS</i> 89-1098	05-01-89	An Ordinance Amending Section 3 of Ordinance No. 751, Repealing Section 7 of Ordinance No. 753 and Declaring an Emergency (deals with removal of animal carcasses).
<i>BS</i> 89-1099	03-28-89 ELECTION	Nuclear Weapons and Nuclear Power Free Zone Ordinance for the City of The Dalles (passed and adopted by a vote of the people on 3-28-89, Ballot Measure 33-2).
<i>BS</i> 89-1100	06-19-89	An Ordinance Amending Section 1 of Ordinance No. 264, as Amended, and Declaring an Emergency (changes restrictive language regarding the dates of City Council Meetings).
89-1101	08-18-89	V O I D
<i>BS</i> 89-1102	11-20-89	An Ordinance Amending Sections 2, 3 and 5 of Ordinance 86-1078 (Downtown Parking Ordinance).

GENERAL ORDINANCE NO. 89-1102

AN ORDINANCE AMENDING SECTIONS 2, 3 AND 5 OF  
ORDINANCE 86-1078

Section 1. Section 2 of Ordinance No. 86-1078 is amended to read as follows:

Section 2. Prohibited Parking.

No person shall cause, allow, suffer, or permit any motor vehicle owned, operated or controlled by that person to be parked upon the public streets in the downtown parking district described in Section 1 hereof while said person is at his place of employment, business profession, or residence or a student attending classes within said district between the hours of 9:00 a.m. and 5:00 p.m. except as provided in Section 3 hereof.

For purposes of this section, the term "employment" shall include being engaged for wages, credit or other remuneration or as a volunteer for a public or private enterprise.

Section 2. Section 3 of Ordinance No. 86-1078 is amended to read as follows:

Section 3. Exceptions. Section 2 of this ordinance shall not apply:

- (a) On days when a majority of the businesses in the downtown parking district are not open for business;
- (b) To employer owned or controlled vehicles while actually loading or unloading merchandise, equipment, or other property used in the business, provided that this loading and unloading privilege shall not exceed more than one hour at any one time, nor to students registering for classes for not to exceed one hour at any one time;
- (c) To vehicles of persons displaying a handicapped parking status issued by the appropriate issuing authority of any state or province;
- (d) To an employee, proprietor, professional person, student, or resident who is not working at his place of business, attending school, or at his residence, and is shopping in the downtown area during days off, hours

off of work, and while the person is not engaged in or at the place of the person's occupation, business, profession, classes or residence;

- (e) To any person engaged in a business or trade performing maintenance work and servicemen on or in connection with the downtown real or personal property, including but not limited to electricians, plumbers, carpet layers, cabinet makers, glass replacement firms, equipment servicemen, or other like businesses while actually performing work on real or personal property in the parking district;
- (f) To vehicles of residents of buildings containing not more than four dwelling units displaying a current residential parking permit issued by the City pursuant to the following requirements of this subsection:
  - (i) A permit shall be issued upon application, without charge, only to the owner or the operator of a motor vehicle who resides on property within the downtown parking district;
  - (ii) The application for a permit shall contain the name of the owner or operator of the motor vehicle, residential address, the motor vehicle's make, model, registration number and the number of the applicant's operator's permit. The owner or operator of a motor vehicle applying for a residential parking permit shall have valid Oregon vehicle license tags unless not legally required to have them. The permit shall be renewed annually, upon such conditions and procedures as the City Manager shall specify. The permit shall contain the motor vehicle's serial and license numbers and be displayed inside the front windshield area of the permitted vehicle.
  - (iii) The City Manager is authorized to make provisions for the issuance of temporary parking permits to bona fide visitors of residents within the district.

Section 3. Section 5 of Ordinance No. 86-1078 is amended to read as follows:

Section 5. Penalties. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not less than:

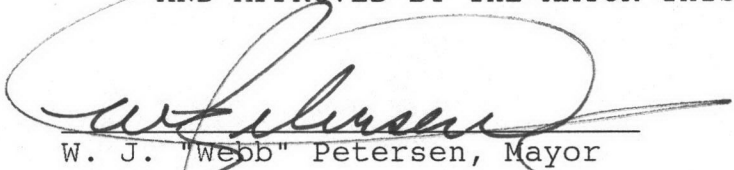
- (a) \$20.00 for the first conviction of this ordinance within the three years preceding the violation;
- (b) \$30.00 for the second conviction of a violation of this ordinance within the three years preceding the violation;
- (c) \$40.00 for the third conviction of a violation of this ordinance within the three years preceding the violation;
- (d) \$50.00 for the fourth conviction of a violation of this ordinance within the three years preceding the violation;
- (e) \$75.00 for the fifth and every subsequent conviction of a violation of this ordinance within the three years preceding the violation.

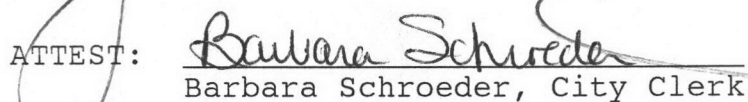
The maximum fine for a violation of any of the provisions of this ordinance shall be \$100.00.

PASSED AND ADOPTED THIS 20TH DAY OF NOVEMBER, 1989.

Voting Yes, Councilmembers:	<u>Will, Parrish, Probstfield, Clark</u>
Voting No, Councilmembers:	<u>None</u>
Absent, Councilmembers:	<u>None - Ward I position vacant</u>
Abstaining, Councilmembers:	<u>None</u>

AND APPROVED BY THE MAYOR THIS 20TH DAY OF NOVEMBER, 1989.

  
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 W. J. "Webb" Petersen, Mayor

ATTEST:   
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 Barbara Schroeder, City Clerk

GENERAL ORDINANCE NO. 89-1100

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 264, AS AMENDED, AND DECLARING AN EMERGENCY.

WHEREAS, Section 1 of Ordinance 264, as amended, requires that the regular meeting of the City Council "... shall be held on the first Monday of each month, except when it falls on a legal holiday, in which case the council shall meet on the next legal day thereafter ..."; and

WHEREAS, such a restriction can result in the scheduling of City Council meetings on dates which are not conducive to the convenience of the public, City Council or staff; and

WHEREAS, it would be in the best interest of the public to delete the restrictive requirement of Section 1 of Ordinance 264, as amended; NOW, THEREFORE,

THE PEOPLE OF THE CITY OF THE DALLES ORDAIN AS FOLLOWS:

Section 1. Ordinance Amendment

Section 1 of General Ordinance No. 264, as amended, is further amended to read as follows:

Section 1. The Council shall hold its regular monthly meetings once each month at the Council Chambers in City Hall in the City of The Dalles. Any regular meeting of the council may be adjourned to a specified time thereafter, and such adjourned meeting shall be considered as a regular meeting, and any business may be transacted at such adjourned meeting the same as a regular meeting at the times appointed by this ordinance. A special meeting of the council may be adjourned to any date thereafter and any business may be transacted at said adjourned meeting that might be legally transacted at any regular meeting.

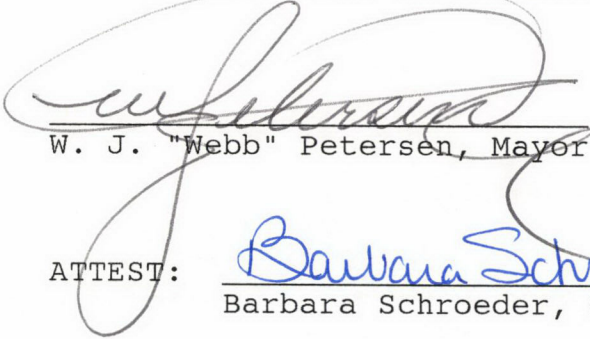
Section 2. Declaration of Emergency

It is necessary and in the best interest of public that the restrictive wording in Section 1 of Ordinance No. 264, as amended, be deleted as soon as possible; now, therefore, an emergency is hereby declared to exist and this ordinance shall go into full force and effect immediately after its passage and approval.

PASSED AND ADOPTED THIS 19TH DAY OF JUNE, 1989.

Voting Yes, Councilmembers: Clark, Probstfield, Parrish, Spadt, Will  
Voting No, Councilmembers: None  
Absent, Councilmembers: None  
Abstaining, Councilmembers: None

AND APPROVED BY THE MAYOR THIS 19TH DAY OF JUNE, 1989.

  
W. J. "Webb" Petersen, Mayor

ATTEST: Barbara Schroeder  
Barbara Schroeder, City Clerk

GENERAL ORDINANCE NO. 89-1099

NUCLEAR WEAPONS AND NUCLEAR POWER FREE ZONE ORDINANCE

FOR THE CITY OF THE DALLES

Title: City of The Dalles Nuclear Free Zone Ordinance

In order to provide for the health, safety, economic well-being, and general welfare of local citizens, the people of the City of The Dalles hereby ordain that The Dalles shall be established as a nuclear free zone.

Section 1

Nuclear weapons and their components shall not be produced, transported, stored, processed, disposed of, nor used within the City of The Dalles.

Section 2

Nuclear-generated power shall not be produced in any form in The City of The Dalles.

Section 3

Nuclear wastes that are direct by-products of nuclear weapons or nuclear power production shall not be stored in The City of The Dalles or transported on any City roads.

Section 4

This ordinance shall not be construed to prohibit:

- a. the research and application of nuclear medicine;
- b. uses of fissionable materials for smoke detectors, light emitting watches and clocks, and other consumer products; or
- c. any activity not specifically described in Sections 1, 2, and 3 above.

Section 5

Any person, firm, or corporation violating the terms of this ordinance shall be guilty of a misdemeanor, punishable by no more than one year in jail, or a fine of \$2500, or both for each offense.

Section 6

If any portion of this ordinance is hereafter declared invalid, all remaining portions shall remain in force and effect.

PASSED AND ADOPTED BY A VOTE OF THE PEOPLE ON MARCH 28, 1989.  
BALLOT MEASURE 33-2 YES VOTES 1,897 NO VOTES 999

GENERAL ORDINANCE NO. 89-1098

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE  
NO. 751, REPEALING SECTION 7 OF ORDINANCE  
NO. 753 AND DECLARING AN EMERGENCY

WHEREAS, Section 7 of Ordinance No. 753 currently deals with  
the removal of animal carcasses, and

WHEREAS, the definitions contained in Ordinance No. 753  
limit that Section to the removal of carcasses of domesticated  
farm animals, and

WHEREAS, it is in the best interest of the public to have a  
uniform ordinance dealing with removal of all animal carcasses,  
and

WHEREAS, this can be accomplished by taking Section 7 of  
Ordinance No. 753 and placing that wording in Section 3 of  
Ordinance No. 751; and

WHEREAS, Section 3 of Ordinance No. 751 currently has a  
limited prohibition on the release of odors from a parcel of  
property; and

WHEREAS, it is desirable and in the best interest of the  
public to broaden the prohibition dealing with odors; NOW,  
THEREFORE,

THE PEOPLE OF THE CITY OF THE DALLES ORDAIN AS FOLLOWS:

Section 1. Section 3 of Ordinance No. 751 is hereby amended  
to read as follows:

Section 3. Odors and Carcasses

- (1) No person shall cause or permit property  
owned or controlled by him to be in such

a state or condition as to cause an offensive odor or be in an unsanitary condition.

- (2) No person shall permit an animal carcass owned or controlled by him to remain upon public property, or to be exposed on private property, for a period of time longer than is reasonably necessary to remove or dispose of the carcass.
- (3) Any nuisance as described in this section may be abated as provided in Sections 13 through 17 of this ordinance.

Section 2. Section 7 of Ordinance No. 753 is hereby repealed.

Section 3. It is necessary to declare an emergency so that no gap occurs between the date of the repealing provisions of Ordinance No. 753 and the effective date of the provisions of Ordinance No. 751; NOW, THEREFORE, AN EMERGENCY IS DECLARED TO EXIST and this ordinance shall be in full force and effect immediately upon its passage and approval.

PASSED AND ADOPTED THIS 1ST DAY OF MAY, 1989.

Voting Yes, Councilmembers: Probstfield, Clark, Parrish, Spadt, Will  
Voting No, Councilmembers: None  
Absent, Councilmembers: None  
Abstaining, Councilmembers: None

AND APPROVED BY THE MAYOR THIS 1ST DAY OF MAY, 1989.

ATTEST:

Barbara Schroeder  
Barbara Schroeder, City Clerk

W. J. Webb Petersen  
W. J. "Webb" Petersen, Mayor

GENERAL ORDINANCE NO. 89-1096

AN ORDINANCE REVISING SECTION 13 OF ORDINANCE NO. 974-A BY DELETING THE ABILITY TO OBTAIN CITY COUNCIL PERMISSION TO STORE MOTOR VEHICLES OR PERSONAL PROPERTY UPON CITY STREETS

WHEREAS, Section 13 of Ordinance 974-A authorizes the City Council to grant permission to an individual to store a motor vehicle or personal property upon a street or other public property; and

WHEREAS, the City Council finds, in the interest of public safety and access for maintenance of road ways, it is not prudent to grant permission or permits for extended parking upon a street or other public property and the permitting process should be deleted from said ordinance. NOW, THEREFORE,

THE PEOPLE OF THE CITY OF THE DALLES ORDAIN AS FOLLOWS:

Section 1. Amending of Section 13 of Ordinance 974-A.


Section 13 of Ordinance No. 974-A is amended to read as follows:

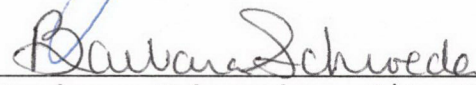
No person shall store or permit to be stored on a street or other public property, a motor vehicle or personal property for a period in excess of 48 hours. Failure to move a motor vehicle or other personal property for 48 hours shall constitute prima facie evidence of storage of a motor vehicle.

PASSED AND ADOPTED THIS 16TH DAY OF JANUARY, 1989.

Voting Yes, Councilmembers:	<u>Probstfield, Spadt, Clark, Parrish, Will</u>
Voting No, Councilmembers:	<u>None</u>
Absent, Councilmembers:	<u>None</u>
Abstaining, Councilmembers:	<u>None</u>

AND APPROVED BY THE MAYOR THIS 16TH DAY OF JANUARY, 1989.

  
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W. J. "Webb" Petersen, Mayor

ATTEST:  
  
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Barbara Schroeder, City Clerk