

CITY OF SHERWOOD

ORDINANCE NO. 98-1049

AN ORDINANCE REPEALING AND AMENDING VARIOUS OBSOLETE OR SUPERSEDED ORDINANCES AND PORTIONS THEREOF FOR THE CITY OF SHERWOOD, OREGON

WHEREAS, the City of Sherwood is in the process of having its ordinances codified, and the codifiers, in reviewing ordinances previously enacted, have recommended numerous housekeeping changes, including amendment and repeal of certain ordinances and parts thereof, to remove obsolete, superseded, or unconstitutional provisions, and to update provisions as much as possible prior to printing the codification; and

WHEREAS, the Council finds that the following provisions are necessary to accomplish that purpose.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. Ordinances repealed.

(a) Ordinance 591 as amended by Ordinances 672 and 790 relating to the position of city supervisor have been superseded by the city manager provisions of Chapter IV of the City Charter adopted in 1984. Ordinances 591, 672 and 790 are hereby repealed.

(b) Ordinances 611 and 643 relating to the planning commission have been superseded by the Zoning and Community Development Code. Ordinances 611 and 643 are hereby repealed.

(c) Ordinances 566, 868, 932, and 967 regarding fees and charges for various services have been superseded. Ordinances 566, 868, 932, and 967 are hereby repealed.

(d) Ordinances 573, 608 and 957 regarding fire codes applicable in the city have been superseded by Ordinance 1027. Ordinances 573, 608 and 957 are hereby repealed.

(e) Ordinances 863, 888, 893, 897, 929, 934, 949, 973, and Section 1 of Ordinance 915 regarding solid waste collection fees are obsolete and/or have been superseded. Ordinances 863, 888, 893, 897, 929, 934, 949, 973, and Section 1 of Ordinance 915 are hereby repealed.

Section 2. Section 7 (A) of Ordinance 747 is hereby amended to read as follows:

Section 7. Violation, Penalties and Remedies.

(A) Violation and Penalties: Any person, firm, or corporation, whether as principal, agent, employee, or otherwise, violating or causing the violation of any provision of this ordinance or performing any of the acts and/or functions itemized under Section 2(A) of this ordinance, which defines a Cable Communications System, without having been awarded a franchise to perform said acts or functions pursuant to the terms of this ordinance shall be deemed to have committed a civil infraction punishable by a fine not to exceed \$500 upon conviction by the municipal court. Each violation occurring on a separate day is considered a separate violation of this ordinance.

Section 3. Section 2(6) of Ordinance 658, is amended to read as follows:

(6) Section 14, relating to penalties, is amended to replace the phrase, "Ordinance No. 77 or Ordinance No. 93 of Washington County" in Paragraph D with the phrase, "City of Sherwood Ordinance No. 658."

Section 4. Section 3(13)(a)(ii) of Ordinance 899 is hereby amended to read as follows:

(ii) Reusable beverage containers as defined in ORS 459A.700 and 459A.725.

Section 5. Section 9 of Ordinance 682 is hereby amending the references therein to Chapter XV of the City Charter to read "Chapter X" of the City Charter.

Section 6. Section 11 of Ordinance 682 is hereby amended to read as follows:

Section 11. [Penalties.] Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine not exceeding \$500.

Section 7. Section 24 of Ordinance 653 is hereby amended to read as follows:

Section 24. **Penalty for Violation.** Any person violating any provision of this ordinance or any rule or regulation adopted pursuant hereto, upon conviction, shall be punishable by a fine of not more than \$500.

Section 8. Section 8.308.07 C. of Chapter 8 of the Sherwood Zoning and Development Code is hereby amended to read as follows:

C. Uses for which a State Air Contaminant Discharge Permit is required as per OAR 340-028-1700 through 340-028-1730 shall comply with the standards of OAR 340-028-1900 through 340-028-2000.

Section 9. Section 4 of Ordinance 517 is hereby amended to read as follows:

Section 4. Upon conviction of any person, firm or corporation of a violation of this ordinance, said person, firm or corporation shall be punished by a fine of not more than \$250. Any person, firm or corporation continuing, committing or permitting any violation on more than one day shall be deemed guilty of a separate offense for each day of violation.

Section 10. Section 4 of Ordinance 700 is hereby amended to read as follows:

Section 4. Penalties. Any person, firm, corporation or other entity violating any of the provisions of this ordinance shall upon conviction thereof be punished by a fine not exceeding \$500.

Section 11. Repeal shall not revive any ordinances. The repeal of an ordinance herein shall not repeal the repealing clause of such ordinance or revive any ordinance which has been repealed thereby.

Section 12. Effect of repeal on past actions and obligations. This ordinance does not affect prosecutions for ordinance violations committed prior to the effective date of this ordinance, does not waive any fee or penalty due and unpaid on the effective date of this ordinance, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance.


Section 13. This ordinance shall become effective 30 days after its passage and approval.

Duly passed by the City Council
this 28 day of April, 1998



Jon Borner, City Recorder

Approved by the Mayor this 28 day
of April, 1998



~~Ron Tobias~~, Mayor
Bill Boyle

	<u>Aye</u>	<u>Nay</u>
Boyle	<input checked="" type="checkbox"/>	_____
Cottle	<input checked="" type="checkbox"/>	_____
Krause	<input checked="" type="checkbox"/>	_____
Tobias	<input checked="" type="checkbox"/>	_____
Turner	<input checked="" type="checkbox"/>	_____

Bill Boyle, Mayor