

**City of Sherwood, Oregon
Ordinance No. 2003 -1149**

AN ORDINANCE ADDING A NEW SECTION (1.04.075) TO THE CITY CODE TO ALLOW THE CITY TO RECOVER ITS ATTORNEYS FEES IN THE EVENT THE CITY ENFORCES THE TERMS OF ANY OF ITS ORDINANCES AND/OR RESOLUTIONS IN COURTS OTHER THAN THE CITY'S MUNICIPAL COURT.

WHEREAS, the Council finds that periodically it becomes necessary to seek enforcement of the City's duly enacted ordinances and resolutions in courts other than its municipal court;

WHEREAS, the Council finds that the prosecution of said cases imposes additional costs on the City for an attorney and that it would be appropriate in cases where the City prevails in such cases, to seek reimbursement from the defendant for the costs associated with the prosecution of the case so the costs to the City for the enforcement of the regulation would be minimized

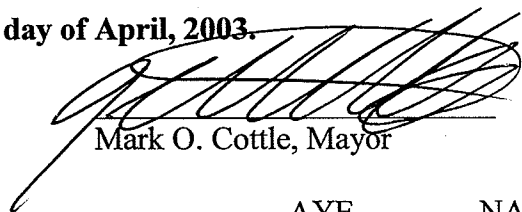
NOW THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. The Sherwood Municipal Code is hereby amended by adding a new section - 1.04.075 - which shall read as follows:

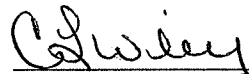
1.04.075. Attorneys fees.

In the event the City brings an action in either law or equity in any of the courts of this state (including the U.S. District Court for the District of Oregon) other than its municipal court for the enforcement of any of its ordinances, resolutions or any right(s) afforded it by its charter or state statute, the City shall be entitled to the award of its reasonable attorneys fees in the event it is the prevailing party.

Duly passed by the City Council this 22nd day of April, 2003.


Mark O. Cottle, Mayor

ATTEST:


C.L. Wiley, City Recorder

	<u>AYE</u>	<u>NAY</u>
Cottle	✓	_____
Durrell	✓	_____
Fox	✓	_____
Grant	✓	_____
Heironimus	<u>absent</u>	_____
Mays	✓	_____
Weislogel	✓	_____