

FAILED



City of
Sherwood
Oregon

Home of the Tualatin River National Wildlife Refuge

ORDINANCE 2009-012

AN ORDINANCE ADDING A GENERAL PENALTY SECTION TO THE SHERWOOD MUNICIPAL CODE AND DECLARING AN EMERGENCY

WHEREAS, the Sherwood Municipal Code does not currently contain a provision that imposes a penalty for violations of the substantive provisions of the Sherwood Municipal Code; and

WHEREAS, it is good practice for municipal codes to have a general penalty provision so that the public and City staff have knowledge of possible financial consequences for violations of City regulations.

NOW THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. Section 1.04.090 is added to the Sherwood Municipal Code to read as follows:

1.04.090 General penalty.

A. Whenever in this code or any City ordinance an act is prohibited, made unlawful or an offense, the doing of an act is required or the failure to do an act is unlawful or an offense, the penalty for violation of any such provision is civil and shall be punished as provided in this section unless a different violation or penalty is specifically applicable.

B. The maximum penalty for these violations is a civil penalty of \$500.00.

C. The penalty imposed in this section is in addition to any other remedy provided by law.

D. Every day, or portion thereof, during which any such violation is committed, continued or permitted, is a separate offense.

E. Notwithstanding any provision of this code or a City ordinance to the contrary, no greater penalty shall be imposed for any violation of this code or any City ordinance than the maximum penalty prescribed under ORS for the same act or omission.

Section 2. It is necessary for the Sherwood Municipal Code to have a general penalty provision as soon as possible as its absence undermines the ability of the City to effectively enforce code violations. An emergency is declared to exist and this

ordinance takes effect immediately upon its passage by the Council and approval by the Mayor.

Approved and adopted by the City Council on this 15th day of September, 2009.

Keith S. Mays, Mayor

ATTEST:

Sylvia Murphy, City Recorder

	<u>AYE</u>	<u>NAY</u>
Folsom	_____	_____✓
Clark	_____	_____✓
Weislogel	_____✓	_____
Henderson	_____	_____✓
Grant	_____	_____ <i>Absent</i>
Heironimus	_____	_____✓
Mays	_____✓	_____