

ORDINANCE NO. 561

AN ORDINANCE TO REPEAL AND/OR AMEND CERTAIN
ORDINANCES AND SECTIONS OF ORDINANCES; TO CHANGE
MISDEMEANORS TO VIOLATIONS AND INFRACTIONS;
UPDATING JURY FEES AND DECLARING AN EMERGENCY

The City of Willamina, Oregon, ordains as follows:

Section 1. Article VIII, Section 32 of Ordinance No. 301 relating to initiative and referendum procedures passed by the Council and approved by the Mayor April 14, 1965 is hereby amended to read as follows:

Penalty. A person violating a provision of this article shall be punished by a fine not to exceed \$300.00 for each offense.

Section 2. Section 11 of Ordinance No. 401, relating to Juries in the Municipal Court passed by the Council and approved by the Mayor Aug. 29, 1974 is hereby amended to read as follows:

Section 11. Service of Notice. When a jury is drawn, summons therefor shall be issued by the municipal judge and served upon the jurors selected by the chief of police or other officer of the city; any person notified to appear as a juror and disregarding such notice may be adjudged in contempt of court by the municipal judge and be fined a sum not exceeding \$300.00

Section 3. Section 1 of Ordinance No. 522, relating to jury fees in the Municipal Court and amending Ordinance No. 401 passed by the Council April 14, 1983 and approved by the Mayor April 19, 1983 is hereby amended to read as follows:

Section 1. Right to Trial by Jury and Deposit of Jury Fee. Every person charged with a criminal offense defined and made punishable by the Statutes of the State of Oregon shall have the right to trial by a jury of six persons if Written notice is given to the Municipal Judge at least fifteen days, excluding Sundays and legal holidays, prior to the date set for trial.

Section 4. Ordinance No. 340 relating to alterations to public streets and sidewalks, passed by the Council and approved by the Mayor April 10, 1969 is hereby amended to eliminate from Section 9:

"or by imprisonment of not more than 40 days, or both."

Section 5. Ordinance No. 173 relating to disposal of garbage passed by the Council and approved by the Mayor November 5, 1945 is hereby repealed.

Section 6. Section 22 of Ordinance No. 244 relating to alcoholic liquor, passed by the Council April 28, 1953 and approved by the Mayor April 30, 1953 is hereby amended to read as follows:

Section 22. Any person violating any provision of this ordinance shall, upon conviction in the Municipal court, be punished by a fine not to exceed \$300.00 for each offense.

Section 7. Section 139 of Ordinance No. 450 relating to general offenses, passed by the Council and approved by the Mayor July 27, 1978 is hereby amended to read as follows:

Penalties. Violation of any provision of this ordinance is punishable by a maximum fine of \$300.00 for each offense or violation thereof.

Section 8. Section 1(b)(3) of Ordinance No. 523, relating to imposition of costs in municipal court proceedings, passed by the Council October 14, 1983 and approved by the Mayor April 19, 1983 is hereby amended to read as follows:

- (3) Jury fee - \$150.00 or actual cost for the number of jurors appearing (may be imposed even if no trial held if trial is cancelled less than 24 hours before trial time).

Section 9. Section (7) and Section (8) of Ordinance No. 529 relating to the use and sale of water, passed by the Council and approved by the Mayor May 9, 1985 are hereby amended to read as follows:

- (7) Penalties. Violation of any provision of this ordinance is punishable by a fine not to exceed \$300.

- (8) Each violation constitutes a separate offense

Section 10. Section 10 of Ordinance No. 532, relating to the use of sewers and drains, passed by the Council Jan. 30, 1986 and approved by the Mayor January 31, 1986, shall hereby be repealed.

Section 11. Section 9(1) and (2) of Ordinance No. 532A, relating to the use of sewers and drains and amending Ordinance No. 532, passed by the Council December 14, 1989 and approved by the Mayor December 15, 1989 is hereby amended to read as follows:

Section 9. Penalties. Violation of any provision of this ordinance is punishable by a maximum fine of \$300.00 for each offense or violation thereof.

and the following shall be added to Section 4, subsection (1) of Ordinance 532A:

If amounts remain unpaid after 30 days, the clerk shall report the amount due, including 10 per cent thereof for administrative costs, together with the name or names of the owner or owners of record of the real property, to the recorder and the same shall become a lien against the property and entered in the city lien docket as directed by the City Council to bear interest at the standard rate per annum from the date at the end of th 30 day period.

Section 12. Section 6 of Ordinance No. 293 relating to weight restrictions, passed by the Council November 14, 1961 and approved by the Mayor November 15, 1961 is hereby amended to read as follows:

Any violation of this ordinance shall be punished upon conviction by a maximum fine \$300.00 for each offense or violation thereof.

Section 13. Section 6 of Ordinance No. 330, relating to weight restrictions, passed by the Council and approved by the Mayor November 9, 1967 is hereby amended to read as follows:

Any violation of this ordinance shall be punishable by a maximum fine of \$300.00 for each offense or violation thereof.

Section 14. Section 5 of Ordinance No. 468, relating to fire code, passed by the Council and approved by the Mayor October 18, 1978 is hereby amended to read as follows:

Any violation of this ordinance shall be punishable by a maximum fine of \$300.00 for each offense or violation thereof.

Section 15. Section 3 of Ordinance No. 278, relating to dangerous and nuisance buildings, passed by the Council and approved by the Mayor July 8, 1958 is hereby amended to read as follows:

Any person who shall be the owner of, or shall be in possession of, or in responsible charge of, any dangerous building within the city of Willamina, Oregon and who shall knowingly suffer or permit any such building to be or remain dangerous for as long

as 30 days after receipt of notice as herein provided, shall be guilty of a violation of this ordinance, and shall, upon conviction thereof, be fined a maximum fine of \$300.00 for each offense or violation thereof.

Section 16. ~~section 8 Ordinance No. 398,~~ relating to building codes, passed by the Council and approved by the Mayor June 27, 1974 is hereby amended to read as follows:

Violations and Penalties. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city, or cause the same to be done, contrary to or in violation of any of the provisions of this ordinance. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be fined a maximum of \$300.00 for each offense or violation thereof. Each day or portion thereof during which any violation is committed, continued or permitted shall be a separate offense.

Section 17. Section 11, Ordinance No. 231, relating to numbering of buildings, passed by the Council and approved by the Mayor February 4, 1952 is hereby amended to read as follows:

Penalty. Any owner, occupant or agent of any house, building or structure failing or refusing to comply with any of the provisions of this ordinance, upon conviction thereof, shall be punished by a fine not to exceed \$50.00 for each offense or violation thereof.

Section 18. Inasmuch as every person charged with an offense defined and deemed punishable by the State Statutes of the State of Oregon shall have the right to trial by jury, and because the council deems continuous enforcement of city ordinances is necessary for the preservation of the peace, safety, and general welfare of the City of Willamina, an emergency is declared to exist; and this ordinance shall be in full force and effect from and after its passage by the Council and its approval by the Mayor.