

AFFIDAVIT OF POSTING

ORDINANCE #216

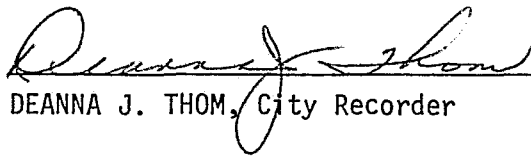
STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
)
)
)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:


On the 12th day of May, 1982, I caused to be posted copies of the attached Ordinance #216, an ordinance amending Section 6.200 of the Wilsonville Code, 1981 (Nuisances), in the following four public and conspicuous places of the City, to wit:

- WILSONVILLE POST OFFICE
- WILSONVILLE CITY HALL
- LOWRIE'S FOOD MARKET
- KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 17th day of May, 1982.


DEANNA J. THOM, City Recorder

Subscribed and sworn to before me
this 12th day of May, 1982.


NOTARY PUBLIC, STATE OF OREGON

My commission expires: August 23, 1985

ORDINANCE NO. 216

AN ORDINANCE AMENDING SECTION 6.200 OF THE WILSONVILLE CODE, 1981, AND DECLARING AN EMERGENCY.

IT IS HEREBY ORDAINED BY THE CITY OF WILSONVILLE, AS FOLLOWS:

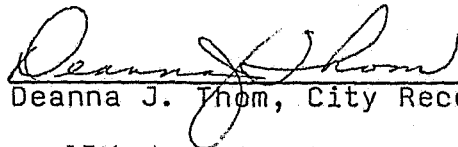
Section 1. Section 6.200(1)(d) is hereby amended to add a subsection 6, as follows:

6. Sounds originating from the loading or unloading of any freight, material or property into or from a railroad car, or the opening, closing or destruction of bails, boxes, crates, or containers in connection therewith during the hours of 8:00 a.m. to 7:00 p.m. on any day of the week, unless said railroad car is being loaded or unloaded directly into a building immediately adjacent to said railroad car, in which case loading and unloading will be permitted at all hours on any day of the week. Any sounds originating from the above described activities outside of the aforementioned times and conditions shall be prima facie evidence of noise unreasonably offensive to the public, save and except, if the City Administrator has specifically permitted same beyond the aforementioned times. A denial of such an exception permit may be appealed to the City Council at the next regularly scheduled meeting of the City Council following the applicant's denial.

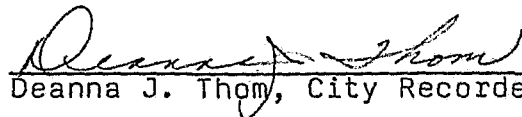
Section 2. This Ordinance being necessary for the immediate preservation of the public peace, health and safety and general welfare of the people of the City of Wilsonville, an

emergency is declared to exist and this Ordinance shall take effect immediately upon passage by the Council and approval by the Mayor.

Submitted to the Council and read the first time at a regular meeting thereof on the 3rd day of May, 1982, and scheduled for second reading at a regular meeting of the Council on the 17th day of May, 1982, commencing at the hour of 7:30 o'clock p.m., at the Wilsonville City Hall.


Deanna J. Thom, City Recorder

ENACTED by the Council on the 17th day of May, 1982, by the following votes: YEAS 4 NAYS 0.


Deanna J. Thom, City Recorder

DATED and signed by the Mayor this 19th day of May, 1982.


William G. Lowrie, Mayor

expected or reasonably to be expected. Adequate ingress and egress shall be provided to or from such parking area to facilitate the movement of any vehicle at any time to or from the parking area.

6.140 Hours of Operation. (1) No outdoor assembly shall be conducted in the City during the hours of 12:01 a.m. and 9:00 a.m.; provided that no license shall be issued for more than one twenty-four period ending at midnight. The participants shall be required to have clear the licensed area and its immediate environs no later than 1:00 a.m. of the day following the licensed event.

6.150 Failure to Comply. (1) Compliance with the terms and conditions of Sections 6.100 to 6.170 shall constitute the minimum health, sanitation and safety provisions, and failure to comply with the terms and conditions shall constitute a public nuisance and the sponsors of said event shall be subject to all criminal and civil remedies as such.

6.160 Penalties. (1) Any person who shall violate or fail to comply with any provision of Sections 6.100 to 6.150, or who having obtained a permit hereunder, shall willfully fail to continue to comply with the terms and conditions hereunder, or who shall council, aid or abet a violation of these sections, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$500.00 or by imprisonment in the County Jail for not more than six (6) months or by both such fine and imprisonment.

NUISANCES

6.200 Nuisances - Designated. (1) The following are declared to be nuisances affecting the public health and safety and may be abated in the manner prescribed in Sections 6.220 to 6.230:

(a) Maintenance of any open vault or privy;
maintenance or keeping of any animal, substance, or condition causing an odor unreasonably offensive to the public.

(b) Maintenance or keeping of any livestock and pets or buildings for the purpose of housing such livestock or pets or maintaining the premises in such a manner as to be a breeding place or likely breeding place for rodents or pests.

(c) Maintenance of any dead animal or bird, exposed for any period of time longer than reasonably necessary to accomplish the removal or disposal of the carcass.

(d) Maintenance of any condition, activity, operation or vocation which causes noise unreasonably offensive to the public, except for the following:

1. Emergency equipment not operating on a regular or scheduled basis;
2. Sounds originating on construction, demolition and/or logging sites and reasonably necessary to the accomplishment of work and progress during the hours of 7:00 a.m. to 8:00 p.m. Pacific Standard Time, Mondays through Fridays, and 7:00 a.m. through 9:00 p.m. Pacific Daylight

6. Sounds originating from the loading . . . during the hours of 8:00 a.m. to 7:00 p.m. on any day of the week, ~~unless~~ ~~said~~ RR car is being loaded or unloaded directly into building immediately adjacent to said RR car, in which case loading & unloading will be permitted at all hours on any day of the week. Any sounds originating from the above described activities outside of the aforementioned times & conditions

Time, Mondays through Fridays, and 9:00 a.m. to 6:00 p.m. Pacific Standard Time on Saturdays and 9:00 a.m. to 7:00 p.m. Pacific Daylight Time on Saturdays. Any sounds originating on construction, demolition and/or logging sites outside of the aforementioned days and times shall be prima facie evidence of noise unreasonably offensive to the public, save and except, if the City's Administrator has specifically permitted same beyond the aforementioned times and dates. A denial of such an exception permit may be appealed to the City Council at the next regularly scheduled meeting of the City Council following the applicant's denial.

3. Emergency repair equipment not operated on a regular or scheduled basis;
4. Lawn, garden or household equipment associated with the normal repair, upkeep, or maintenance of property;
5. Normal farm operation.

- (e) Maintenance of grass, weeds and noxious vegetation contrary to the provisions of Section 6.202.
- (f) Maintenance of any hazardous condition contrary to the provisions of Section 6.204.
- (g) Open storage of junk contrary to the provisions of Section 6.206.
- (h) Maintenance of construction sites contrary to the provisions of Section 6.208.

6.202 Nuisances - Noxious Vegetation. (1) The owner, person in possession or agent of the owner of any lot, tract, or parcel, improved or unimproved, shall cut and remove, and keep cut and removed therefrom and from the half of the street or streets abutting the property, all weeds and other noxious vegetation, and all dead bushes, dead trees, stumps and anything likely to cause fire.

(2) Nothing herein contained shall be considered to apply to bushes, trees, shrubbery and/or other vegetation grown for food, fuel or ornament or for the production of food, fuel or ornament, providing that the health and safety of the public be not thereby endangered by the maintenance of such growth or vegetation.

6.204 Nuisances - Hazards. (1) During all months of the year, such persons shall remove and keep removed therefrom all filth, rubbish, waste material, and any other substance which may endanger or injure neighboring property, passersby or the health, safety or welfare of the public. He shall keep the sidewalk and half of the street or streets abutting such property free from earth, rock and other debris and from projecting and/or overhanging bushes, brush and limbs that may obstruct or render unsafe the passage of persons or vehicles except as addressed under Section 6.208.