



City of Oregon City

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Oregon City, OR 97045
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Staff Report

File Number: 15-395

Agenda Date: 7/1/2015

Status: Agenda Ready

To: City Commission

Agenda #: 6a.

From: Police Chief and Public Safety Director James Band

File Type: Ordinance

SUBJECT:

Ordinance for Introduction, 15-1008, Amending Oregon City Municipal Code Title 9.12 - Offenses Against Public Peace and Decency and Amending Chapter 1.16 - General Penalty and Declaring an Emergency

RECOMMENDED ACTION (Motion):

Staff recommends the City Commission approve as an emergency, Ordinance No. 15-1008.

BACKGROUND:

The City Commission approved Ordinance No. 15-1004 at the May 20, 2015, regular City Commission meeting. Since then, a scrivener's error was recognized and a change was needed in the enforcement section of this code.

Although the text of Ordinance No. 15-1004 made it clear that the existing Disturbing the Peace standards were repealed and replaced through the proposed amendment, the Ordinance contained a scrivener's error referencing OCMC Chapter 9.12.010, as containing the new Disturbing the Peace Ordinance, when Chapter 9.12.010 restricted drinking in public places. This inadvertently deleted the Drinking in Public Places Ordinance. This Ordinance reestablishes the prior Drinking in Public Places Ordinance and establishes the new Disturbing the Peace Ordinance under Chapter 9.12.020.

The other change disconnects Disturbing the Peace violations from the penalty section, OCMC 1.16 that includes the \$3,000 fine, jail time and misdemeanor determinations. The intent of the new Disturbing the Peace Ordinance was that violations were civil penalties, not misdemeanors. The proposed Chapter 9.12.020 is enacted to protect, preserve, and promote the health, safety, welfare, peace and quiet of the citizens of Oregon City through the reduction, control, and prevention of loud and raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety, or causes public inconvenience, annoyance or alarm to reasonable persons of ordinary sensitivity.