



Legislation Details (With Text)

File #:	15-395	Version:	1	Name:	1st and 2nd Reading of Emergency Ordinance No. 15-100X, Disturbing the Peace - 07/01/15
Type:	Ordinance	Status:		Status:	Passed
File created:	6/24/2015	In control:		In control:	City Commission
On agenda:	7/1/2015	Final action:		Final action:	7/1/2015
Title:	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				
Sponsors:	James Band				
Indexes:					
Code sections:					
Attachments:	1. Staff Report, 2. Ordinance No. 15-1008				

Date	Ver.	Action By	Action	Result
7/1/2015	1	City Commission	approve on first reading	Pass
7/1/2015	1	City Commission	approve on second reading and final adoption	Pass

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Although the text of Ordinance No. 15-1004 made it clear that the existing Disturbing the Peace standards were repealed and replaced through the proposed amendment, the Ordinance contained a scrivener's error referencing OCMC Chapter 9.12.010, as containing the new Disturbing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.