

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance Clarifying the)
 County Laws Enforceable under the County)
 Citation Ordinance, No. 448; Modifying) ORDINANCE No. 663
 Ordinances 574 and 619; Declaring an)
 Emergency, Effective Immediately.)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on September 17, 1998, commissioners Ted Lopuszynski, Robert Johnstone and Thomas E. E. Bunn being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. The County's "Citation Ordinance," Ordinance 448, provides a process for the enforcement of certain other ordinances, statutes and regulations. Section 4 of Ordinance 448 originally identified those laws which were enforceable under Ordinance 448. Thereafter, certain changes have been made to Section 4 of Ordinance 448. In Ordinance 574, the enforcement of the "General Provisions for Use, Construction and Installations in Yamhill County Public Road Rights of Way" was authorized under the Citation Ordinance. In Ordinance 619, the enforcement of violations of the County Parks Ordinance was authorized under the Citation Ordinance.

B. There exists some question as to whether Ordinance 619 affected the ability of the County to enforce the "General Provisions" under the Citation Ordinance. The purpose of this Ordinance is to confirm that both Ordinance 574 and Ordinance 619 may be enforced under the Citation Ordinance.
 NOW, THEREFORE,

THE YAMHILL COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

Section 1. AMENDMENT OF ORDINANCE 448, AS MODIFIED BY ORDINANCES 574 AND 619.

1. Section 4 of Ordinance 448, as modified by Ordinances 574 and 619 is hereby repealed and replaced in its entirety with the following language:

"Section 4. Laws Enforceable Under this Ordinance. The following ordinances, statutes and regulations shall be enforceable under the provisions of this ordinance:

- (1) Yamhill County Solid Waste Ordinance, 1997.
- (2) Yamhill County Land Division Ordinance No. 497, as amended by Ordinance 529.
- (3) Yamhill County Zoning Ordinance No. 310, as amended.

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- (4) ORS Chapter 454, as applicable, and Oregon Administrative Rules Chapter 340, Division 71.
- (5) Yamhill County Building, Mechanical, Plumbing and Electrical Ordinance 446.
- (6) Yamhill County Ordinance 558, as amended by Ordinance 574 ("General Provisions for Use, Construction and Installations in Yamhill County Public Road Rights of Way").
- (7) Yamhill County Parks Ordinance, No. 619.
- (8) All amendments to the ordinances listed in this section made subsequent to the adoption of this ordinance."

Section 2. SEVERABILITY

If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

Section 3. EMERGENCY CLAUSE; EFFECTIVE DATE.

This ordinance, being necessary for the health, safety and welfare of the citizens of Yamhill County, and an emergency having been unanimously declared to exist, shall become effective immediately.

DONE at McMinnville, Oregon on September 17, 1998.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS



By: ALISON KOYAMA
Deputy ALISON KOYAMA

Ted Lopuszynski
Chairman TED LOPUSZYNSKI

Robert Johnstone
Commissioner ROBERT JOHNSTONE

FORM APPROVED BY:
John M. Gray, Jr.
JOHN M. GRAY, JR.
Yamhill County Counsel

Thomas E. E. Bunn
Commissioner THOMAS E. E. BUNN