

ORIGINAL

An ordinance adopting, subject to certain modifications, Multnomah County (Oregon) Ordinance No. 37, which ordinance declares unlawful the operation of certain vehicles or equipment which create loud, obnoxious or unusual sounds.

BE IT ORDAINED that the City of Maywood Park adopts, subject to the following exceptions, alterations and modifications, Multnomah County (Oregon) Ordinance No. 37, a copy of which marked Exhibit "A" is attached hereto and by this reference, save said exceptions, alterations and modifications, is incorporated herein.

Section 1. The words "Board and/or Board of County Commissioners" are deleted and wherever such words are used they shall be deemed to mean "City Council".

Section 2. The words "Commissioner's Journal" are deleted and wherever such words are used they shall be deemed to mean "Minutes of Meetings of the City Council".

Section 3. It is hereby expressly declared that the provisions of the within ordinance shall apply within the corporate limits of the City of Maywood Park and shall further apply to protect the residents of the City of Maywood Park against any annoyance or disturbance of their peace and quiet, irrespective of whether such disturbance shall come from within or outside the corporate limites of the City of Maywood Park.

The City Council hereby declares an emergency, declaring that this ordinance is immediately necessary to secure the general public's health and general welfare of the citizens of Maywood Park, and that this ordinance is immediately necessary to conserve, stabilize and protect property within the incorporated area of the City of Maywood Park. This ordinance shall take effect and be in force immediately.

Passed and approved by the City Council on the 17 day of December, 1979.

Walter G. Keller, Mayor
Mayor

Attested to:

Barbara Topple
City Recorder

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9/11/19

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR
MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 37

An Ordinance declaring as unlawful the operation of gas or diesel-operated vehicles or equipment which creates loud, obnoxious or unusual sounds; amending the preamble and Sections 1, 2 and 3 of Multnomah County Ordinance No. 19.

Multnomah County ordains, as follows:

The preamble and Sections 1, 2 and 3 of Multnomah County Ordinance No. 19 be and the same are hereby amended to read as follows:

An Ordinance declaring as unlawful the keeping of any radio, musical device, loudspeaking equipment, bird or animal, or the operation of any gas or diesel-operated vehicle or equipment annoying or disturbing county residents and declaring such acts to be a public nuisance, and providing for civil abatement and criminal penalties.

Multnomah County ordains as follows:

Section 1. Any person who is the owner or in control of any radio, musical device, loudspeaking equipment, bird or animal, or who operates any gas or diesel-operated vehicles or equipment which causes or creates loud, obnoxious or unusual sounds during any time of the day or night to the annoyance or disturbance of the peace and quiet of residents in the vicinity, shall be punished upon conviction by a fine of not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00).

Section 2. The keeping of any such radio, musical device, loudspeaking equipment, bird or animal, or the operation of any gas or diesel-operated vehicles or equipment in violation of Section 1 of this ordinance is hereby declared to be a public nuisance and subject to abatement.

Section 3. Whenever it appears by petition over the oath of ten (10) residents of the county filed with the Board of County Commissioners showing that there is reasonable cause to believe that a nuisance exists in Multnomah County as hereinabove defined, or the Board acting on its own motion may order that a notice be issued and served upon the owner or person in control of any such radio, musical device, loudspeaking equipment, bird or animal, or any gas or diesel-operated vehicles or equipment causing or creating such nuisance as hereinabove provided, requiring such person to appear before the board at the

time and place stated in the notice to show cause why a nuisance should not be declared to exist, by reason of the keeping of said radio, musical device, loudspeaking equipment, bird or animal, or the operation of said gas or diesel-operated vehicles or equipment.

At the time and place described in said notice, the Board shall conduct a public hearing on the question of the existence of the alleged nuisance, and if the Board finds by the evidence that a public nuisance as herein defined does exist, it shall declare the fact by an order entered in the Commissioners' Journal. A certified copy of the order declaring the existence of the public nuisance shall be delivered to the District Attorney of Multnomah County, which delivery shall constitute a direction that appropriate proceedings in the name of Multnomah County be commenced in the Circuit Court of the State of Oregon for the County of Multnomah to enjoin the continuation of the nuisance.

Date of Passage: November 19, 1970

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By W. James Pearson
Chairman

By _____
Commissioner

By _____
Commissioner

By _____
Commissioner

By _____
Commissioner

APPROVED AS TO FORM:

GEORGE VAN ROOMISSEN
District Attorney for
Multnomah County, Oregon

By Charles S. Evans
Charles S. Evans
Asst. Chief Civil Deputy