ORDINANCE NO. 1997

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING CHAPTER 10 OF THE MILWAUKIE MUNICIPAL CODE TO REFLECT COURT PROCEDURES FOR PARKING CITATION DUE DATE AND FINE.

WHEREAS, Chapter 10.04 generally defines vehicle and traffic terms; and

WHEREAS, Chapter 10.20.090 (A) defines parking violation citation procedures; and

WHEREAS, the City wishes to clearly provide direction to parking violators of the deadline for either paying a fine or posting bail; and

WHEREAS, the City wishes to have the Municipal Code reflect fine increases that result from failure to pay a fine or post bail;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. The Municipal Code of Milwaukie Chapter 10.20.290, is amended to read as follows:

10.20.090 Violation—Citation.

A. Whenever a vehicle without an operator is found parked in violation of a restriction imposed by this chapter or state law, the officer finding the vehicle shall conspicuously affix to the vehicle a traffic citation instructing the operator to answer to the charge against him or pay the penalty imposed by the court date stated in the citation, at a place specified in the citation. If bail is not posted by the court date the fine will be doubled.

Section 2. Severability

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 3. Effective Date and Publication

This Ordinance shall take effect immediately after its adoption.

Read the first time on 4/7/09, and moved to second reading by 5-0 vote of the City Council.

Read the second time and adopted by the City Council on 4/7/09.

Signed by the Mayor on 4/7/09.

Jeremy Ferguson, Mayor

ATTEST:

Pat DuVal

Pat DuVal, City Recorder

APPROVED AS TO FORM:
Jordan Schrader Ramis PC

City Attorney