1		CITY ORDINANCE NO. 143
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3		CITY OF PAISLEY, OREGON
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5 6	ABATEMEN	NCE PROVIDING REGULATIONS FOR HAZARDS AND SOLID WASTE T WITHIN THE CORPORATE LIMITS OF THE CITY OF PAISLEY,
7	OREGON; Al	ND PROVIDING FOR PROCEDURES AND PENALITIES RELATIVE
8	THERETO.	
9		
10	THE CITY O	F PAISLEY ORDAINS AS FOLLOWS:
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12	ARTICLE I.	INTRODUCTORY PROVISIONS.
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14	Sectio	n 110. TITLE. This Ordinance shall be known as the "Hazard Abatement
15		or the City of Paisley", may be so cited and pleaded, and shall be cited herein as
16	"this Ordinan	
17	tins Ordinan	
18	1.200	Definitions.
19		For the construction, interpretation and implementation of this Ordinance the following
20		definitions are established:
21		1) The term "property owner" shall mean any contract purchaser, mortgagor, trust deed
22		grantor fee owner, lessee, or any other person having possession and/ or control of
23		property located within the City of Paisley.
24		2) The term "property" shall mean a developed or undeveloped lot or parcel and all
25		improvements located thereon as located within the City of Paisley.
26 27		3) The term "City" shall mean The City of Paisley.4) The term "City Councilors" shall mean the governing body of the City.
28		5) The term "person" shall mean every natural person, partnership, association,
29		corporation, limited partnership, limited liability company, family limited partnership
30		or any other type of personal or business entity.
31		6) As used in this ordinance the singular includes the plural and the masculine includes
32		the feminine.
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34		Hazard Defined.
35	a)	The following conditions, situations or occurrences shall be deemed to be "Hazard" and
36 37		therefore within the parameters of this Ordinance and subject to abatement and enforcement as hereinafter set forth:
38		1) The depositing or accumulation upon property of any junk, trash, garbage, vegetative
39		debris, human or animal waste, abandoned unlicensed vehicles, or any other material
40		which creates a stench or fire or safety hazard.
41		2) The keeping, storing or accumulation of unused appliances including refrigerators.
42		3) The accumulation of flammable weeds, grass, or other noxious growth on property
43		that is flammable.
44		4) Trees, overgrown or rotten, that poses a threat to property or life.
45	1 200	Abotomont of Honord
46	1.300	Abatement of Hazard.

 Any situation or occurrence deemed to be a hazard as defined herein shall be abated by cessation, repair, rehabilitation or removal in accordance with the procedures specified in 1.400 of this Ordinance

1.400 Abatement Notice.

Upon determination by the City Councilors or Lake County's duly authorized agents that a hazard exists as defined in this or any other ordinance of the City the City Councilors or Lake County's duly authorized agent shall cause a "notice of abatement" to be mailed to the alleged offender, property owner, and to the person occupying the property, if that person is not the property owner, both by certified mail and first class mail directing the cessation or abatement of such hazard.

The notice shall contain:

- a) A description of the hazard.
- b) A street address sufficient for identification of premises upon which the hazard is occurring.
- c) A statement specifying the action required to be taken as determined by the City or Lake County's duly authorized agent and directing that the hazard be fully removed or abated within 30 days after receipt of such notice.
- d) A statement that unless the hazard is abated or removed within 30 days after receipt of the notice of abatement that the City will remove or abate the hazard with the cost thereof being assessed as a lien against the property.
- e) A statement advising any person who receives a notice of abatement of their right to appeal from the notice provided the appeal is made in writing and received by the City within 10 days after receipt of the notice.
- f) A statement that any failure to appeal the notice of abatement will constitute a waiver of rights to a hearing and the right to contest the action required to be taken in the notice of abatement.

1.500 Abatement by Owner.

a) Within 30 days after receipt of the notice provided in Section 1.400 above the alleged offender, property owner or person occupying the property who receives the notice of abatement shall remove or abate the hazard, unless the matter is appealed pursuant to Section 1.800 below.

1.600 Abatement by City.

If the hazard has not been removed or abated within 30 days and the matter has not otherwise been appealed by the alleged offender, property owner or person occupying the property, then the City shall abate the hazard, In such case, the City shall maintain an accurate record of the expense incurred by the City in abating and removing the hazard and shall include therein an overhead charge of 10% of the total cost for administration. The total cost, including the administrative overhead, shall thereafter be assessed pursuant to Section 1.900 below.

1.700 Summary of Abatement.

Irrespective of the provisions herein contained, in the event a hazard exists which reasonably appears to constitute an imminent endangerment to human life, human welfare or property rights, such hazard may be summarily abated by a City official without notice or other procedural rights. In the case of summary abatement, the costs of the same shall be established an assessed pursuant to Sections 1.600 and 1.900 hereof.

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1.800 Appeal.

- a) Any person who receives a notice of abatement under Section 4 above may appeal from the notice and the action required to be taken by such notice by personally delivering or mailing by certified mail to the City Councilors a written request for an appeal. The appeal shall be received by the City Councilors within 10 days after receipt of the notice of abatement. The written request for an appeal shall contain a brief statement setting forth the fact that an appeal is requested and in concise language the relief sought and the reasons why the relief is being sought.
- b) As soon as practical after receiving the written appeal the City Councilors shall fix a date, time and place for the hearing of the appeal. Such date shall not be less than 10 days nor more than 60 days from date the appeal was received by the City. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date such hearing to the person filing the appeal either by personal delivery or by mailing a copy thereof, postage prepaid, addressed to the person filing the appeal at the address shown on the appeal.
- c) Failure of any person to file an appeal in accordance with the provisions herein contained shall constitute a waiver of the right to a hearing and adjudication of the notice or any portion thereof.
- d) All hearings shall be heard by the City Councilors and conducted in such a manner as to allow all interested persons full opportunity to be heard. Hearings need not be conducted according to technical rules relating to evidence and witnesses.
- e) Following the hearing the City Councilors may uphold, overrule or modify any decision or requirement as set forth in the notice of abatement, and shall set forth findings and conclusions for such decision. A copy of the decision shall be delivered to the person filing the appeal personally or shall be sent certified mail, postage prepaid, return receipt requested. The effective day of the decision shall be as stated therein.
- f) A decision of the City Councilors after the hearing shall be final.

1.900 Enforcement.

- a) After any notice of abatement of decision of the City Councilors becomes final, no person to whom any such notice or decision is directed shall fail, neglect or refuse to obey such notice or decision.
- b) If, after any notice of abatement or decision of the City Councilors becomes final, the person to whom such notice or decision is directed shall fail, neglect or refuse to obey such notice or decision the City may institute any appropriate action to abate such nuisance.
- c) When any nuisance abatement work is accomplished by the City or by private contract under the direction of the City the cost of such work shall be paid by the City and may be made a special assessment against the property involved, or may be made a personal obligation of the property owner or property occupier, whichever the City Councilors shall determine is appropriate.
- d) The City Councilors, in its discretion, may determine that assessments in the amounts of \$500.00 or more may be payable in installments not to exceed twenty four equal monthly installments. The City Councilor's determination to allow payment of such assessment in installments, the number of installments, whether they shall bear interest, and a rate thereof shall be by a resolution adopted by the City Councilors prior to the confirmation of the assessment.
- e) If the City Councilors order that the charge shall be assessed against the property, the City Councilors shall confirm the assessment and cause the same to certified as a lien to the Lake County Clerk and thereafter said assessment shall constitute as special assessment against and a lien upon the property and bear interest at the rate of 9% per

1	annum commencing as of the date of recording. The lien shall continue until the assessment and all accrued interest has been fully paid.
2 3	f) If the City Councilors order that the charge shall be a personal obligation of the property
	owner or occupier it shall direct the City's attorney to collect the same on behalf of the
4 5	City by use of all appropriate legal remedies.
6	city by disc of an appropriate regarders.
7	This Ordinance and its purposes being necessary for the preservation of the
8	public peace, health and safety of the City of Paisley and its inhabitants, an
9	emergency is hereby declared to exist and this Ordinance shall be in full force
10	and effect after its passage by the City of Paisley Councilors.
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12	2.000 Emergency Clause.
13	This Outlinesses haire deemed by the City Councilors of the City of Baisley, recording for
14 15	This Ordinance being deemed by the City Councilors of the City of Paisley, necessary for the immediate preservation and protection of the public peace, health, safety and general welfare, an
16	EMERGENCY is hereby declared to exist and this Ordinance shall be in full force upon its adoption.
17	Z. II. Z. C. Z. To Hollowy and allow the control and c
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21	PASSED by the Council of the City of Paisley, Oregon
22	and the second s
23	This 7 th day of January, 2020.
24	
25	(MIDMITTED)
26	SUBMITTED to and approved by the Mayor of the City of Paisley
27	This _7 th _ day ofJanuary_, 2020.
28 29	This _/_ day ofJanuary_, 2020.
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31	Calor Carll
32	Dayor Dawy
33	Mayor
34	Attest:
35	Auest.
36	
37	Million (Laltin
38	City Recorder
20	C III INCOME

1	AN ORDINANCE AMENDING SECTION 1.400 (d)
2	OF THE CITY OF PAISLEY ORDINANCE NO. 143, DATED JANUARY 7, 2020,
3	7, 2020,
4	CITY OF PAISLEY, OREGON
4 5	off of Thisbert, Oredon
6	AN ORDINANCE PROVIDING REGULATIONS FOR HAZARDS AND SOLID WASTE
7	ABATEMENT WITHIN THE CORPORATE LIMITS OF THE CITY OF PAISLEY,
8	OREGON; AND PROVIDING FOR PROCEDURES AND PENALITIES RELATIVE
9	THERETO.
10	
11	THE CITY OF PAISLEY ORDAINS AS FOLLOWS:
12	on to this end of the
13	1.400 Abatement Notice.
14	Upon determination by the City Councilors or Lake County's duly authorized agents that
15	a hazard exists as defined in this or any other ordinance of the City the City Councilors or Lake
16	County's duly authorized agent shall cause a "notice of abatement" to be mailed to the alloged
17	offender, property owner, and to the person occurrying the property if that person is not the
18 19	property owner, both by certified mail and first class mail directing the cessation or abatement of
20	such hazard.
21	The notice shall contain:
22	d) A statement that unless the hazard is abated or removed within 30 days after receipt of
23	the notice of abatement that the "property owner and or the person occupying the land will begin to accrue fees of \$50.00 per day. The City may" remove or abate the hazard
24	with the cost thereof being assessed as a lien against the property.
25	g and a gamet the property.
26	P. Copp. 1
27	PASSED by the Council of the City of Paisley, Oregon
28	
29	This 16 day of June 2020.
30 31	
32	SUDMITTED 4 1
33	SUBMITTED to and approved by the Mayor of the City of Paisley
34	This 1 Leday of June 2020.
35	Tills - callay 01 2000.
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37	Bold Pall
38	Mayor
39	Mayor
40	Attest:
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43	mouspillation
44	City Recorder