

ORDINANCE 705

AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF BAY CITY, REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF CITY OF BAY CITY DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OR ORDINANCES

WHEREAS, the present general and permanent ordinances of the City of Bay City Oregon, are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the City and for the proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of Oregon empower and authorize the City of Bay City to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the City Council of the City of Bay City has authorized a general compilation, revision, and codification of the ordinances of the City of a general and permanent nature and publication of such ordinance in book form; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE CITY OF BAY CITY, A POLITICAL SUBDIVISION OF THE STATE OF OREGON:

- Section 1. The general ordinances of the City of Bay City as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of the City of Bay City, Oregon." This code consists of all of the regulatory and penal ordinances and certain of the administrative ordinances of the City of Bay City, Oregon, codified pursuant to State law.
- Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles:

CITY OF BAY CITY, OREGON TABLE OF CONTENTS

CHARTER

CHAPTER I: NAMES AND BOUNDARIES

- Section 1 Title of Charter
- Section 2 Name of City
- Section 3 Boundaries

CHAPTER II: POWERS

- Section 4 Powers of the City
- Section 5 Construction of Powers
- Section 6 Distribution of Powers

CHAPTER III: FORM OF GOVERNMENT

- Section 7 Council
- Section 8 Mayor
- Section 9 Councilors
- Section 10 Terms of Office
- Section 11 Appointive Offices

CHAPTER IV: COUNCIL

- Section 12 Rules
- Section 13 Meetings
- Section 14 Quorum
- Section 15 Record of Proceedings
- Section 16 Vote Required
- Section 17 Vacancies; Occurrence
- Section 18 Vacancies; Filling

CHAPTER V: POWERS AND DUTIES OF OFFICERS

- Section 19 Mayor
- Section 20 Mayor's Functions at Council Meetings
- Section 21 Council President
- Section 22 Recorder

CHAPTER VI: ELECTIVE OFFICER QUALIFICATIONS

- Section 23 Qualifications
- Section 24 Compensation
- Section 25 Oath of Office

CHAPTER VII: ELECTIONS

- Section 26 State Law

CHAPTER VIII: ORDINANCES

- Section 27 Ordaining Clause
- Section 28 adoption by Council
- Section 29 Effective Date

CHAPTER IX: PUBLIC IMPROVEMENTS

- Section 30 Procedure
- Section 31 Special Assessments
- Section 32 Condemnation

CHAPTER X: POWERS AND DUTIES OF OFFICERS

- Section 33 Debt
- Section 34 Continuation of Ordinances
- Section 35 Repeal
- Section 36 Severability
- Section 37 Time of Effect

MUNICIPAL CODE

CHAPTER 1: GOVERNMENT

- 1.01 Code Adoption
- 1.02 City Planning Commission
- 1.04 Code of Conduct for Elected Officials
- 1.06 Civil Infractions
- 1.08 Code General Provision
- 1.10 Addressing Grid
- 1.12 Tax on Non-Medical Marijuana and Non-Medical Marijuana-Infused Products
- 1.14 Street Vacation
- 1.16 Membership in Economic Council of Tillamook County

CHAPTER 2: LOCAL IMPROVEMENTS

- 2.02 Special Assessment Procedure
- 2.04 Special Assessment Deferral Procedure
- 2.06 Cost Recovery Article
- 2.08 SDC Article
- 2.10 SDC Methodology Article
- 2.12 Cross Connection Control Article

CHAPTER 3: UTILITIES

- 3.02 Water Code Resolution (Water Rates)
- 3.04 Street Maintenance Fee
- 3.06 Telecommunications

CHAPTER 4: SANITATION

- 4.02 Sewer Connections and Regulations, Charges and User Fees
- 4.04 Pretreatment Standards

CHAPTER 5: OFFENSES

- 5.02 Dog Control
- 5.04 Offenses
- 5.06 Juvenile Curfew
- 5.08 Nuisances

CHAPTER 6: TRAFFIC

- 6.02 Hauling
- 6.04 Traffic Regulations

CHAPTER 7: PUBLIC PROTECTION

- 7.02 Landslides
- 7.06 Fire Prevention Code
- 7.08 Park Rules and Regulations
- 7.10 Bay City Fire Department
- 7.12 Abandoned Vehicles, Boats and Trailers

CHAPTER 8: BUSINESS

- 8.01 Business Licenses
- 8.02 Junk Dealers
- 8.04 Peddlers and Solicitors
- 8.06 Auctions
- 8.08 Transient Lodging Tax
- 8.10 Short-Term Rentals
- 8.12 Carryout Bags

CHAPTER 9: BUILDING

- 9.02 Uniform Building Code
- 9.06 Dangerous Buildings

CHAPTER 10: PLANNING AND DEVELOPMENT

- 10.01 Introduction
- 10.02 Definitions
- 10.06 Land Use Districts

- 10.07 Overlay Zones and Special Districts
- 10.10 Development Standards
- 10.11 Supplementary / Special Development Standards
- 10.12 Application and Review Procedures
- 10.14 Land Divisions and Property Line Adjustments
- 10.15 Conditional Uses
- 10.16 Variances
- 10.17 Comprehensive Plan, Zone Change, and Amendments
- 10.18 Nonconforming Uses
- 10.19 Interpretations and Exceptions
- 10.28 Enforcement and Remedies

Section 3. The provisions appearing in this code, so far as they are the same as those ordinances existing at the time of the effective date of this Code, shall be considered as continuations thereof and not as new enactments. Such Code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties, and regulations therein contained, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

Section 4 All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or conveyed by the Code.

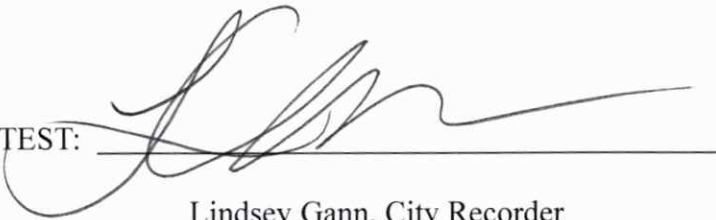
Section 5. The sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional or invalid by the valid judgment of decree of a court of competent jurisdiction, such unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this code.

Section 6. Such Code shall be deemed published and effective thirty (30) days after the day of its adoption and approval by the City Council and its signature by the Mayor of the City of Bay City.

PASSED and ADOPTED by the City Council this 9th day of April, 2024, and APPROVED by the Mayor this 9th day of April, 2024.

By: Liane Welch

Liane Welch, Mayor

ATTEST: 
Lindsey Gann, City Recorder

First Reading: 3/12/2024

Second Reading: 4/9/2024

Adoption: 4/9/2024

Ayes: 4

Nays: 0

Abstain: 0