

ORDINANCE NO. 200

AN ORDINANCE AMENDING SECTIONS 91.12, 91.25, AND 91.26 OF THE DUNES CITY CODE, CONCERNING NUISANCES IN THE SHORELAND ZONE AND RIPARIAN CORRIDOR AND DESIGNATING THE CONSERVATION COMMITTEE; AND DECLARING AN EMERGENCY

WHEREAS, Ordinance No. 176 repealed and replaced the provisions in Chapter 91 (“Nuisances”) of the Dunes City Code;

WHEREAS, the Dunes City Council wishes to specify shoreland zone and riparian corridor violations as nuisances affecting public health, and designate the Conservation Committee to investigate alleged nuisances in the shoreland zone and riparian corridor;

NOW THEREFORE, THE CITY OF DUNES CITY ORDAINS AS FOLLOWS:

Section 1. Section 91.12 (“Nuisances Affecting Public Health”) of the Dunes City Code is amended by adding the following to subsection (A):

(9) Violations in the shoreland zone and riparian corridor, including, but not limited to, vegetation removal, soil erosion, and other activities affecting water quality as defined in Dunes City code.

Section 2. Section 91.25 (“Inspection; Notice to Abate”) of the Dunes City Code is amended by modifying subsection (A) as follows:

(A) When a signed, written allegation is presented to the City Recorder that a nuisance, as defined in this chapter, exists, the Recorder shall notify the Site Review Committee unless the alleged nuisance occurs in the shoreland zone or riparian corridor, in which case the Recorder shall notify the Conservation Committee. ~~The Site Review Committee~~ committee so notified (hereinafter “Committee”) will investigate to determine whether a nuisance exists.

Section 3. Section 91.26 (“Abatement by Person Responsible”) of the Dunes City Code is amended by modifying subsection (D) as follows:

(D) If the investigation designated in §91.25 determines that an emergency exists, the ~~Site Review~~ Committee shall notify the Mayor, and the Mayor may call an emergency meeting of the Council and cause to be served on the owner and the person in charge of the property a notice that they must attend the emergency meeting if they wish to object to the proceeding. The emergency meeting shall be conducted pursuant to the regular abatement proceedings in so far as reasonably practical to do so.

Section 4. Emergency Clause. This Ordinance, being necessary for the public health, safety, and welfare of the City of Dunes City, an emergency is hereby declared to exist and this Ordinance is effective on the date adopted by the Dunes City Council.

ADOPTED BY THE DUNES CITY COUNCIL THIS 14th DAY OF May, 2009.

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____

[signed copy in office]
Eric Hauptman, Mayor
City of Dunes City

[signed copy in office]
Amy Graham, City Recorder