

**BEFORE THE CITY COUNCIL FOR THE  
CITY OF ADAIR VILLAGE, OREGON**

In the Matter of an Ordinance Amending            )  
Chapter 42 – Public Nuisance and abatement        )  
For vegetation related nuisances                    )

**ORDINANCE 2017 - #1**

WHEREAS, the City of Adair Village has reviewed the Nuisance Code ordinance to address abatement and consistency within the code;

WHEREAS, this update will reduce the timeframe for abatement for vegetation related nuisances from ten days to five days; now therefore

**THE CITY OF ADAIR VILLAGE ORDAINS AS FOLLOWS:**

Section 1. This matter having come before the City Council of Adair Village on December 6, 2016, upon the recommendation of the City Administrator that the City update and amend the current Nuisance Ordinance.

Section 2. It is in the interests of the City and its residents to implement an amended the Nuisance Ordinance to allow for a more consistent and timely abatement processes.

Section 3. Enactment. The Adair Village Code of Ordinances is amended by the enactment of this Ordinance which reads in full as follows:

40.820 Declaration of Nuisance and Abatement Notice. Upon determination by the City Council or the City Administrator that a nuisance as defined herein exists, the City Administrator shall cause a notice to abate to be mailed to the person(s) responsible at their last known address. The notice to abate shall contain: (1) The name of the person(s) responsible for abating the nuisance and a description of the nuisance.

(2) A description of the property, by street address or otherwise, where the nuisance exists.

(3) A direction to abate the nuisance within ten (10) days for non-vegetation related nuisance from the date the notice was mailed.

(4) A direction to abate the nuisance within five (5) days for vegetation related nuisance from the date the notice was mailed.

(5) A statement that unless the nuisance is abated during the applicable abatement period referenced above, the City will abate the nuisance and the cost of the abatement will be charged to the person(s) responsible and will become a lien against the property.

(6) A statement that the person(s) responsible may appeal the notice to abate to the City Council by filing a notice of appeal, which sets forth the basis for the appeal with the City Administrator within ten (10) days of the date the notice to abate was mailed for non-vegetation related nuisance issues and five (5) days for vegetation related nuisance issues.

Section 4. Severability. Should any section or portion of this Ordinance be held unlawful or unenforceable by any court of competent jurisdiction, such decision shall apply only to the specific section, or portion thereof, directly specified in the decision. All other sections or portions of this Ordinance shall remain in full force and effect.

Section 5. Effective Date. Passed by the City Council and approved by the Mayor of the City of Adair Village on the 7th day of February, 2017 this amendment shall become effective 30 days after enactment.

City of Adair Village, Oregon, February 7, 2017

CITY OF ADAIR VILLAGE

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MAYOR

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CITY ADMINISTRATOR

First Reading: January 3, 2017

Second Reading: By Title February 7, 2017