

ORDINANCE NO. 654

AN ORDINANCE AMENDING THE PROVISIONS OF CHAPTER ONE OF THE STAYTON CITY CODE.

THE CITY OF STAYTON ordains as follows:

SECTION 1: STAYTON CITY CODE SECTION 1.010, Definitions and Rules of Construction, is hereby amended to read:

1.010 Definitions and Rules of Construction

- A. The following words and phrases, whenever used in the ordinances of the CITY OF STAYTON, Oregon, shall be construed as defined in this Section unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:
1. City or Town: The CITY OF STAYTON, Oregon, or the area within the territorial limits of the CITY OF STAYTON, Oregon, and such territory outside the Stayton City Limits over which the CITY OF STAYTON has jurisdiction or control by virtue of any constitutional or statutory provision.
 2. Computation of Time: The time within which an act is to be done is computed by excluding the first day and including the last, unless the last day falls upon a legal holiday as defined in the Stayton City Code.
 3. Council: The City Council of the CITY OF STAYTON. "All its members" or "all councilors" means the total number of councilors holding office.
 4. County: The County of Marion.
 5. Day: The period of time between any midnight and the midnight following.

6. Daytime and Nighttime: "Daytime" is the period of time between sunrise and sunset. "Nighttime" is the period of time between sunset and sunrise.
7. Law: Denotes applicable federal law, the Constitution and statutes of the state of Oregon, the ordinances of the CITY OF STAYTON, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.
8. May: Permissive.
9. Minor: A person under the age of twenty-one (21) years, unless otherwise stated.
10. Month: Calendar month.
11. Must and Shall: Each are mandatory.
12. Oath: An affirmation of declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and affirmed."
13. Official Time: Whenever certain hours are named in this Code, they mean the standard time as set out in ORS 187.110.
14. Or, and: Each word may be substituted for the other if the sense requires it.
15. Ordinance: A law of the City, provided that a temporary or special law, administrative action, order, or directive may be in the form of a resolution.
16. ORS: Oregon Revised Statutes.
17. Owner: Applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, tenant by the

entirety, of the whole or a part of such building or land.

18. Person: Includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer, or employee of any of them.
19. Personal Property: Includes money, goods, chattels, things in action, and evidences of debt.
20. Preceding and Following: Next before and next after, respectively.
21. Property: Includes real and personal property.
22. Real Property: Includes lands, tenements, and hereditament.
23. Shall and Must: Each is mandatory.
24. Sidewalk: That portion of a street between the curblin and the adjacent property line intended for the use of pedestrians.
25. State: State of Oregon
26. Street: Includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this City which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.
27. Tenant and Occupant: Applied to a building or land, include any person who occupies the whole or a part of such building or land, whether alone or with others.
28. Title of Office: Use of the title of any officers, employee, department board, or

commission means that officer, employee, department, board, or commission of the C.

29. To: Means "to and including" when used in reference to a series of sections of this Code or when reference is made to ORS.
 30. Week: Seven consecutive days.
 31. Writing: Includes printed, typewritten, mimeographed, or multigraphed material, or any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement, or record is required or authorized by this Code, it shall be made in writing in the English language, unless it is expressly provided otherwise.
 32. Written: Includes printed, typewritten, mimeographed, multigraphed, or otherwise reproduced in permanent, visible form.
 33. Year: A calendar year.
- B. All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.
- C. When an act is required by an ordinance, the same being such that it may be done as well by an agent as by the principal, such requirement shall be construed as to include such acts as performed by an authorized agent.

SECTION 2: STAYTON CITY CODE SECTION 1.012 is hereby amended to read:

- 1.012 Construction of Provisions: The provisions of the City ordinances and of this Code and all proceedings under them are to be construed with a view to effect their objects and to promote justice.

SECTION 3: STAYTON CITY CODE SECTION 1.025, 1.030, AND 1.035 are hereby deleted in their entirety.

SECTION 4: STAYTON CITY CODE SECTION 1.200 is hereby amended to read:

1.200 City Boundaries: The official map of the City designates the City limits of the CITY OF STAYTON. The official comprehensive and zoning map, including an up-to-date description of the boundaries, shall be kept by the Administrator in his office at the City Hall and shall be available for public inspection at any time during the regular office hours of the Administrator.

SECTION 5: STAYTON CITY CODE SECTION 1.530, Soliciting or Confederating to Violate Code, is hereby amended to read:

1.530 Soliciting and Conspiring to Violate Code: It is unlawful for any person in any way or manner to aid, abet, solicit, counsel, advise, encourage, employ, or engage another, or conspire with another to violate a provision of this Code.

PASSED BY THE COMMON COUNCIL THIS 3rd DAY OF October, 1988.

Signed by the Mayor this 7th day of October. 1988.

Willmer Van Vleet 10/7/88
WILLMER VAN VLEET, ACTING MAYOR Date

ATTEST:

David W. Kinney 10-7-88
DAVID W. KINNEY, City Administrator Date

jm:lb(8-9-88)