

Chapter 1

GENERAL PROVISIONS

CODE ADOPTION

1.010 Adoption. There is hereby adopted the "West Linn Municipal Code" as published by the City of West Linn. [Ord. 1368, enacted 11/28/94]

1.015 Title--Citation--Reference.

This code shall be known as the "West Linn Municipal Code" and it shall be sufficient to refer to the code as the "West Linn Municipal Code" in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the "West Linn Municipal Code." Further reference may be had to the titles, chapters, sections and sub-sections of the "West Linn Municipal Code," and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code.

1.020 Contents. This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the City of West Linn, Oregon.

1.025 Reference Applies to All Amendments. Whenever a reference is made to this code as the "West Linn Municipal Code" or to any portion thereof, or to any ordinance of the City of West Linn, Oregon, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

1.030 Title, Chapter, and Section Headings. Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any

manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof.

1.035 Reference to Specific Ordinances. The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.

1.040 Effect of Code on Past Actions and Obligations. Neither the adoption of this code nor the repeal or amendment hereby of any ordinance or part or portion of any ordinance of the city shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license, fee, or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee, or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

1.045 Effective Date. This code shall become effective 12:00 a.m. on January 1, 1995.

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1.050 Severability.

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The council hereby declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

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1.100 Definitions.

The following words and phrases, whenever used in the ordinances of the City of West Linn, Oregon, shall be construed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

City. The City of West Linn, Oregon, or the area within the territorial limits of the City of West Linn, and such territory outside of the City of West Linn, over which the City of West Linn has jurisdiction or control by virtue of any constitutional or statutory provision.

City Engineer. The City Engineer of West Linn, Oregon, or his or her designee.

City Manager. The administrative head of the city's government appointed by the city council, or his or her designee.

Council. The city council of the City of West Linn, Oregon. "All its members" or "all council members" means the total number of council members holding office.

County. The county of Clackamas.

Law. Applicable federal law, the Constitution and statutes of the state of

Oregon, the ordinances of the City of West Linn, and, when appropriate, all rules and regulations which may be promulgated thereunder.

May. Permissive.

Month. A calendar month.

Must and shall. Mandatory.

Oath. Includes an affirmation or 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."

Owner. Applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, or contract purchaser of the whole or a part of such building or land.

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.

Personal property. Includes money, goods, chattels, things in action and evidences of debt.

Preceding and following. Next before and next after, respectively.

Property. Includes real and personal property.

Real property. Includes lands, tenements and hereditaments.

Sidewalk. That portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

State. The state of Oregon.

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 as designated in any law of this state.

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.