

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR
MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 16

An Ordinance declaring the storage and collection of certain waste and solid wastes on private property as a public nuisance and providing for civil abatement and criminal penalties.

Multnomah County ordains as follows:

Section 1. No owner, tenant or person in possession or control of real property in Multnomah County outside of incorporated cities shall keep, store, collect, maintain or display on such real properties waste or solid wastes that are offensive or hazardous to the health and safety of the public; or which creates offensive odors or a condition of unsightliness; or which constitutes a land use in violation of the building or zoning regulations of Multnomah County.

Section 2. "Waste" as used in this ordinance means useless, unwanted or discarded materials.

"Solid waste" as used in this ordinance means all putrescible and nonputrescible wastes, whether in solid or liquid form, except liquid-carried industrial wastes or sewage or sewage hauled as an incidental part of a septic tank or cesspool cleaning service, but including garbage, rubbish, ashes, sewage sludge, street refuse, industrial waste, swill, demolition and construction waste, abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid waste, dead animals, and other discarded solid materials.

Section 3. The commission of any of the acts set forth in Section 1 of this Ordinance is hereby declared to be a public nuisance and subject to abatement as herein provided.

Section 4. Any person who violates Section 1 of this ordinance is guilty of creating a public nuisance and is punishable upon conviction by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the County jail for not more than six (6) months or both.

Section 5. Whenever it appears by petition over oath of ten (10) residents of the County filed with the Board of County Commissioners that there is reasonable cause to believe that a nuisance exists in Multnomah County as is hereinabove defined, or the Board acting on its own motion, may order that a notice be issued and served upon the owner, tenant, occupant or person in possession of the premises where the nuisance is alleged or claimed to exist, requiring such person to appear before the Board at the time and place stated in the notice to show cause why a nuisance should not be declared to be existing on the premises.

At the time and place described in said notice, the Board shall conduct a public hearing on the question of the existence of the alleged nuisance, and if the Board finds by the evidence that a public nuisance as herein defined does exist, it shall declare the fact by an order entered in the Commissioners Journal. A certified copy of the order declaring the existence of the public nuisance shall be delivered to the District Attorney of Multnomah County, which delivery shall constitute a direction that appropriate proceedings in the name of Multnomah County be commenced in the Circuit Court of the State of Oregon for the County of Multnomah to enjoin the continuation of the nuisance.

Date of Passage December 7, 1967.

BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON

By James H. Pearson
Chairman

By W. H. C. [Signature]
Commissioner

By [Signature]
Commissioner

APPROVED AS TO FORM:

GEORGE VAN HOOMISSEN
District Attorney for
Multnomah County, Oregon

By [Signature]
Commissioner

By Met [Signature]
Commissioner

By Willis A. West
Willis A. West
Chief Civil Deputy