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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF ORDINANCES )  
 AMENDING KLAMATH COUNTY CODE ) ORDINANCE NO. 16.01  
 CHAPTER 408, ENTERTAINMENT ) ORDINANCE NO. 46.02  
 ASSEMBLIES; CHAPTER 407, KLAMATH ) ORDINANCE NO. 63.01  
 COUNTY PARK REGULATIONS; AND ) ORDINANCE NO. 57.03B  
 CHAPTER 406, KLAMATH COUNTY CLEAN )  
 AIR ORDINANCE; CHAPTER 800, )  
 UNIFORM CIVIL INFRACTION PROCEDURES )  
 \_\_\_\_\_ )

WHEREAS, a periodic review of the Klamath County Code indicated several inconsistencies in the Code; and

WHEREAS, it is in the best interest of Klamath County to amend the Code to correct the inconsistencies;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS HEREBY ORDAIN THAT<sup>1</sup>:

ORDINANCE NO. 16.01

That Chapter 408, Entertainment Assemblies be amended as follows:

CHAPTER 408  
ENTERTAINMENT ASSEMBLIES

. . . . .

**408.005 Bond of Indemnity and Insurance. . . .**

<sup>1</sup> Portions deleted from the old Code are placed in brackets and lined out and portions to be added are boldface and underlined.

(2) Insurance: The permit applicants shall be required to furnish evidence of liability insurance providing for a minimum of \$100,000.00 bodily injury coverage per person, [~~\$300,000.00~~] \$500,000.00 bodily injury insurance per occurrence, and \$100,000.00 property damage coverage, naming Klamath County as an additional insured.

. . . . .

**408.120 Penalties.** Any person who shall violate or fail to comply with any provision of this Ordinance or who having obtained a permit hereunder willfully fails to continue to comply with the terms and conditions thereunder, or who shall counsel, aid, or abet such a violation or failure to comply [~~shall be deemed guilty of a misdemeanor and shall be punished, upon conviction, by imprisonment for not more than thirty (30) days or by a fine of not more than \$1,000.00 or both. A failure from day to day to comply with this Ordinance shall be a separate offense for each such day.~~] is subject to a fine of not more than \$500.00 for a non-continuing violation and a fine of not more than \$1,000.00 for a continuing violation. This Chapter may be enforced in accordance with Chapter 800, Uniform Civil Infraction Procedure.

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## ORDINANCE NO. 46.02

That Chapter 407, Klamath County Park Regulations be amended as follows:

### CHAPTER 407 KLAMATH COUNTY PARK REGULATIONS

. . . . .

#### 407.003 County Park Rules. . . . .

##### (2) Penalties.

Any person who shall violate[s] or fail to comply with any [~~of the~~] provisions of this Ordinance is [~~guilty of a misdemeanor and convictions thereof is punishable by imprisonment in the County jail for not more than one year or by a fine~~] subject to a

fine of not more than \$500.00 for a non-continuing offense and a fine of not more than \$1,000.00 for a continuing offense [~~ex~~ both]. This Chapter may be enforced in accordance with Chapter 800, Uniform Civil Infraction Procedure.

**ORDINANCE 63.01**

That Chapter 406, Klamath County Clean Air Ordinance be amended to delete section 406.600, Right of Review.

**ORDINANCE 57.03B**

That Chapter 800, Uniform Civil Infraction Procedure be amended to read as follows:

**CHAPTER 800  
UNIFORM CIVIL INFRACTION PROCEDURE**

. . . . .

**800.900 Schedule of Penalties.**

(1) Infractions are classified for the purpose of determining penalties in the following categories:

- (a) Class 1 civil infractions.
- (b) Class 2 civil infractions.

(2) An assessment of a penalty for an infraction shall be an assessment to pay an amount not exceeding:

- (a) \$500.00 for Class 1 civil infractions;
- (b) \$250.00 for Class 2 civil infractions;

(3) For a continuing offense where only one citation is used, a fine of not more than \$1,000 may be assessed.

(4) Infractions of specific Klamath County Ordinances are classified as follows:

| CODE PROVISION  | CLASS |
|-----------------|-------|
| KCC Chapter 400 | 1     |
| KCC Chapter 401 | 1     |
| KCC Chapter 402 | 1     |
| KCC Chapter 405 | 2     |

|                        |          |
|------------------------|----------|
| KCC Chapter 406        | 1        |
| <u>KCC Chapter 407</u> | <u>1</u> |
| <u>KCC Chapter 408</u> | <u>1</u> |
| KCC Chapter 601        | 1        |
| KCC Chapter 602        | 1        |
| *KCC Chapter 603       | 1        |
| <u>KCC Chapter 604</u> | <u>1</u> |
| KCC Chapter 700        | 1        |
| KCC Chapter 701        | 2        |
| KCC Chapter 702        | 2        |
| KCC Chapter 703        | 1        |
| Land Development Code  | 1        |


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DONE and dated this 25<sup>th</sup> day of June, 1997.

  
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 Al Switzer  
 Chairman

  
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 William R. Garrard  
 Commissioner

  
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 M. Steven West  
 Commissioner

  
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 Approved as to form - County Counsel