

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF ORDINANCES AMENDING	)	
KLAMATH COUNTY CODE CHAPTER 400, SOLID	)	ORDINANCE NO. 15.09
WASTE MANAGEMENT; CHAPTER 401, NUISANCE	)	ORDINANCE NO. 15.10
CONTROL; CHAPTER 405, AMBULANCE	)	ORDINANCE NO. 39.07
REGULATION; CHAPTER 407, KLAMATH COUNTY	)	ORDINANCE NO. 46.04
PARK REGULATIONS; CHAPTER 408,	)	ORDINANCE NO. 16.02
ENTERTAINMENT ASSEMBLIES; CHAPTER 600,	)	ORDINANCE NO. 55.01A
ACCELERATION OF TAX FORECLOSED	)	ORDINANCE NO. 21.04
PROPERTY; CHAPTER 601, SOCIAL GAMES;	)	ORDINANCE NO. 62.02
CHAPTER 602, SECONDHAND DEALERS;	)	ORDINANCE NO. 38.03
CHAPTER 603, TRANSIENT ROOM TAX;	)	ORDINANCE NO. 67.01
CHAPTER 604, CABLE COMMUNICATION	)	ORDINANCE NO. 28.08
SYSTEMS; CHAPTER 701, PLUMBING CODE;	)	ORDINANCE NO. 27.03
CHAPTER 703, MANUFACTURED DWELLING	)	ORDINANCE NO. 57.04B
PLACEMENT; CHAPTER 800, ENFORCEMENT	)	
OF THE KLAMATH COUNTY CODE	)	
	)	

WHEREAS, a periodic review of the Klamath County Code indicates that some housekeeping amendments are necessary to make the Klamath County Code consistent with the Oregon Revised Statutes and the Oregon Administrative Rules; and

WHEREAS, it is in the best interest of Klamath County to amend the Code to make it consistent with the Oregon Revised Statutes and the Oregon Administrative Rules;

NOW, THEREFORE, the Board of County Commissioners ordains that the Klamath County Code will be amended to read as follows <sup>1</sup>:

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<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.

by law, institute injunction, mandamus, abatement or other appropriate legal proceedings to temporarily or permanently enjoin or abate such storage, accumulation, collection, transportation or disposal; and

(b) The provisions of this Section are in addition to and not in lieu of any criminal prosecution or penalties as provided by this Chapter or State law.

(2) Penalties. The violation of KCC 400.100, 400.200, 400.400, 400.610, or 400.630 shall be punishable upon conviction by a fine of not more than \$~~500~~600.00.

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**400.995 County Disposal Site and Transfer Station Rules.**

(1) Establishment of Rules. Periodically as required, the Director of Public Works will propose to the Board of County Commissioners rules to be followed by the public at the transfer stations.

(2) Penalty. Violation of any provisions of the rules so established by Resolution by the Board of County Commissioners shall be subject to a fine of up to \$~~500~~600 for a one time occurrence and a fine of \$1,000 for a continuing offense. This provision will be enforced in accordance with Chapter 800, Uniform Civil [~~Infraction~~] Violation Procedure of the Klamath County Code.

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**ORDINANCE NO. 15.10**

**CHAPTER 401 CONTENTS**

**CHAPTER 401  
NUISANCE CONTROL**

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**401.005 Definitions.** As used in this Chapter, unless the context requires otherwise, the following terms are defined as follows:

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(8) "Hazardous Waste" means the waste that may, by itself or in combination with other wastes, be infectious, explosive, poisonous, caustic, toxic or otherwise dangerous to human, animal

or plant life or which are defined as hazardous under O.R.S. [459.410] 466.005.

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**401.210 Civil Enforcement Procedures; Injunction; Voluntary Compliance.**

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(7) Any person who willfully violates any provision of an assurance of voluntary compliance approved and filed with an appropriate court under this section shall forfeit and pay to the County a civil penalty to be set by the court of not more than \$[500] 600 per violation, in addition to being subject to the provisions of O.R.S. 33.015, et seq. The enforcement officer may apply to the appropriate court for recovery of such civil penalty and other enforcement.

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**401.310 Penalties.** Violation of any of the provisions of this chapter shall be subject to a fine of up to \$[500] 600.00 for a one time occurrence and a fine of \$1000.00 for a continuing offense.

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**401.430 Waste Tire Storage.**

(1) A business which sellg new or used tires may store up to 3200 square feet of waste tires in interior storage. Interior storage shall include any vehicle which will be used to transport waste tires, including trailers, dumpsters or semi-truck trailers.

(2) A business which sellg new or used tires may store up to 800 square feet of waste tires in exterior storage. Such storage shall be done in the same manner as that provided for new tires in KCC 401.410.

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**401.530 Owner or Occupant to Destroy Weeds.**

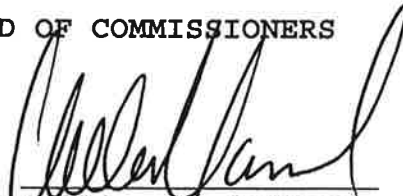
(1) Each person, firm or corporation owning or occupying land within a weed control district shall destroy or prevent the seeding on such land of any noxious weeds by the use of the best means at hand and within the time required in the notice served under the provisions of KCC 401.520 (~~[b]~~2), except that no noxious weed shall be permitted to produce seed.

**800.920 Severability.** The provisions of this Chapter are severable. If a portion of this Chapter is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter.

DONE and dated this 28 day of November, 2000.


**KLAMATH COUNTY BOARD OF COMMISSIONERS**

  
Al Switzer  
Chairman

  
William R. Garrard  
Commissioner

  
M. Steven West  
Commissioner

APPROVED AS TO FORM:

  
Reginald R. Davis  
Klamath County Counsel