

COBURG CITY COUNCIL ACTION/ISSUE ITEM



TOPIC: Adoption of State Statutes as Coburg Violations

Meeting Date: June 8th, 2021
Staff Contact: Larry Larson, Chief of Police
Contact: 541-682-7855, larry.larson@ci.coburg.or.us

REQUESTED COUNCIL ACTION

First Reading of Ordinance A-163-S.

Suggested Motion: First Reading of Ordinance A-163S AN ORDINANCE ADOPTING THE OREGON CRIMINAL CODE, OREGON UNIFORM CONTROLLED SUBSTANCES ACT, OREGON LIQUOR CONTROL ACT, AND THE OREGON MOTOR VEHICLE CODE; REPEALING CONFLICTING ORDINANCES.

CITY COUNCIL GOAL (S):

None. This item is operational.

BACKGROUND

Coburg Police can only issue summons to appear in Coburg's Municipal Court for violations of a Coburg Ordinance. By adopting certain state statutes as also being violations of Coburg's ordinances, the Coburg Police are able to issue summons for these violations into the Coburg Municipal Court. The alternative would be that all summons for these violations would be to the Lane County Circuit Court.

Ordinance A-163-S is the latest in a regular series of ordinances accomplishing this purpose. It makes violations of the traffic laws, similar violations and minor criminal offenses violations of the City ordinance.

RECOMMENDATION AND ALTERNATIVES

The adoption of Ordinance A-163-S is recommended.

The alternative is to not adopt the updated Ordinance. This would mean that changes in the law since 2020 would not be included and it would be improper to issue summons for those offenses.

BUDGET / FINANCIAL IMPACT

There is no immediate budget impact if the Ordinance is adopted. Failure to act would mean an increasing number of offenses for which summons to Coburg Municipal Court could not be issued.

PUBLIC INVOLVEMENT

Public Hearing and First Reading June 8th 2021 City Council Meeting.

NEXT STEPS

Ordinance A-163-S would become effective 30 days after adoption.

ATTACHMENTS

A. Draft Ordinance A-163-S.

REVIEWED THROUGH:

Anne Davies, City Attorney
Anne Heath, City Administrator
Sammy Egbert, City Recorder

**ATTACHMENT A
DRAFT
ORDINANCE NO. A-163-S**

**AN ORDINANCE ADOPTING THE OREGON CRIMINAL CODE, OREGON UNIFORM CONTROLLED
SUBSTANCES ACT, OREGON LIQUOR CONTROL ACT, AND THE OREGON MOTOR VEHICLE
CODE; REPEALING CONFLICTING ORDINANCES.**

THE CITY OF COBURG ORDAINS AS FOLLOWS:

- Section 1. Oregon Criminal Code Adopted.** Violation of any provision of Oregon Revised Statutes chapters 161 through 167, as now constituted, is an offense against this city.
- Section 2. Oregon Uniform Controlled Substances Act Adopted.** Violation of any provision of Oregon Revised Statutes chapter 475, as now constituted, is an offense against this city.
- Section 3. Oregon Liquor Control Act Adopted.** Violation of any provision of Oregon Revised Statutes chapter 471 and 472, as now constituted, is an offense against this city.
- Section 4. Oregon Motor Vehicle Code Adopted.** Except for Oregon Revised Statute 813.170, violation of provisions of Oregon Revised Statutes chapter 153 and chapters 801 through 822, as now constituted, is an offense against this city.
- Section 5. Jurisdiction.** In the above Acts, Codes, and laws of the State of Oregon which are adopted hereby, the City shall have jurisdiction over infractions, violations, offenses, and misdemeanors only.
- Section 6. Severability.** Should any section or provision of this ordinance or the laws adopted hereby be declared unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any part hereof, except that part so declared to be unconstitutional or invalid.
- Section 7. Repeal.** Ordinance No. A-163-R of the City of Coburg is hereby repealed in its entirety. All other ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

This ordinance was read as required by the City of Coburg Charter at the June 8th, 2021 regular meeting of the City Council, and, at the July 27th, 2021 City Council. It was put to a vote.

ADOPTED by the City Council of the City of Coburg this ____ day of _____, 2021, by a vote of ____ for and ____ against.

APPROVED by Mayor of City of Coburg this ____ day of _____, 2021.

Ray Smith, Mayor

ATTEST:

Sammy Egbert, City Recorder