

ORDINANCE BILL NO. 4 FOR 2023

ORDINANCE NO. ____

SWEET HOME ORDINANCE AMENDING VARIOUS SECTIONS OF THE SWEET HOME MUNICIPAL CODE

WHEREAS, Periodically updates to the Sweet Home Municipal Code are necessary to address citizen complaints and protect the health, safety, and general welfare of the public.

NOW THEREFORE,

The City of Sweet Home does ordain as follows:

Section 1. SHMC §8.04.020(B) is amended to read as follows:

- B. *Garbage*. No person shall leave rubbish, garbage, trash, manure, or refuse located on property or sidewalks abutting thereon, and which has not been removed within a reasonable time, and which adversely affects or is detrimental to the health, safety or welfare of the public.

Section 2. SHMC §8.04.025(C) is amended to read as follows:

- C. The Fire Chief or his or her designate or a police officer or Sweet Home Municipal Code Enforcement Officer is authorized to enforce this section under Sweet Home Municipal Code Chapter 9.36 pertaining to violations and any abatement or enforcement procedures. In addition to any other remedy, after requesting that a fire be extinguished by person(s) present, if any, the above-named individuals can proceed to extinguish the fire if his or her request is not complied with. Fires deemed by the Sweet Home Fire District to be dangerous to human life or property may be extinguished without warning to the violator. The cost of any enforcement, abatement or firefighting efforts shall be borne by the person in charge of the property as prescribed by this chapter with the notice and hearing being after the abatement.

Section 3. SHMC §8.04.060 GLASS OPENINGS is renamed DOORS AND WINDOWS and amended to read as follows:

No person shall allow a window or door in a structure to be left broken for more than 48 hours.

Section 5. SHMC §8.04.130 OPEN STORAGE AT RESIDENCES is renamed OPEN STORAGE and is amended to read as follows:

- A. For the purposes of this section, open storage is defined as the accumulation of property for use when needed or later, or for disposal, in an area that is exposed to view from a public or private street, road, shared driveway, or alley. Unless otherwise stated in this chapter, items stored behind a solid or site-obscuring fence that is at least 6 feet tall are not considered open storage.

- B. No person shall leave debris or junk anywhere within view of a public or private street, road, shared driveway or alley on the property or sidewalks abutting thereon.
- C. No person shall leave oil, fuel, chemical barrels or similar containers exposed to public view from a public or private street, road, shared driveway or alley for a period in excess of three days. This section does not prohibit barrels, containers or tanks attached to a building and used as a reservoir for oil or fuel.
- D. At residential properties:
 - a. No person shall store parts of vehicles, machinery or equipment; lumber, plywood or building materials; buckets, cans or bottles; truck canopy, bikes or toys; household furniture and household furnishings manufactured, built or designed for inside use (out of the elements) and other personal property manufactured, built or designed for inside use or interior use (out of the elements); and personal property that is manufactured, built or designed for attachment to a structure as shutters, doors and windows, in front or street side yards at all, or interior side yards if a backyard is available for storage. "Yard", for this subsection, shall include driveway.
 - b. No person shall store an appliance (operable or inoperable) or plumbing fixture in view of a public or private street, road, shared driveway or alley.
 - c. No person shall leave a burn barrel exposed to public view from a public or private street, road, shared driveway or alley when burn season is closed.
 - d. No person shall store lumber, plywood or building materials in view of a public or private street, road, shared driveway or alley unless each type of item is stacked in a uniform formation one upon another with edges flush.
 - e. No person shall leave accumulations of limbs, branches and/or brush on property for longer than one entire burn season that can be seen from a public or private street, road, shared driveway or alley. This section is in addition to any other provision of this chapter or other city ordinance and not a limit thereon. If other materials are included in the piles and are removed under another provision of the law, then the limbs, branches and brush can be removed, with the other materials per the other provision.
 - f. No person shall park a motor vehicle or utility trailer in the front yard or street side yard for longer than 72 hours at any one time. "Yard", for this subsection, does not include driveway. Abatement of the motor vehicle or trailer may be accomplished by following the procedures outlined in Chapter 10.16 or any amendment thereof for discarded vehicles.
- E. At Commercial Properties:
 - a. Where permitted under SHMC Title 17, equipment, materials, or merchandise for sale or rent may be displayed in a neat and orderly fashion; otherwise any open storage may only take place behind a site-obscuring fence.
- F. At Industrial Properties:
 - a. Open storage at industrial sites may only take place behind a site-obscuring fence.

Section 6. SHMC §12.12.130(C) and (D) are amended to read as follows:

- C. The City Manager or designee can require the owner or caretaker of a domesticated animal to remove a domesticated animal from a park if necessary to prevent interference by the domesticated animal with the safety, comfort, or well-being of park visitors or resources.
- D. No person shall have livestock in a park without first obtaining a permit for said livestock from the City Manager or designee.

Section 7. SHMC §12.16.110(C) is amended to read as follows:

- C. *Removal.* The city may cause the removal of all, or part of any dead, dangerous or diseased tree located on private property that constitutes a hazard to life or property or harbors insect or disease which constitute a potential threat to other trees within the city, or may require the property owner to remove or trim any such tree on private property. At the discretion of the city, a licensed arborist may be consulted regarding the condition of potentially dangerous trees. Failure of the property owner to take corrective action within 30 days after receiving notice by the city is a violation of this chapter.

PASSED by the Council and approved by the Mayor this ___ day of February, 2023.

Mayor

ATTEST:

City Manager - Ex Officio City Recorder