

ORDINANCE NO. 694

AN ORDINANCE OF THE CITY OF WILSONVILLE READOPTING WILSONVILLE CODE SECTIONS 5.000, AND 1.013, CONCERNING APPLICATION OF THE MOTOR VEHICLE CODE IN THE CITY, THE MANNER IN WHICH VIOLATIONS ARE ENFORCED, AND THE PENALTIES THEREFOR.

WHEREAS, the City of Wilsonville has adopted the Oregon Vehicle Code and state statutory procedure for violation enforcement;

WHEREAS, since that time, the Oregon Legislature has enacted amendments to state law respecting the Oregon Vehicle Code and the statutory chapter on Violations and Traffic Offenses;

WHEREAS, the Oregon Supreme Court has held that where the reference to a system or body of laws is referred in general terms instead of specific terms, the referring statute takes the law not only in its contemporary form but also as it may be changed from time to time;

WHEREAS, the City of Wilsonville's municipal code referring to the Oregon Vehicle Code and Violation Offenses is in general, instead of specific terms;

WHEREAS, nevertheless, the applicability of the latest Vehicle Code amendments as city code violations may be questioned, and to foreclose litigation on the issue, it is in the public interest to readopt the state law respecting the Oregon Vehicle Code, Violations, and Traffic Offenses;

NOW THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. That Wilsonville Code section 5.000 is hereby readopted as follows:

5.000. State Laws Applicable.

The laws of the State of Oregon governing the operation of motor vehicles contained in the Oregon Vehicle Code, as defined in ORS 801.010, are hereby adopted and made applicable inside the City as part of this Code. All motor vehicles operated in the City shall be operated in

accordance with the laws of the State of Oregon and the provisions of the Wilsonville Code. Any person who operates a motor vehicle contrary to the laws of the State or Wilsonville Code, shall be guilty of a violation of this Chapter.

Section 2. That Wilsonville Code section 1.013 is hereby readopted as follows:

1.013. Violation Enforcement.

Violations shall be enforced pursuant to the provisions of ORS 153.005 to 153.800.

Section 3. That this ordinance shall be and is hereby declared to be in full force and effect on the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 18th day of April, 2011, at the hour of 7 p.m. at the Wilsonville Community City Hall, and scheduled for the second reading on the 2nd day of May, 2011 at the Wilsonville City Hall.

SANDRA C. KING, MMC, City Recorder

ENACTED by the City Council on the ___th day of ____, 2011, by the following votes:

Yes: No:

SANDRA C. KING, MMC, City Recorder

DATED and signed by the Mayor this _____ day of 2011.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp

Councilor President Núñez

Councilor Hurst

Councilor Goddard

Councilor Starr