

ARTICLE 10. GENERAL PROVISIONS

SECTION 10.010. INTERPRETATION. Where the conditions imposed by a provision of this Ordinance are less restrictive than comparable conditions imposed by any other provisions which are more restrictive, the more restrictive shall govern.

SECTION 10.020. SEVERABILITY. The provisions of this Ordinance are severable. If any section, sentence, clause, or phrase of this Ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not effect the validity of the remaining portions of the Ordinance.

SECTION 10.030. REMEDIES. In case a building or other structure is, or is proposed to be, located, constructed, maintained, repaired, altered, or used, or any land is or is proposed to be used in violation of this Ordinance, the County Court or a person whose interest in real property in the county is or may be affected by the violation, may, in addition to other remedies provided by law, institute injunction, mandamus, abatement, or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate, or remove the unlawful location, construction, maintenance, repair, alteration or use. When a temporary restraining order is granted in a suit instituted by a person who is not exempt from furnishing bonds or undertakings under state law, the person shall furnish undertaking as provided in ORS 32.010 to 32.060.

SECTION 10.040. VIOLATION DECLARED A NUISANCE. The location, erection, construction, maintenance, repair, alteration or use of a building or structure or the subdivision, other partitioning, or other use of land, in violation of this Ordinance is declared a nuisance.

SECTION 10.050. CRIMINAL PENALTIES.

A. The location, erection, construction, maintenance, repair, alteration or use of a building or structure or the subdivision, other partitioning or other use of land, in violation of this Ordinance is punishable upon conviction by a fine of not more than \$500 for a

noncontinuing offence and a fine of not more than \$1,000 for a continuing offence.

B. Each and every day in which a location, erection, maintenance, repair, alteration or use of a building or structure or the subdivision, other partitioning or other use of land, in violation of this Ordinance continues is a separate offence.

SECTION 10.060. REPEAL. All previous Morrow County Zoning Ordinances, whether permanent, interim or special purpose, and all amendments thereto are hereby repealed.

SECTION 10.070. REPEAL OF ORDINANCES AS AFFECTING EXISTING LIABILITIES. The repeal of any ordinance shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such ordinance, unless a provision of this ordinance shall so expressly provide, and such ordinance repealed shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability, and for the purpose of a person or persons who violated this repealed ordinance or a part thereof prior to the effective date of this Ordinance.

SECTION 10.080. ENACTMENT This Ordinance was adopted by the Morrow County Court on November 7, 2001. This Ordinance shall become effective 90 days after the date of its adoption by the Morrow County Court. (MC-C-3-01)