

Lane Code Chapter 1 – GENERAL

Lane Code is undergoing a modernization process; the renumbering reference and redline versions that follow were prepared at the time of conversion, and have not been updated as the chapter has been revised.

Old	New
1.005	1.005.005
1.010	1.005.010
1.015	1.005.015
1.020	1.005.020
1.025	1.005.025
1.030	1.005.005

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**LEGISLATIVE
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Lane Code

Chapter 1 – GENERAL

Chapter 1.005 – LANE CODE GENERAL

1.005.001 Renumbering of Lane Code and Lane Manual.

The Board has determined that the Lane County Office of Legal Counsel shall renumber the sections of the Lane Code and the Lane Manual to accommodate the transition of these rules and policies to an online platform not later than June 30, 2022. Following the renumbering of each chapter, that Office shall post a marked-up version of that chapter showing both the old and new numbering of the chapter's sections on the County's public internet site. Until all sections and subsections of the Code and the Lane Manual have been renumbered and posted, references to a section or subsection in the Code or Lane Manual may use either numbering format and the requirements of the referenced section or subsection shall be equally binding under the Code or Manual.

1.005.005 Code Designated.

All ordinances included in this and the following Chapters shall constitute and be designated "The Lane Code, ~~1972~~" and ~~will is~~ hereafter ~~be~~ referred to as **the** "Code." When referring to specific sections of the Code, the letters "LC" should precede the numerical designation.

(Ordinance 24-72, 2.20.73)

1.005.010 Definitions and Rules of Construction.

The following definitions and rules of construction shall be observed unless inconsistent with the intent of the Board or the context clearly requires otherwise.

"Computation of Time" means the time within which an act is to be done is computed by excluding the first day and including the last unless the last day falls upon a **Saturday, on a** legal holiday as defined in ORS 187.010 and 187.020 ~~or on a Saturday~~, or on any day which the relevant departmental offices are closed, in which case the last day is also excluded, and the act may be performed on the next succeeding business day.

"Board" means the Board of County Commissioners.

"**Chair**" ~~or~~ "Chairman" means the Chair~~man~~ of the Board of County Commissioners.

"Charter" means Lane County Home Rule Charter.

"City" means an incorporated city or town.

"County" means Lane County, Oregon.

"Day" means the period of time between any midnight and the midnight following.

"Daytime; Nighttime" means "Daytime" is the period of time between sunrise and sunset. "Nighttime" is the period of time between sunset and sunrise.

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“Department, Board, Commission, Office, Officer or Employee” means a department, board, commission, office, officer, or employee of ~~the Lane~~ County.

“Failure to Comply” means any failure to comply with an ordinance where the ordinance does not specify that it is punishable by a fine or incarceration, but which is subject to administrative enforcement.

“Gender” means the masculine gender includes the feminine and neuter.

“Joint Authority” means all words giving joint authority to three or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

“Lane County Planning Commission” the Planning Commission of Lane County, Oregon. The act of a majority of the quorum shall be the act of the Lane County Planning Commission unless otherwise provided by order of the Board.

“Misdemeanor” means a violation of an ordinance specifically remediable by incarceration.

“Oath” includes affirmation.

“Official Time” means whenever certain hours are named herein, they shall mean the standard of time as set out in ORS 187.110.

“Or, And” means “or” may be read “and” and “and” may be read “or,” if the sense requires it.

“ORS” means Oregon Revised Statutes.

“Peace Officer” means a member of the ~~Department of Public Safety~~ **Lane County Sheriff’s Office** or other officer specified in ORS 133.470**005**.

“Person” means individuals, public or private corporations, associations, firms, partnerships, joint stock companies, governmental agencies, political subdivisions of the State of Oregon (including municipal corporations), trusts, estates or any other legal entity.

“Personal Property” means every species of property, except real property, as herein defined.

“Planning Commission” means unless otherwise expressly indicated, Planning Commission used anywhere in the Lane Code or Lane Manual means the Lane County Planning Commission.

“Process” means a writ or summons issued in the course of judicial proceedings of either a civil or criminal nature.

“Property” means both real and personal property.

“Real Property” means lands, tenements and hereditaments.

“Shall, May” means “Shall” is mandatory and “may” is permissive.

“Signature or Subscription By Mark” means “signature” or “subscription” includes a mark when the signer or subscriber cannot write, the signer’s or subscriber’s name being written near the mark by a witness who writes his own name near the signer’s or subscriber’s name, but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto.

“State” means **State of** Oregon.

“Tenant or Occupant” means a person holding a written or an oral lease of, or who occupies, the whole or a part of the building or land, either alone or with others.

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“Tenses” means the present tense includes the past and future tenses, and the future includes the present.

“To” means "to and including" when used in reference to a series of sections of this Code or when reference is made to ORS.

“Violation” means a violation of an ordinance specifically remediable by a fine, but which does not provide for punishment by a term of incarceration.

“Week” means seven consecutive days.

“Writing” means any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this Code, it shall be made in writing in the English language unless it is expressly provided otherwise.

“Year” means a calendar year, except where otherwise provided.

(Ordinance 24-72, 2.20.73; 21-82, 8.11.82; 12-97, 11.20.97; 1-00, 4.12.00)

1.005.015 Continuation of Existing Ordinances.

The provisions appearing in this Code, so far as they are the same as those of ordinances existing at the time of the effective date of this Code, shall be considered as continuations thereof and not as new enactments.

(Ordinance 24-72, 2.20.73)

1.005.020 Effect of Repeal of Ordinances.

The repeal of an ordinance shall not revive an ordinance in force before or at the time the ordinance repealed took effect. The repeal of an ordinance shall not affect a punishment, penalty or forfeiture incurred before the repeal took effect, nor a suit, prosecution or proceeding pending at the time of the repeal, for an offense committed under the ordinance repealed.

(Ordinance 24-72, 2.20.73)

1.005.025 Severability of Parts of Code.

It is hereby declared to be the intention of the Board that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional or invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

(Ordinance 24-72, 2.20.73)

1.005.030 Titles of Sections.

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The titles of the several sections of this Code are intended as descriptions to indicate the contents of the section and shall not be deemed as a part of the section, nor, unless expressly so provided, shall they be so deemed when sections, including the title, are amended or reenacted.

(Ordinance 3-72, 2.9.72