

ORDINANCE NO. 09-267A
AN ORDINANCE AMENDING Ordinance 09-267

WHEREAS, the Council has determined that due to increased nuisances in the City and specific penalties not provided, and

WHEREAS, the Council is concerned for public safety within the City, and

WHEREAS, the Council is desirous of seeing an increase in responsibility in ownership of real property and individual nuisances,

THE CITY OF LAKESIDE ORDAINS AS FOLLOWS:

Ordinance 09-267-an Ordinance defining Nuisances and providing for Abatements, Section 5.5.010 is amended to read as follows by the added language in italics:

No person shall operate or use an electrical, mechanical or other device, apparatus, instrument or machine that causes reasonably preventable interference with radio or television reception by a radio or television receiver of good engineering design, *between the hours of 10: 00 p.m. and 5:00 a.m. unless such interference comes from a public festival or public indoor/outdoor event.* (This section does not apply to devices licensed, approved and operated under the rules and regulations of the Federal Communications Commission.)

Ordinance 09-267-an Ordinance defining Nuisances and providing for Abatements, is amended by adding the following Section:

Section 12: General Provisions.

12.12.010:

Summary Abatement: The procedure provided by this ordinance is not exclusive, but is an addition to procedure provided by other ordinances. Any city official may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life or property.

12.12.020:

Penalty: Any person in violation of any provision of this ordinance shall, upon conviction thereof, be imposed a fine not to exceed the amount of \$750, per violation.

12.12.030:

Separate Violations:

(1) Each day's violation of a provision of this ordinance constitutes a separate offense.

(2) The abatement of a nuisance is not a penalty for violating this ordinance, but is an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate the nuisance. However, abatement of a nuisance within 10 days of the date of notice to abate,

or if written protest has been filed, then abatement within 10 days of Council determination that a nuisance exists, will relieve the person responsible from the imposition of a fine under Section 12.12.020 of this Ordinance.

Therefore, this Ordinance shall become effective 30 days upon its passage by the City Council and approval by the mayor.

FIRST READ to the Council the 8th day of April, 2010.

PASSED by the Council this 10th day of June, 2010.

SIGNED by the Mayor this 11th day of June, 2010.

Effective this 11th day of July, 2010.

APPROVED:



Mayor

ATTEST:

Charlie Hill
City Administrator/Charlie Hill