

Title 8

HEALTH AND SAFETY

Chapters:

- 8.04 Alarm Systems**
- 8.08 Dismantled Vehicles**
- 8.12 Nuisances**
- 8.16 Insect Pests**
- 8.20 Litter Control**
- 8.24 Garbage**
- 8.28 Expectoration**
- 8.32 Alighting from Moving Trains**

Chapter 8.04

ALARM SYSTEMS

Sections:

- 8.04.010 Findings and policy.
- 8.04.020 Definitions.
- 8.04.030 Alarm system permits.
- 8.04.040 Duties of alarm users.
- 8.04.050 False alarm fees.
- 8.04.060 Obligations of alarm monitors.
- 8.04.070 Denial and termination of permits.
- 8.04.080 Revocation of permits.
- 8.04.090 Effective date.

8.04.010 Findings and policy.

The council finds that an increasing number of businesses and homes in the city of North Bend are providing protection from burglary and robbery by means of alarm systems which provide a communication to the North Bend police department for the purpose of soliciting a response. Many of such alarm systems are not properly installed, serviced, maintained or operated and are thereby producing large numbers of false alarms which unreasonably burden the emergency response capabilities of the city by unnecessary use of communications, office personnel, police officers and police vehicles for nonemergency situations. Such false alarms also increase costs for the taxpayers as well as decreasing the availability of needed police services. It shall be the policy of the city of North Bend to impose the duty on users of alarm systems to provide proper installation, servicing, maintenance and operation to avoid false alarms and to impose charges on those alarm users who fail to carry out such duties and to revoke permits for use of alarm systems by those who do not comply with the provisions of this chapter. (Ord. 1608 § 1, 1980)

8.04.020 Definitions.

(1) "Alarm monitor" means any person, firm or corporation engaged in the business of receiving from alarm users and transmitting to the North Bend police department communications or signals originating from alarm users.

(2) "Alarm system" means any assembly of equipment, mechanical or electrical, arranged to signal the presence of illegal entry or activity requiring urgent attention and which is interconnected to the North Bend police department.

(3) "Alarm user" means any person, firm, partnership, association, corporation or other organiza-

tion, public or private, in control of premises wherein an alarm system is being maintained.

(4) "False alarm" means any activation of an alarm system not resulting from criminal activity or unauthorized entry upon or following which communication is made to the police department giving notice of the alarm. If the alarm when communicated to the department is clearly identified to the department as resulting from an authorized system test, it shall not be considered a false alarm. Alarm signals resulting from causes other than defective equipment or installation or improper operation of the system shall not be considered false alarms under the provisions of this chapter. If police units responding to an alarm and checking the protected premises are unable to discover any evidence of unauthorized entry or criminal activity, there shall be a rebuttable presumption that the alarm is false. In case of dispute, the North Bend police chief shall make a determination as to whether an alarm was false as herein defined. (Ord. 1608 § 2, 1980)

8.04.030 Alarm system permits.

Before activating any alarm system, an alarm user or the agent of such user shall first obtain a permit from the North Bend police department for such alarm system and shall pay a fee of \$5.00 for such permit. Alarm system permits shall remain in effect for a period of two calendar years or the remaining portion thereof unless sooner revoked under the terms of this chapter or unless such system is dismantled or abandoned by the alarm user. No fee shall be charged for renewal of an existing permit. (Ord. 1608 § 3, 1980)

8.04.040 Duties of alarm users.

It shall be the duty of each alarm user to cause the alarm system to be properly installed, serviced, maintained and operated so that such system will not produce false alarms. It shall also be the obligation of each alarm user to obtain and provide to appropriate occupants and employees of the premises proper instruction on the use and operation of such alarm system. (Ord. 1608 § 4, 1980)

8.04.050 False alarm fees.

During any one calendar year an alarm system for which a permit has been issued shall be allowed six false alarms without any fee or charge being imposed. Commencing with the seventh false alarm and each false alarm thereafter during the calendar year, there shall be paid to the city of

North Bend by the alarm user the sum of \$25.00 for each false alarm. Failure to pay a false alarm fee within 30 days from the mailing or delivery of a notice requesting such payment shall be a violation of this chapter. Where the alarm system is operated through an alarm monitor, such monitor shall be mailed a duplicate copy of the notice to the user requesting payment. (Ord. 1608 § 5, 1980)

8.04.060 Obligations of alarm monitors.

Alarm monitors which have service agreements with alarm users shall be responsible for compliance by such users with the terms and provisions of this chapter, and notices requiring compliance or notices of revocation for user violations of this chapter shall be given to the alarm monitors. Alarm monitors receiving notices to comply or notices of revocation shall either comply with such notices or terminate the contracts with the noncomplying users. A failure on the part of an alarm monitor to comply with this section shall be a violation of this chapter, and the continuation of such violation after the mailing or delivery of a 30-day written notice to the alarm monitor shall be sufficient cause for the police department to cease taking messages or communications from such monitor. (Ord. 1608 § 6, 1980)

8.04.070 Denial and termination of permits.

(1) The North Bend police department shall not be obligated to issue permits for alarm systems to be wired directly into the police department.

(2) The chief of police may require the removal of any alarm system wired directly to the police department when such alarm system is defective or is interconnected with a fire alarm or is a combination fire and police alarm.

(3) Whenever it is determined by the chief of police that false alarms are seriously impairing the ability of the police department to perform its duties and functions, the chief of police may restrict the issuance of new alarm system permits to high risk premises. (Ord. 1608 § 7, 1980)

8.04.080 Revocation of permits.

Whenever an alarm user shall violate or fail to comply with the provisions of this chapter, including the duties of alarm users, the chief of police may mail or deliver written notice thereof to the alarm user and if such user shall fail or refuse to comply with such notice and this chapter within a period of 30 days, then the chief of police may revoke the alarm system permit issued under the

terms of this chapter and terminate response services to such user. Any such user may appeal from the notice of the chief of police by giving written notice of such appeal and the reasons therefor to the city recorder within 10 days after receipt of the written notice from the chief of police, and the city council will hear such appeal at its next regular council meeting held not earlier than three days after the receipt of such notice of appeal. The decision of the city council on such appeal shall be final and conclusive. (Ord. 1608 § 8, 1980)

8.04.090 Effective date.

This chapter shall go into effect 30 days after its enactment by the council, but alarm users shall have 60 days thereafter within which to apply for and be issued permits under the terms of this chapter. For the purpose of determining the number of false alarms for any alarm system during the calendar year 1980, such alarms shall be counted only from and after the expiration of 30 days from the enactment of this chapter. (Ord. 1608 § 9, 1980)

Chapter 8.08

DISMANTLED VEHICLES

Sections:

- 8.08.010 Findings.
- 8.08.020 Unlawful – License required.
- 8.08.030 Unlawful – Exemptions.
- 8.08.040 Keeping premises free from dismantled vehicles – Duty of owners.
- 8.08.050 Violation – Penalty.

8.08.010 Findings.

The council hereby finds, determines and declares that the bodies of motor vehicles which have been wholly or partially dismantled and allowed to lie on private or public property within the city of North Bend constitute an attractive nuisance and danger to children, a sanitation hazard and a public nuisance which should be abated and controlled. The council further finds that NBCC Title 18 which prohibits the use of premises in all zones excepting the heavy industrial district for automobile wrecking or storage yard does not afford an adequate remedy against the practice of dismantling one or more motor vehicles and leaving the dismantled bodies in such a condition that they constitute a public nuisance, and this chapter shall in no way impair or repeal any of the provisions of NBCC Title 18 or prevent the conduct of individuals in proper circumstances from being a violation of this chapter and this title and NBCC Title 18. (Ord. 1067 § 1, 1957)

8.08.020 Unlawful – License required.

It shall be unlawful for any person, firm or corporation, not being duly licensed by the state of Oregon, to engage in the business of wrecking, dismantling, permanently disassembling or substantially altering the form of any motor vehicle within the city of North Bend. (Ord. 1067 § 2, 1957)

8.08.030 Unlawful – Exemptions.

(1) It shall be unlawful for any person, firm or corporation to dismantle or wreck, in whole or in part, any motor vehicle with the intention of allowing such dismantled motor vehicle body, or portions thereof, to remain upon any public or private property within the city of North Bend, and the leaving of such dismantled motor vehicle body upon any public or private property within the city of North Bend for a period of more than 30 days

shall be conclusive evidence of such intention for the purposes of this chapter.

(2) This section shall not apply to licensed motor vehicle wreckers who are not otherwise in violation of this chapter or NBCC Title 18, and this section shall also not apply to motor vehicle bodies which are stored or kept in a garage or other substantial enclosure so that such bodies cannot collect water, cannot be accessible to children, and cannot otherwise become a public nuisance. (Ord. 1067 § 3, 1957)

8.08.040 Keeping premises free from dismantled vehicles – Duty of owners.

It shall be the duty of the owner or owners, contract purchasers, lessees, or other persons having the right to the possession of, and control over, property within the city of North Bend to keep their premises free from wholly or partially dismantled motor vehicle bodies as defined in NBCC 8.08.030, and it shall be unlawful for any owner, contract purchaser, lessee or other person having the right to the possession of, and the control over, any premises within the city of North Bend to cause, permit or suffer such dismantled motor vehicle bodies to remain on such property for more than 30 days after receiving written notice from the city of North Bend to abate such nuisance. (Ord. 1067 § 4, 1957)

8.08.050 Violation – Penalty.

Violation of, or failure to comply with, any provision of this chapter is punishable upon conviction by a fine not to exceed \$300.00, and each day that such violation shall continue and persist, after due notice thereof, shall constitute a separate and distinct violation of this chapter. (Ord. 1386 § 2, 1969; Ord. 1067 § 5, 1957)

Chapter 8.12

NUISANCES

Sections:

- 8.12.010 Nuisances designated.
- 8.12.020 Particular nuisance declared – Hearing.
- 8.12.030 Abatement – Procedure.
- 8.12.040 Notice.
- 8.12.050 Liability.
- 8.12.060 Violation – Penalty.
- 8.12.070 Abatement – Additional to other procedures.

8.12.010 Nuisances designated.

For the purposes of this chapter, nuisances which are subject to abatement shall include the following objects and conditions:

- (1) Wholly or partially dismantled motor vehicles as defined in Chapter 8.08 NBCC.
- (2) Any privy or cesspool which has not been properly filled and made sanitary, whether in use or not.
- (3) Any septic tank from which wastes drain, flow or become deposited upon the property of another or come to the surface of the ground and cause offensive odors.
- (4) Garbage, as defined in Chapter 8.24 NBCC, which is situated upon private property in violation of such chapter.
- (5) Any excavation, pit, hole or quarry which is open or inadequately protected.
- (6) Any stagnant water which affords a breeding place for mosquitoes and other insect pests or which is attractive to children.
- (7) Dry weeds, grass or brush which is capable of causing fires or spreading fires to adjoining properties.
- (8) Any white cedar tree, also known as Port Orford cedar, which is infested with *Phloeosinus sequoiae*, commonly known as bark beetle, *Ulex-europaeus*, also known as gorse or Irish furze, any poplar, willow, conifer, cottonwood, ailanthus, fruit or nut tree which is situated in the platted area of a street or alley on which in adjacent to an improved public street or sidewalk, and any willow, cottonwood or poplar situated on, adjacent to, or near the line of any public sewer.
- (9) An accumulation of junk, debris or personal property which is, or which is likely to become, rodent infested.

(10) Any airport hazard or nonconforming use existing in violation of the provisions of North Bend Airport Zoning, Chapter 18.56 NBCC.

(11) Unstabilized sand existing in violation of the provisions of Chapter 15.20 NBCC. (Ord. 1638 § 1, 1981; Ord. 1532 § 1, 1976; Ord. 1284 § 1, 1965)

8.12.020 Particular nuisance declared – Hearing.

In addition to the conditions and objects specifically enumerated and defined as nuisances in this chapter, the council of the city of North Bend may, after the notice and hearing provided herein, declare a particular condition or object to be a nuisance where the council finds such condition or object to be hazardous, injurious, or detrimental to the public health, safety, or welfare. Upon receiving notice that a condition or object is alleged to be a nuisance, the council may hold a hearing at which the owner and other persons interested may appear, testify, and present evidence. Seven days' notice of such hearing shall be given to the owner of the property by delivery or certified mail if he can be found, or the notice may be posted upon the property and published in a newspaper of general circulation in the city of North Bend if the owner cannot be found, and such publication and posting shall not be less than seven days prior to such hearing. The hearing may be recessed one or more times; and at the conclusion of such hearing the council shall determine whether or not the object or condition shall be considered a nuisance. If the council determines that the object or condition is a nuisance, then the council shall order the owner or person having possession or right to possession of such property to abate such nuisance within a specified period of time which shall not be less than 10 days from the date of such order. If such nuisance is not abated as ordered by the council, then the city shall abate such nuisance in the manner provided in NBCC 8.12.030(3) and (4). (Ord. 1284 § 2, 1965)

8.12.030 Abatement – Procedure.

Any nuisance as defined in NBCC 8.12.010 may be abated by the city of North Bend by the following procedure:

- (1) Whenever the city administrator shall receive information indicating that a condition or object is a nuisance as defined in this chapter, then the city administrator shall cause notice to be given to the owner or other person in possession of or in charge of such property, describing the property by

street address or description of land, describing the nuisance situated upon the property and demanding that the nuisance be abated within a specified period of time which shall not be less than 10 or more than 30 days from the date of such notice, and such notice shall also contain a statement that unless the nuisance is abated within the time provided the city will abate such nuisance and charge the cost thereof against the property as a special assessment, and such notice shall further state that the owner or possessor of such property shall have the right to a hearing before the council by mailing or delivering a written request for a hearing within 10 days from the date of such notice. Said notice shall be posted upon the property and mailed to the owner of such property by certified mail or delivered to such owner in person, but if the owner shall be unknown or cannot be found, then said notice shall be published once in a newspaper of general circulation in the city of North Bend.

(2) In the event that a hearing is requested by the owner or possessor of the property containing the alleged nuisance, then the matter shall be heard by the council at its next regular meeting. At the conclusion of such hearing, the council shall issue appropriate findings and orders.

(3) In the event that a nuisance shall not be abated within the time specified by the notice from the city administrator or by order of the city council, then such nuisance shall be abated by the city of North Bend and the cost of such abatement shall be charged against the property as a special assessment and shall become a lien upon the property to be collected in the same manner as public improvement liens.

(4) The city administrator may call for bids for the abatement work or may use city employees and equipment to perform all or any part of such work. If city employees or equipment are used, their labor shall be charged at the prevailing rate of wage for the same or similar work within the city. All publication and mailing costs together with a charge equal to 10 percent of the cost of the abatement work shall be charged to cover administrative expenses of the city. (Ord. 1284 § 3, 1965)

8.12.040 Notice.

If notices are properly published and posted, then no mistake as to the name or address of the owner, or failure of the owner to receive notice, shall invalidate an abatement proceeding. (Ord. 1284 § 4, 1965)

8.12.050 Liability.

Neither the city, nor any officer, employee or contractor of the city shall be liable for entering premises containing nuisances or for removing or destroying such nuisances where such acts are performed under the terms of this chapter. (Ord. 1284 § 5, 1965)

8.12.060 Violation – Penalty.

Violation of, or failure to comply with, any provision of this chapter is punishable upon conviction by a fine not to exceed \$300.00, and each day that such violation shall continue and persist after due notice thereof shall constitute a separate and distinct violation of this chapter. (Ord. 1386 § 2, 1969; Ord. 1284 § 6, 1965)

8.12.070 Abatement – Additional to other procedures.

The procedure for abatement of nuisances contained in this chapter shall be in addition to, and not in limitation of, any other procedure permitted by common law or provided by ordinance, and this chapter shall not be construed to limit or restrict summary abatement of nuisances which are an immediate danger to lives or property. Imposition of the penalties provided in this chapter shall not be construed to limit the penalties provided in other ordinances for the maintenance or creation of nuisances or to prevent abatement of nuisances after a penalty has been imposed. (Ord. 1284 § 7, 1965)

Chapter 8.16**INSECT PESTS**

Sections:

- 8.16.010 Definition.
 8.16.020 Abatement.
 8.16.030 Inspections.

8.16.010 Definition.

For purposes of this chapter the term “insect pests” shall include cockroaches, fleas and such other insect pests as may be found within buildings and structures within the corporate limits of the city of North Bend in sufficient numbers to be detrimental to the public health, safety and welfare or which shall be found and declared by resolution of the city council to be public health hazards, and all such insect pests are hereby declared to be public nuisances which should be abated. (Ord. 1345 § 1, 1966)

8.16.020 Abatement.

NBCC 8.12.030 through 8.12.070 are hereby adopted by reference and made a part of this chapter for the abatement of the nuisance hereby declared and the enforcement of this chapter. (Ord. 1345 § 2, 1966)

8.16.030 Inspections.

The officers, agents and employees of the Coos County health department and of the city of North Bend are hereby empowered to make inspections of property and premises within the corporate limits of the city of North Bend at reasonable times where such officer, agent or employee has some reason or cause to believe that such property or premises may be infested with insect pests. In the enforcement of this chapter and the abatement of the nuisances herein described, officials and employees of the Coos County health department shall have the same powers and immunities as officers and employees of the city of North Bend. (Ord. 1345 § 3, 1966)

Chapter 8.20**LITTER CONTROL**

Sections:

- 8.20.010 Definitions.
 8.20.020 Placing in receptacles.
 8.20.030 Accumulation – Keeping sidewalks clear – Property owners.
 8.20.040 Accumulation – Keeping sidewalks clear – Business owners.
 8.20.050 In parks.
 8.20.060 Handbills – Distributing.
 8.20.070 Handbills – Depositing on vehicles.
 8.20.080 Handbills – Vacant or uninhabited premises.
 8.20.090 Posting notices or posters.
 8.20.100 Depositing on private property.
 8.20.110 Maintenance of premises.
 8.20.120 Depositing on open or vacant property.
 8.20.130 Violation – Penalty.

8.20.010 Definitions.

The following words and phrases when used in this chapter shall have the following meanings:

(1) “Handbill” means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or other printed or otherwise reproduced original or copies of any matter or literature.

(2) “Litter” means garbage, refuse, rubbish and all other waste material and matter which is commonly discarded or disposed of including animal and vegetable waste materials or things, paper, wrapping, cigarettes, cardboard, tin cans, clippings from vegetation, leaves, wood, glass, metal, plastics and other materials or objects of any kind or nature whatsoever.

(3) “Newspaper” means any newspaper of general circulation as defined by law, any newspaper duly classified as such by the United States Post Office, and in addition thereto, it shall include any periodical or current magazine regularly published and sold to the public. (Ord. 1335 § 1, 1966)

8.20.020 Placing in receptacles.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 2, 1966)

8.20.030 Accumulation – Keeping sidewalks clear – Property owners.

No person shall sweep into or deposit into any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 3, 1966)

8.20.040 Accumulation – Keeping sidewalks clear – Business owners.

No person owning or occupying a place of business shall sweep or deposit into any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying a place of business within the city shall keep the sidewalk in front of their business premises free of litter. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 4, 1966)

8.20.050 In parks.

No person shall throw or deposit litter in any park within the city except in receptacles provided therefor and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 5, 1966)

8.20.060 Handbills – Distributing.

No person shall throw or deposit any handbill in or upon any sidewalk, street or other public place within the city, nor shall any person hand out or distribute or sell any handbill in any public place; provided, however, that it shall not be unlawful on any sidewalk, street, or other public place within the city for a person to hand out or distribute, without charge to the receiver thereof, a handbill to any person willing to accept it. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 6, 1966)

8.20.070 Handbills – Depositing on vehicles.

No person shall throw or deposit any handbill in or upon any vehicle; provided, that it shall not be unlawful in any public place for a person to hand out or distribute without charge to the receiver thereof a handbill to any occupant of a vehicle who is willing to accept it. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 7, 1966)

8.20.080 Handbills – Vacant or uninhabited premises.

No person shall throw or deposit any handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant. No person shall throw, deposit or distribute any handbill upon any private premises, if requested by anyone thereon not to do so, or if there is placed on said premises in a conspicuous position near the entrance thereof a sign indicating in any manner that the occupants of said premises do not desire to have persons come upon the premises, or to solicit sales or advertisement. No person shall throw, deposit or distribute any handbill upon any private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other persons then present in or upon such private premises; provided, that in case of inhabited premises which are not posted as provided herein and where no person upon the premises objects thereto, such handbill may be placed or deposited in a place from where it will not be blown from the premises; and provided further, that the provisions of this section shall not apply to the distribution of mail by the United States nor to newspapers. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 8, 1966)

8.20.090 Posting notices or posters.

No person shall post or affix any notice, poster or other paper or device calculated to attract the attention of the public to any lamp post, public utility pole or tree, or upon any public structure or building, except as may be authorized or required by law. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 9, 1966)

8.20.100 Depositing on private property.

No person shall throw or deposit litter on any occupied private property within the city, whether owned by the occupant or not, except where the owner or occupant of such private property may maintain authorized private receptacles for the collection thereof in a manner that the litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other place or upon any private property. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 10, 1966)

8.20.110 Maintenance of premises.

The owner, occupant or other person in control of any private property shall at all times maintain the premises free of litter, other than litter which is

properly stored for disposal. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 11, 1966)

8.20.120 Depositing on open or vacant property.

No person shall throw or deposit litter on any open or vacant private property within the city whether owned by said person or not. (Ord. 1776 §§ 1, 2, 1991; Ord. 1335 § 12, 1966)

8.20.130 Violation – Penalty.

Violation of, or failure to comply with, any provision of this chapter is punishable upon conviction by a fine not to exceed \$300.00. (Ord. 1776 §§ 1, 2, 1991; Ord. 1386 § 1, 1969; Ord. 1335 § 13, 1966)

Chapter 8.24

GARBAGE

Sections:

- 8.24.010 Definition.
- 8.24.020 Public nuisance.
- 8.24.030 Transporting garbage.
- 8.24.040 Dumping on public or private property.
- 8.24.050 Violation – Penalty.

8.24.010 Definition.

For the purposes of this chapter the term “garbage” shall mean and include all and any waste animal and vegetable matter, rubbish, refuse, trash, debris, ashes open or empty cans, waste papers, and any other waste or discarded matter generally, and it shall include articles and things ordinarily and customarily discarded from places of business and from domestic establishments. (Ord. 1078 § 1, 1957)

8.24.020 Public nuisance.

The council of the city of North Bend hereby finds and determines that the dumping or depositing of garbage upon public or private land within the city of North Bend seriously affects and endangers the public health, safety and welfare, and provides a severe sanitation hazard, and that it constitutes a public nuisance. (Ord. 1078 § 2, 1957)

8.24.030 Transporting garbage.

It shall be unlawful for any person, firm or corporation to collect, gather or transport garbage over and upon the public streets of the city of North Bend in such a manner that any part or portion thereof will become scattered or deposited upon a public street or upon any public or private property within the city of North Bend, and it shall be unlawful for any person, firm or corporation to engage in the business of collecting, gathering or transporting garbage with the city of North Bend without having first obtained from the said city a permit, license or franchise for such purpose, and it shall be further unlawful for any person, firm or corporation to use any property within the corporate limits of the city of North Bend as a garbage dump. (Ord. 1078 § 3, 1957)

8.24.040 Dumping on public or private property.

It shall be unlawful for any person, firm or corporation to dump or deposit, or to cause to be dumped or deposited, any garbage upon public or private property within the corporate limits of the city of North Bend; provided, however, that said garbage may be kept or stored for a reasonable length of time in a covered sanitary receptacle until lawfully disposed of, or it may be buried on private property with permission of the owner if adequately covered and treated so as to be inoffensive and not dangerous to public health; provided, however, that if any owner of property shall consent to the deposit of garbage on such property, then the owner shall have a duty to see that the depositing is done in accordance with the provisions of this section; and such consenting owner shall be subject to the penalties of this chapter for a violation hereof. (Ord. 1078 § 4, 1957)

8.24.050 Violation – Penalty.

Violation of, or failure to comply with, any provision of this chapter is punishable upon conviction by a fine not to exceed \$300.00. (Ord. 1386 § 1, 1969; Ord. 1078 § 6, 1957)

Chapter 8.28**EXPECTORATION**

Sections:

8.28.010 Unlawful.

8.28.020 Violation – Penalty.

8.28.010 Unlawful.

It shall be unlawful for any person to expectorate or cause the secretions from the head or throat to be expelled or cast upon any sidewalks, crossings, bridges, public walks, street cars, depots, hotels, restaurants, theaters, or places of public amusements, churches, school buildings, or other public buildings within the city of North Bend. (Ord. 197 § 1, 1913)

8.28.020 Violation – Penalty.

Any person violating any of the provisions of this chapter, upon conviction thereof, before the police judge of the city of North Bend shall be fined not more than \$10.00 nor less than \$2.00 and, in default of the payment of said fine, be confined in the city jail one day for each \$2.00 thereof. (Ord. 197 § 2, 1913)

Chapter 8.32**ALIGHTING FROM MOVING TRAINS**

Sections:

8.32.010 Unlawful.

8.32.020 Violation – Penalty.

8.32.010 Unlawful.

It shall be unlawful for any person, other than a railroad employee, or his assistant, to climb upon, board or alight from any portion of any moving railroad train, car, or engine at any place within the corporate limits of the city of North Bend, except that passengers shall be allowed to board and alight from cars and cabooses at any regular depot platform of such company. (Ord. 359 § 1, 1916)

8.32.020 Violation – Penalty.

Any person violating any of the provisions of this chapter shall, upon conviction thereof in the police court of said city, be punished by a fine of not less than \$5.00 nor more than \$25.00, or by imprisonment in the city jail for not to exceed 10 days. (Ord. 359 § 2, 1916)