

ORDINANCE NO. 810

AN ORDINANCE AMENDING MUNICIPAL CODE CHAPTERS 17.142 HOME OCCUPATIONS AND DECLARING AN EMERGENCY

WHEREAS, the City of Scappoose adopted ordinances that regulated home occupations as part of the Land Use and Development Code in 1995, and

WHEREAS, the City of Scappoose at that time prohibited the storage and /or sale of firearms as home occupations, and

WHEREAS, the Oregon Revised Statutes {ORS 166.170(1)} vests sole authority in the state legislature to “regulate in any manner whatsoever the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms”, and

WHEREAS, the Oregon Revised Statutes {ORS 166.170(2)} prohibits cities from enacting civil or criminal ordinances , including but not limited to zoning ordinance, to regulate, restrict or prohibit the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms and ordinances that are contrary to this subsection are void.

NOW THEREFORE, THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. Scappoose Municipal Code Chapter 17.142.050 (H) regarding uses not allowed as home occupations is amended to read as follows:

4. “Storage and/or sale of fireworks ~~or firearms.~~”

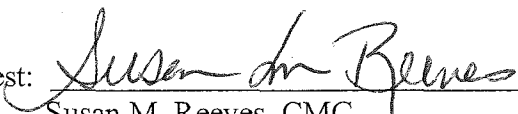
Section 2. Emergency Clause and Effective Date. The City Council declares it necessary for the public health, welfare and safety for this Ordinance to take effect immediately upon passage and therefore declares an emergency.

PASSED AND ADOPTED by the City Council this 17th day of May, 2010 and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON



Scott Burge, Mayor

Attest: 
Susan M. Reeves, CMC
City Recorder