

TABLE OF CONTENTS

Title 1	General Provisions
Title 2	Administration and Personnel
Title 3	Revenue and Finance
Title 4	(Reserved)
Title 5	Business Taxes, Licenses and Regulations
Title 6	Animals
Title 7	(Reserved)
Title 8	Health and Safety
Title 9	Public Peace, Morals and Welfare
Title 10	Vehicles and Traffic
Title 11	(Reserved)
Title 12	Streets, Sidewalks and Public Places
Title 13	Public Service
Title 14	(Reserved)
Title 15	Buildings and Construction
Title 16	Environmental Protection
Title 17	Subdivisions
Title 18	Zoning
	Statutory References
	Tables
	Index

Exhibit A

Chapter 1.04

GENERAL PROVISIONS

Sections:

1.04.010	Definitions.
1.04.020	Title of Office.
1.04.030	Interpretation of Language.
1.04.040	Grammatical Interpretation.
1.04.050	Acts by agents.
1.04.060	Prohibited acts include causing and permitting.
1.04.070	Computation of time.
1.04.080	Construction.
1.04.090	Repeal shall not revive any ordinances.

1.04.010 Definitions. The following words and phrases, whenever used in the ordinances of the city, shall be construed as defined in this section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

A. "City" and "Town" each mean the city of Fort Jones, or the area within the territorial limits of the city of Fort Jones, California, and such territory outside the city of Fort Jones over which the city has jurisdiction or control by virtue of any constitutional or statutory provision.

B. "Council" means the city council of the city. "All its members" or "all councilmen" means the total number of councilmen holding office.

C. "County" means the county of Siskiyou.

D. "Law" denotes applicable federal law, the Constitution and statutes of the state of California, the ordinances of the city of Fort Jones, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

E. "May" is permissive.

F. "Month" means a calendar month.

G. "Must" and "Shall" are each mandatory.

H. "Oath" includes an affirmation or declaration in all cases in which, by law, and affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

I. "Owner," applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

J. "Person" includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

K. "Personal Property" includes money, goods, chattels, things in action and evidences of debt.

L. "Preceding," and "following," means next before and next after, respectively.

M. "Property" includes real and personal property.

N. "Real Property" includes lands, tenements and hereditaments.

O. "Sidewalk" means that portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

P. "State" means the State of California.

CHAPTER 1.04

Q. "Street" includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs or other public ways in this city which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state.

R. "Tenant" and "occupant", applied to a building or land, include any person who occupies the whole or a part of such building or land, whether alone or with others.

S. "Written" includes printed, typewritten, mimeographed, multigraphed or otherwise reproduced in permanent visible form.

T. "Year" means a calendar year. (Ord. --- §1, 19__)

1.04.020 Title of Office. Use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the city. (Ord. ---§3, 19__)

1.04.030 Interpretation of language. All words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to that peculiar and appropriate meaning. (Ord. ---- §3, 19__)

1.04.040 Grammatical interpretation. The following grammatical rules shall apply in the ordinances of the city, unless it is apparent from the context that a different construction is intended:

A. Gender. Each gender includes the masculine, feminine and neuter genders.

B. Singular and Plural. The singular number includes the plural and the plural includes the singular.

C. Tenses. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable. (Ord. --- §4, 19__)

1.04.050 Acts by Agents. When an act is required by an ordinance, the same being such that it may be done as well by an agent as by the principal such requirement shall be construed to include all such acts performed by an authorized agent. (Ord.--- §5, 19__)

1.04.060 Prohibited acts include causing and permitting. Whenever in the ordinances of the city, any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission. (Ord. --- §6, 19__)

1.04.070 Computation of time. Except when otherwise provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last day, unless the last day is Sunday or a holiday, in which case it shall also be excluded. (Ord.--- §7, 19__)

1.04.080 Construction. The provisions of the ordinances of the city, and all proceedings under them, are to be construed with a view to effect their objects and to promote justice. (Ord. --- §8, 19__)

1.04.090 Repeal shall not revive any ordinances. The repeal of any ordinance shall not repeal the repealing clause of an ordinance or revive any ordinance, which has been repealed thereby. (Ord. ----§9, 19__)

Chapter 1.08

GENERAL PENALTY

Sections:

1.08.010 General penalty.

1.08.010 General penalty.

A. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the city shall be guilty of an infraction unless the violation is made a misdemeanor by the ordinance.

B. Except in cases where a different punishment is prescribed by any ordinance of the city, any person convicted of a misdemeanor for violation of an ordinance of the city is punishable by a fine of not more than one thousand dollars, or by imprisonment not to exceed six months, or by both such fine and imprisonment.

C. Any person convicted of an infraction for violation of any ordinance of the city is punishable by:

1. A fine not exceeding one hundred dollars for a first violation;
2. A fine not exceeding two hundred dollars for a second violation of the same ordinance within one year;
3. A fine not exceeding five hundred dollars for each additional violation of the same ordinance within one year.

D. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the city is committed, continued or permitted by any such person, and he shall be punishable accordingly. (Ord. --- §1, 19__)

ORDINANCE NO. 2021-2

AN ORDINANCE OF THE TOWN OF FORT JONES, CALIFORNIA
CREATING GENERAL PROVISIONS ORDINANCE

The Town Council of the Town of Fort Jones does hereby ordain as follows:

Section 1: The Town hereby amends its code by adding the following as sections, attached hereto as Exhibit A:

1.4 General Provisions

1.8 General Penalty

INTRODUCED at a regular meeting of the Town Council of the Town of Fort Jones, California, on the 8th day of February, 2021, and adopted at a regular meeting of the Town Council of the Town of Fort Jones, California, on the 8th day of March, 2021.

APPROVED: Michelle DeCausmaker
Michelle Decausmaker, Mayor

ATTEST: Paula Basteyns
Paula Basteyns, City Clerk

The foregoing Ordinance No. 2021-2 was adopted at a regular meeting of the Town Council of the Town of Fort Jones, held on the 8th day of March, 2021 by the following vote:

AYES: M. DeCausmaker, B. Beckwith, M. Garcia, K. Banks, C. Sherfy

NOES: None

ABSENT: None

ABSTAIN: None

Paula Basteyns
Paula Basteyns, City Clerk

APPROVED AS TO FORM: Margaret Long
Margaret Long, City Attorney

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Michelle Decausmaker, Mayor

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Paula Basteyns, City Clerk

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AYES: M. DeCausmaker, B. Beckwith, M. Garcia, K. Banks, C. Sherfy

NOES: None

ABSENT: None

ABSTAIN: None

Paula Basteyns
Paula Basteyns, City Clerk

APPROVED AS TO FORM: _____
Margaret Long, City Attorney

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1. A fine not exceeding one hundred dollars for a first violation;
2. A fine not exceeding two hundred dollars for a second violation of the same ordinance within one year;
3. A fine not exceeding five hundred dollars for each additional violation of the same ordinance within one year.

D. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of the ordinances of the city is committed, continued or permitted by any such person, and he shall be punishable accordingly. (Ord. --- §1, 19__)



ORDINANCE NO. 2020-1E

**EXTENSION OF AN URGENCY ORDINANCE OF THE TOWN COUNCIL MEMBERS
OF THE TOWN OF FORT JONES
EXTENDING TEMPORARY ORDINANCE 2020-1 ADOPTING CERTAIN PORTIONS
OF THE CITY OF ETNA'S MUNICIPAL CODE FOR THE PURPOSE OF
ENFORCEMENT OF THE TOWN OF FORT JONES' MUNICIPAL CODE**

The Members of the Town Council of the Town of Fort Jones, State of California, does ordain as follows:

WHEREAS, the Town of Fort Jones ("Town") has engaged the Etna Police Department to provide law enforcement services; and

WHEREAS, it is urgent that the Town provide for the enforcement of the Town Municipal Code so that violations of the Code are properly addressed and abated; and

WHEREAS, the Etna Police Department is currently set up to use Etna Municipal Code forms, citation numbers and references; and

WHEREAS, pursuant to Government Code section 36937, a town may enact an ordinance for the preservation of public peace, health, or safety, which shall take effect immediately which contains a declaration of the facts constituting the urgency and is passed by a four-fifths vote of the town council; and

WHEREAS, for the immediate preservation of the public peace, health, and safety, the Town Council has determined to adopt this Urgency Ordinance temporarily adopting certain portions of the City of Etna's Municipal Code for the sole purpose of enabling enforcement of the Town of Fort Jones Municipal Code; and

WHEREAS, the Town of Fort Jones requires time to properly evaluate additional amendments to the municipal code necessary to properly enforce sections of the existing code; and

WHEREAS, the Town Council adopted a Temporary Urgency Ordinance on March 24, 2020 for a term of 45 days; and

WHEREAS, the Town Council needs additional time to develop permanent ordinances to enable the enforcement of their own codes;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fort Jones as follows:

1. The Town Council hereby finds and determines that, based upon the need to allow additional time to develop such codes, forms, citation numbers and references, and

pursuant to law they hereby adopt Ordinance 2020-1E extending the temporary Ordinance.

2. This ordinance shall take effect immediately and be in full force and effect for an additional 10 months and 15 days after its passage. This ordinance shall expire thereafter, unless extended pursuant to law.

Introduced at a Regular meeting of the Town Council held on the 13th day of April, 2020, and passed and enacted this 13th day of March, 2020 by the Town Council of the Town of Fort Jones, by the following vote:

AYES: M. Decausmaker, W. Beckwith, M. Garcia, K. Tasem, J. McFall

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

ATTEST:




Michelle DeCausmaker, MAYOR

City Council

Town of Fort Jones

State of California


Paula Basteyns, City Clerk

ORDINANCE NO. 2021-2

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CREATING GENERAL PROVISIONS ORDINANCE

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Section 1: The Town hereby amends its code by adding the following as sections, attached hereto as Exhibit A:

1.4 General Provisions

1.8 General Penalty

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APPROVED: Michelle DeCausmaker
Michelle Decausmaker, Mayor

ATTEST: Paula Basteyns
Paula Basteyns, City Clerk

The foregoing Ordinance No. 2021-2 was adopted at a regular meeting of the Town Council of the Town of Fort Jones, held on the 8th day of March, 2021 by the following vote:

AYES: M. DeCausmaker, B. Beckwith, M. Garcia, K. Banks, C. Sherfy

NOES: None

ABSENT: None

ABSTAIN: None

Paula Basteyns
Paula Basteyns, City Clerk

APPROVED AS TO FORM: Margaret Long
Margaret Long, City Attorney

