

**CHAPTER 113**  
**ENFORCEMENT**

- 113.010. Enforcement
- 113.020. Complaints Regarding Violations
- 113.030. Violations of Regulations Unlawful; Proof of Violation Prima Facie  
Evidence of Owner's Responsibility.
- 113.040. Penalties for Violation

**113.010. ENFORCEMENT.** It shall be the duty of the County Enforcement Officer to enforce this ordinance. [Amended by Ordinance #88-19, dated September 29, 1988.]

**113.020. COMPLAINTS REGARDING VIOLATIONS.** Whenever a violation of this ordinance occurs or is alleged to have occurred, any person may file a signed written complaint with the County Enforcement Officer. It shall be the duty of said official to investigate any such complaint and any violation regardless of whether or not a complaint has been made thereof and to take such action as may be necessary.

**113.030. VIOLATIONS OF REGULATIONS UNLAWFUL; PROOF OF VIOLATION PRIMA FACIE EVIDENCE OF OWNER'S RESPONSIBILITY.** It shall be unlawful for any person to violate any provision of this ordinance, to permit or maintain any such violation, to refuse to obey any provision hereof, or to fail or refuse to comply with any such provision except as variation may be allowed under this ordinance. Proof of such unlawful act or failure to act shall be deemed prima facie evidence that such act is that of the owner. Prosecution or lack thereof of either the owner or the occupant shall not be deemed to relieve the other.

**113.040. PENALTIES FOR VIOLATION.** Any person shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this ordinance is committed, continued, or permitted by such person, and shall be punishable therefore as provided in this ordinance. Any person violating any provisions of this ordinance within any incorporated city shall be punished by a fine of not more than \$500 or by imprisonment in the city jail for a period not exceeding six months, or by both such fine and imprisonment. Violations outside of any incorporated city shall be punished as provided in ORS 215.299 and the Polk County Code of Ordinances which provides as follows:

- (A) A fine of not more than \$100 for each day of violation where the offense is a continuing offense but such fine may not exceed \$1,000.
- (B) A fine of not more than \$500 where the offense is not a continuing offense.
- (C) Justice courts, district courts and circuit courts have concurrent jurisdiction over prosecutions.
- (D) Violation of any applicable provision of ORS Chapter 215 is punishable, upon conviction, by a fine of not less than \$100 nor more than \$500.
- (E) Each and every day which an erection, construction, reconstruction, alteration, maintenance or use illegal under ORS Chapter 215 continues is a separate offense.