Lake County Ordinance #37

An Ordinance Relating to Prisons

No County, City, District or other Local Government entity located within the exterior boundaries of Lake County, Oregon, nor any representative or agent of any such entity, elected, appointed, employed or otherwise designated, including legal counsel, shall enter into any agreements, negotiations, discussions or other activity, including attending or participating in any meeting, with any other governmental entity, including the State of Oregon, its employees, representatives or agents, relative to the establishment of, creation of, construction of, placement of or operation of a Correctional Facility or Department of Corrections Institution within Lake County, Oregon, without having first gained the approval of a majority of the Voters voting in a regular General Election upon the question, "Should a prison be located in Lake County, Oregon?"

As used herein the words "Correctional Facility" have the same meaning as defined in Oregon Revised Statute 131.005(5).

As used herein the words "Department of Corrections Institution" have the same meaning as defined in Oregon Revised Statute 421.005(2).

Any contract, agreement, arrangement, stipulation or act, written or oral, that is entered into, negotiated or approved, in violation of this Ordinance, is void.

The District Attorney and/or County Counsel of the County of Lake, State of Oregon, shall have the affirmative duty to vigorously enforce this Ordinance and to prosecute any violation of this Ordinance. Any adult person who is a resident of Lake County, Oregon, may enforce the provisions of this Ordinance by bringing suit in the appropriate court and may recover the costs of court and attorneys' fees as a result thereof if he/she/they prevail.

Any person who violates any provision of this Ordinance shall be guilty of a Misdemeanor and fined not less than one hundred dollars ($100) nor more than one thousand dollars ($1000) for each act constituting a violation hereof and shall additionally be subject to immediate discharge from any employment or agency relationship that said person has with, for, or on behalf of, any Local Government entity located within Lake County, Oregon.

Any part, portion or provision of this Ordinance found to be illegal or unconstitutional by final judgment of a court of competent jurisdiction shall be severed herefrom and shall not act to invalidate or affect any or all of the remaining provisions hereof.

This Ordinance shall be effective upon the date designated in the Constitution of the State of Oregon.
Lake County Ordinance #38

An Ordinance relating to Voter passed Ordinances

No Lake County Ordinance, including this Ordinance, adopted by a vote of the eligible Voters of Lake County in an election occurring after January 1, 1997, shall in any way be changed, modified, deleted, or repealed within five years of becoming effective except upon the approval of a majority of Lake County Voters voting in a regular general election.

The District Attorney and/or County Counsel of Lake County, Oregon shall vigorously act to enforce this Ordinance. Any adult person who is a resident of Lake County, Oregon may enforce the provisions of this Ordinance by suit in an appropriate court and may recover the costs of court and attorneys' fees thereof if he/she/they prevail.