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Ordinance Violation

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The final sentence of

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former Rule 60(b) said that the procedure for obtaining any relief from a judgment was by motion as prescribed in the Civil Rules or by an independent action. That provision is deleted as unnecessary. Relief continues to be available only as provided in the Civil Rules or by independent action.

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**Rule 60. Relief from
a Judgment or Order
| Federal Rules ...**

If a default judgment is entered against a defendant under ORS 153.102 (Entry), the court may relieve a defendant from the judgment upon a showing that the failure of the defendant to appear was due to mistake, inadvertence, surprise or excusable neglect. A motion for relief under this section

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must be made by the defendant within a reasonable time, and in no event may a motion under this section be made more than one year after entry of judgment.

ORS 153.105 - Relief from default judgment - 2020 Oregon ...

800.115 Relief from judgment. 800.12 Municipal court contempt procedure.

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800.13 Recording in
municipal court. ... a

statement that the
defendant committed
the violation, the
ordinance violated, and
a description of the
violation in language
that can be readily
understood.

Wisconsin

**Legislature: Chapter
800**

Declaratory Judgments.
Rigid emphasis upon
such ele- ments of

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judicial power as
finality of judgment
and award of execution
coupled with equally
rigid emphasis upon
adverse parties and
real interests as
essential elements of a
case and controversy
created serious doubts
about the validity of
any federal declaratory
judgment
procedure.⁵⁵¹ These
doubts were largely
dispelled by Court
decisions

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Declaratory Violation

Judgments. | U.S.

Constitution

Annotated | US ...

(1) (a) If a justice court or municipal court has become a court of record under ORS 51.025 (Justice court as court of record) or 221.342 (Method by which municipal court becomes court of record), an appeal from a judgment involving a violation shall be as

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provided in ORS

Chapter 19 for appeals
from judgments
entered by circuit

courts, except that the
standard of review is
the same as for an

appeal from a
judgment in a
proceeding involving a
misdemeanor or
felony.

**ORS 138.057 -
Appeal from
judgment involving
violation** ...

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Friday, March 9, 2012.

Declaratory relief is

proper remedy to
question acts which are
not judicial or quasi-
judicial in nature. - G.R.

No. 193978. "x x x.

Under the Rules of
Court, petitions for
Certiorari and

Prohibition are availed
of to question judicial,
quasi-judicial and
mandatory acts. Since
the issuance of an EO
is not judicial, quasi-
judicial or a mandatory

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Civil Rights Violation

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act, a petition for certiorari and prohibition is an incorrect remedy; instead a petition for declaratory relief under Rule 63 ...

Atty. Manuel J.

Laserna Jr.:

Declaratory relief is proper ...

CHAPTER 54.

ENFORCEMENT OF

MUNICIPAL

ORDINANCES.

SUBCHAPTER A.

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Sec. 54.001. GENERAL

ENFORCEMENT

MANUAL
AUTHORITY OF

MUNICIPALITIES;

PENALTY. (a) The

governing body of a

municipality may

enforce each rule,

ordinance, or police

regulation of the

municipality and may

punish a violation of a

rule, ordinance, or

police regulation.

CHAPTER 54.

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**ENFORCEMENT OF
MUNICIPAL VIOLATION
ORDINANCES**
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The circuit and county courts have jurisdiction within their respective jurisdictional amounts to declare rights, status, and other equitable or legal relations whether or not further relief is or could be claimed. No action or procedure is open to objection on the ground that a declaratory judgment

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is demanded.

Ordinance Violation

Statutes &

Constitution :View

Statutes : Online

Sunshine

1 Last updated October

2014 1 Instructions for

Civil Rights Claims

Under Section 1983 2 3

4 Numbering of Section

1983 Instructions 5 6

4.1 Section 1983

Introductory Instruction

7 8 4.2 Section 1983 -

Burden of Proof 9 10

4.3 Section 1983 -

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**Instructions for Civil
Rights Claims Under
Section 1983 ...**

What is a "declaratory
decree" as it is used in
this federal law

42-1983, "Every person
who, under color of any
statute, ordinance,
regulation, custom, or
usage, of any State or
Territory or the District
of Columbia, subjects,
or causes to be
subjected, any citizen

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of the United States or
other person within the
jurisdiction thereof to
the deprivation of any
rights, privileges, or
immunities ...

**What is a
"declaratory
decree?" - Q&A -
Avvo**

A judgment may not be rendered in violation of constitutional protections. The validity of a judgment may be affected by a

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Constitutional Violation

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failure to give the
constitutionally
required due process
notice and an

opportunity to be
heard. Earle v. McVeigh
, 91 US 503, 23 L Ed

398. See also
Restatements,
Judgments ' 4(b).
Prather vLoyd , 86

**The Law of Void
Judgments and
Decisions Supreme
Court ...**

Local Ordinance

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Violation Citation /
Summons : Form filed
by a local official with
the authority to
prosecute an offense
under any municipal
code, ordinance, bylaw
or regulation. The form
initiates an action to
enforce the violation of
a local ordinance
pursuant to RSA
31:39-d.

NHJB-2091-DFPS
(08/20/2014) Mediation
Questionnaire

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**New Hampshire
Judicial Branch -
Criminal Violation
Manual**

...

Repeated or continuous violation of a municipal ordinance relating to naphtha, benzol, gasoline, kerosene or any other inflammable liquid or combustible material is declared a public nuisance, and an action may be maintained by the municipality to abate

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such nuisance and
enjoin such violation.

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Wisconsin

**Legislature: Chapter
823**

the court may amend
the judgment of
conviction from a term
in the custody of the
state board of
correction to
"confinement in a
penal facility" for the
number of days served
prior to suspension,
and the amended

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Climate Violation

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judgment may be deemed to be a misdemeanor conviction. (3) (a) In addition to the circumstances in which relief from a felony conviction may be granted under subsections (1) and (2) of this section, a defendant who has been convicted of a felony and who has been discharged from ...

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**Section 19-2604 -
Idaho State
Legislature**

On appeal, the court affirmed the grant of summary judgment in favor of the town because: (1) the ordinance was not preempted by the Animal Welfare Act; (2) the ordinance was not an impermissible attempt to regulate interstate commerce in violation of the Commerce Clause; and

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(3) the town did not deprive him of his property interest in his federal and state licenses without due process.

Municipal Ordinances: Related Cases | Animal Legal

...

Increase of judgment for costs and interest — Entry of judgment.
12.40.120: Appeals ...

Chapter 12.40 RCW:

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SMALL CLAIMS

Ordinance Violations

County or municipal ordinances are rules established by counties or municipalities that apply only to their jurisdictions. They are the equivalent of municipal or county statutes passed by the governing body regarding matters not already covered by federal or state law.

Ordinance Violations

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| **Pasco County**

Clerk, FL Ordinance Violation

forecloses the need to seek administrative relief—namely, a city administrative hearing on his red- light ticket—before challenging the constitutionality of the ordinance and statutes in district court. The trial court denied the city’s jurisdictional plea, and the city took an interlocutory appeal.

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**IN THE SUPREME
COURT OF TEXAS**

5. To prevent future constitutional violations, Mr. Bierfeldt seeks injunctive and declaratory relief to ensure that TSA's search policy does not exceed the scope permitted by the Fourth Amendment to the U.S. Constitution and authorized by Congress. PARTIES 6. Plaintiff Steven

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Bierfeldt is a resident
of Alexandria, Virginia.

He is the Director

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cd98f00b204e9800998
ecf8427e.