

ORDINANCE NO. 585

AN ORDINANCE PROVIDING FOR THE CALLING OF A CITY TAX BASE ELECTION IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, ON TUESDAY, NOVEMBER 5, 1974, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF CANBY, OREGON, THE QUESTION OF ESTABLISHING A NEW TAX BASE FOR THE PURPOSE OF APPLYING THE LIMITATION ON TAXATION SET FORTH IN SECTION 11, ARTICLE XI, OREGON CONSTITUTION.

WHEREAS, the City Council of the City of Canby, Oregon, has determined that a new tax base should be established as authorized by Section 11, Article XI, Oregon Constitution, in order to permit the proper operation of the City affairs within the limitation contained in Section 11, Article XI, Oregon Constitution; and

WHEREAS, it is necessary to submit the question of establishing a new tax base to the legal voters of the City of Canby, Oregon,

NOW, THEREFORE,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: DATE OF ELECTION. The proposition set forth in Section 2 of this Ordinance shall be submitted in the manner prescribed in this Ordinance to legal voters of the City of Canby, Oregon, at a City Tax Base Election to be held in conjunction with a Statewide General Election on Tuesday, November 5, 1974.

Section 2: FORM OF PROPOSITION. At the City Tax Base Election there shall be submitted to the legal voters of the City of Canby for their approval or rejection the following proposition:

"Shall the City of Canby, Clackamas County, Oregon, increase its tax base from \$70,000 to \$500,000?"

Section 3: ELECTION PART OF STATEWIDE GENERAL ELECTION. There is a regular Statewide General Election being held in the

State of Oregon and in the City of Canby on Tuesday, November 5, 1974, and this City Tax Base Election is called to be held concurrently therewith and as a part thereof.

Section 4: ELECTION BOARDS. The City Tax Base Election shall be handled by the same Election Boards that handle the regular Statewide General Election in the election precincts in which the City of Canby is located at the regular Statewide General Election to be held on Tuesday, November 5, 1974. Such Election Boards hereby are designated as the Election Boards for the City Tax Base Election, and shall hold their respective offices as designated for the regular Statewide General Election but such Election Boards shall not count the ballots cast in the City Tax Base Election.

Section 5: VOTING HOURS. The polls for the City Tax Base Election shall be opened in each of the voting precincts at the same hour and shall be kept open until the same hour as the polls are opened and closed for the Statewide General Election that will be held on the same day.

Section 6: QUALIFIED VOTERS. The Election Boards handling the election shall permit only those electors to vote on the question of establishing a new City tax base who are otherwise qualified to vote at the Statewide General Election and who reside within the boundaries of the City of Canby.

Section 7: NOTICE OF ELECTION. Notice of the City Tax Base Election shall be given by publication twice in The Canby Herald, a newspaper of general circulation printed and published in the City of Canby, Clackamas County, Oregon, not more than

twenty (20) or less than ten (10) days before the election. Notices of the City Tax Base Election shall be posted for not less than twenty (20) days before the election in three (3) public and conspicuous places within the City and also at each polling place. The Notice in the newspaper and that posted shall be in substantially the following form:

NOTICE OF ELECTION TO ESTABLISH NEW CITY TAX BASE

On Tuesday, November 5, 1974, in the City of Canby, Clackamas County, Oregon, from 8:00 a.m. until 8:00 p.m. a City Tax Base Election will be held at which the following proposition will be submitted to the legal voters of the City of Canby for their approval or rejection:

ESTABLISHING NEW CITY TAX BASE.

Shall the City of Canby, Clackamas County, Oregon, increase its tax base from \$70,000 to \$500,000?

The voter shall place an (X) or a (✓) in the box to indicate his choice. Vote YES or NO.

100 YES

101 NO

EXPLANATION OF QUESTION:

This proposition, if adopted, will establish a new tax base for the City of Canby, Oregon, for the purpose of applying the limitation on taxation set forth in Section 11, Article XI, Oregon Constitution. The present tax base is \$70,000; the new tax base, if adopted, will be \$500,000; and the new tax base, if adopted, shall first apply to the fiscal year next following this election.

The polling places in the City for the City Tax Base Election will be at the same places as provided by Clackamas County for the Statewide General Election to be held on the same day, Tuesday, November 5, 1974, and to such places as the Election Boards may legally adjourn.

The City Council by Ordinance has appointed the identical officers appointed the Clackamas County Election Department for the Statewide General Election as the election officers

of the City Tax Base Election to serve in each of the polling places in the respective precincts to which they are appointed by the Clackamas County Election Department.

WITNESS my hand and seal of the City of Canby this
____ day of _____, 1974.

City Recorder

Section 8: POSTING OF NOTICES; VOTERS PAMPHLETS UNNECESSARY.

The City Recorder shall advertise and post or cause to be posted the Notices required by Section 7 of this Ordinance. The Notices of the City Tax Base Election required to be given by Section 7 of this Ordinance shall constitute the only notice necessary, and all Ordinances or Resolutions in conflict herewith shall not apply to the Notices required to be given at this election. It shall be unnecessary for either the City of Canby or any official thereof to furnish the legal voters at the City Tax Base Election pamphlets containing either: (a) the text of the proposition or (b) arguments in support of or in opposition to the proposition.

Section 9: NUMBER AND FORM OF THE QUESTION. The following is the number and form in which the question shall be printed upon the Official Ballot:

VOTE YES OR NO. MARK X OR IN THE SQUARE FOR THE ANSWER VOTED FOR.

Referred to the people by the Canby City Council

ESTABLISHING NEW CITY TAX BASE

Shall the City of Canby, Clackamas County, Oregon, increase its tax base from \$70,000 to \$500,000?

100 YES

101 NO

EXPLANATION OF QUESTION:

This proposition, if adopted, will establish a new tax base for the City of Canby, Oregon, for the purpose of applying the limitation on taxation set forth in Section 11, Article XI, Oregon Constitution. The present tax base is \$70,000; the new tax base, if adopted, will be \$500,000; and the new tax base, if adopted, shall first apply to the fiscal year next following this election.

Section 10: BALLOTS, BALLOT BOXES AND ELECTION SUPPLIES.

The City Recorder shall furnish to the Election Boards handling the City Tax Base Election ballots and ballot boxes and such other election supplies as may be required by the Boards for the City Tax Base Election.

Section 11: DEPOSIT OF BALLOTS. The ballots for the City Tax Base Election shall be deposited in the ballot boxes provided by the City.

Section 12: DELIVERY AND PICKUP OF BALLOTS, BALLOT BOXES AND ELECTION SUPPLIES. The City Recorder shall, prior to 8:00 a.m. on Tuesday, November 5, 1974, deliver to the respective Election Boards ballots and ballot boxes and such other election supplies as may be required for the City Tax Base Election. After the polls are closed on Tuesday, November 5, 1974, the Election Boards shall lock the ballot boxes containing the ballots for the City Tax Base Election without counting such ballots, and shall deliver the ballot boxes to the Canby City Recorder who shall securely keep the locked ballot boxes until they are delivered to the City's Counting Board.

Section 13: COUNTING BOARD. The City Recorder shall appoint four (4) electors who are residents in the City of Canby, Oregon, who can read and write the English language and who are not City officials. These four (4) electors, together with the City Recorder, shall constitute the Counting Board. The Counting Board shall meet at 9:00 a.m. on Wednesday, November 6, 1974, at the Canby City Hall and shall open the ballot boxes and proceed to count the ballots. The provisions of ORS 250.461, 250.471, 250.510 and 250.541, so far as they are applicable, shall be observed in the counting of the ballots, posting of the results, and sending of the election records and supplies to the County Clerk. The City Recorder shall provide the Counting Board with election return forms which shall be filled out and signed by the Counting Board after the counting has been completed.

Passed on first reading at a regular meeting of the Canby City Council held on the 5th day of August, 1974; ordered posted for a period of two (2) full calendar weeks as required by the Canby City Charter; and to come up for final reading and action of the Canby City Council at a regular meeting thereof to be held on Monday, August 26, 1974, at the hour of 8:00 p.m. at the Canby City Hall.

ATTEST:

J. R. Richardson
J. R. RICHARDSON - City Recorder

Paul N. Roth
PAUL N. ROTH - Mayor

Passed on final reading at a ^{SPECIAL}~~regular~~ meeting of the Canby City Council held on the ~~3rd~~ ²⁶ day of ~~September~~ ^{AUGUST}, 1974, by the following vote: Yeas 4. Nays 0.

ATTEST:

J. R. Richardson
J. R. RICHARDSON - City Recorder

Paul N. Roth
PAUL N. ROTH - Mayor