

ORDINANCE NO. 117

AN ORDINANCE PROPOSING AND SUBMITTING TO THE LEGAL VOTERS AND THE QUALIFIED ELECTORS OF THE TOWN OF TROUTDALE, OREGON, FOR THEIR ADOPTION OR REJECTION AT THE GENERAL ELECTION TO BE HELD IN 1968, AN AMENDMENT TO THE CHARTER OF SAID TOWN GIVING TOWN COUNCIL THE POWER TO SEPARATE THE OFFICE OF RECORDER AND MUNICIPAL JUDGE, PROVIDE THE PLACE WHERE MUNICIPAL COURT SHALL BE HELD, PRESCRIBE POWERS OF MUNICIPAL JUDGE, AND ESTABLISH AMOUNT OF DEPOSIT FOR JURY TRIAL DEMANDED AND TO PROVIDE FOR TIME WITHIN WHICH JURY DEPOSIT MUST BE MADE. REPEALING ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND DECLARING AN EMERGENCY.

Be It Ordained By The Common Council
~~THE PEOPLE OF THE TOWN OF TROUTDALE, OREGON DO ORDAIN:~~

Section 1. That the following proposed amendment to the Charter of said Town is hereby proposed for submission to the legal voters and qualified electors of said Town for their adoption or rejection at the regular Town election to be held on the 5th day of November, 1968.

CHARTER AMENDMENTS SUBMITTED TO THE VOTERS BY THE COUNCIL.

AN ACT

To amend an act entitled, "Enacting a Charter for the Town of Troutdale, Multnomah County, Oregon, and repealing any and all former Charters or amendments thereto of the Town of Troutdale, Multnomah County, Oregon," adopted by the people of the Town of Troutdale, Oregon, at an election held August 24, 1942, giving Town Council the power to separate the office of Recorder and Municipal Judge, provide the place where Municipal Court shall be held, prescribe powers of Municipal Judge, and establish amount of deposit for jury trial demanded and to provide for time within which jury deposit must be made.

COMMON COUNCIL

BE IT ENACTED BY THE ~~PEOPLE~~ OF THE TOWN OF TROUTDALE, OREGON.

That an act entitled, "Enacting a charter for the Town of Troutdale, Multnomah County, Oregon, and repealing any and all former charters or amendments thereto of the Town of Troutdale, Multnomah County, Oregon," adopted by the people of the Town of Troutdale, Oregon at an election held August 24, 1942, be and the same is hereby amended by amending Section 21 to read as follows:

SECTION 21. MUNICIPAL JUDGE. Except where otherwise provided by ordinance, the recorder shall be the municipal judge or judicial officer of the town. He shall hold a court known as the Municipal Court for the Town of Troutdale, Multnomah County, Oregon. Except on nonjudicial days the court shall be available and open for the transaction of judicial business, as prescribed by the laws of the State. The jurisdiction of the municipal court shall be prescribed by ordinance. The municipal judge shall exercise original and exclusive jurisdiction of all crimes and offenses defined and made punishable by an ordinance of the town, and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by an ordinance of the town. The municipal judge shall have authority to issue process for the arrest of persons accused of an offense against the ordinances of the town; to commit such persons or admit them to bail pending trial; to issue subpoenas; to compel witnesses to appear and testify before him on the trial of any cause before him; to compel obedience to such subpoenas; to issue any process necessary to carry into effect the judgment of the municipal court, and to punish witnesses and others for contempt of the court, and such other powers as are granted to him by ordinance, charter, State Law or the State Constitution. All proceedings in the municipal court for the violation of a town ordinance shall be governed by the applicable general laws of the state governing Justices of the Peace and justice courts. Trial in the municipal court of cases of violation of town ordinances shall be had without a jury unless the accused shall deposit with the municipal judge or some other person designated by ordinance, such sum and when it must be made as provided by ordinance. If any cause is tried before a jury the proceedings thereunder shall be conducted in accordance with the statutes of the State of Oregon applicable to jury trials before justice courts.

All acts or parts of acts, adopted by vote of the people of the Town of Troutdale, Oregon, in conflict with this act are expressly repealed.

SECTION 2. That this ordinance for the proposed Charter Amendment submitted to the voters by the Council be filed with the Recorder of the Town of Troutdale, Oregon for submission to the legal voters of said town for their rejection or approval, to be voted on at the general election to be held on November 5, 1968.

SECTION 3. Inasmuch as this Ordinance is necessary for the immediate preservation of the Public health, peace and safety of the people of the Town of Troutdale in the judgment of the Common Council now, therefore, an emergency is hereby declared to exist and this Ordinance shall be in force and effect from and after its passage by the Common Council of the Town of Troutdale and its signing by the Mayor.

Passed by the Common Council of the Town of Troutdale this 8th day of October, 1968.

YEAS: 4

NAYS: 0

Signed by the Mayor this 8 day of October, 1968.


MAYOR

ATTEST:

Recorder: Louise D. Wright

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