

AN ORDINANCE to provide for carrying into effect in the City of Warrenton the Initiative and Referendum powers reserved to the legal voters of Municipalities by Section 1-A of Article IV of the Constitution of the State of Oregon, and to enact and amend their Municipal Charters reserved to the legal voters of cities and towns by Section 2 of Article XI of the Constitution of the State of Oregon, and providing penalties for the violation of this Act, and to repeal General Ordinance Number 117, and all ordinances and parts of ordinances in conflict herewith, and declaring an emergency.

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. The following shall be substantially the form of a petition for any ordinance or amendment to the Charter proposed by the Initiative.

INITIATIVE PETITION.

To _____,

Auditor and Police Judge of the City of Warrenton, Oregon,

We, the undersigned, legal voters of the City of Warrenton, in Clatsop County, State of Oregon, respectfully demand that the following proposed ordinances (or amendment to the City Charter) shall be submitted to the legal voters of the City of Warrenton for their approval or rejection in the _____ City election to be held on the ____ day of _____ A. D. 19__, and each for himself says: I have personally signed this petition; am a legal voter of the City of Warrenton; my residence and street number are correctly written after my name.

NAME	RESIDENCE	STREET NUMBER
(Here follows 20 numbered lines for signature)		

Section 2. The following shall be substantially the form of petition for Referendum to the people of any ordinance passed by the Council:

PETITION FOR REFERENDUM.

To _____,

Auditor and Police Judge of the City of Warrenton, Oregon.

We, the undersigned, legal voters of the City of Warrenton, respectfully demand that ordinance Number _____ of the City of Warrenton, entitled (Title of Ordinance in which Referendum is sought), passed by the Council of the City of Warrenton at _____; submitted on the _____ day of _____ 19____, shall be submitted to the legal voters of the City of Warrenton for their approval or rejection at the _____ City election to be held on the _____ day of _____ A. D. 19____ and each for himself says: I have personally signed this petition; I am a legal voter of the City of Warrenton; my residence and street number are correctly written after my name.

NAME,

RESIDENCE

STREET NUMBER

(Here follow 20 numbered lines for signature)

Section 3. Each and every sheet of said petition containing signatures shall be certified on the back thereof or at the bottom of each sheet in substantially the following form by the person who circulated such sheet of said petition by his or her affidavit thereon, as part thereof.

STATE OF OREGON,)
 :
COUNTY OF CLATSOP, (ss.
 :
CITY OF WARRENTON.)

I, _____, being first duly sworn say:
That (here shall be legibly written or typewritten the name of the signers on the sheet), signed this sheet of the foregoing petition, and each of them signed his name, residence

and street number correctly; and that each signer is a legal voter of the City of Warrenton.

Signature and Post Office of affiant.

Subscribed and sworn to before me this _____ day of

_____ A. D. 19__.

Signature and title of officer
and his residence.

Section 4. The forms herein are not mandatory, and if substantially followed in any petition, shall be sufficient, disregarding clerical and technical errors in them. The twenty signatures shall be signed to one sheet of a petition and full and correct copy of the title and text of the measure proposed by the Initiative petition and a full and correct copy of the measure on which the Referendum is demanded, shall be attached to each sheet or aggregate of sheets circulated for same by each person, and such full and correct copy of the title and text of the measure shall be shown to the voter before his signature is attached.

Section 5. The Auditor and Police Judge of the City of Warrenton shall accept for filing, any petition for the Initiative or for the Referendum, subject to verification of the number and genuineness of the signatures and voting qualifications of the persons signing the same, (by referring to the registration books in the office of the County Clerk of the County of Clatsop.) And if a sufficient number of qualified voters be found to have signed the said petition, he shall file the same within ten days after presentation thereof to him.

Section 6. When any measure for Initiative or Referendum legislation shall be filed by the Auditor and Police Judge, after the number and genuineness of signature thereto, as provided by Section 5, have been ascertained, he shall, within five days provide a ballot title for such measure. The ballot title shall be printed with the number of the measure on the official ballot.

In making such ballot title, the Auditor and Police Judge shall, to the best of his ability, give a true and impartial statement of the purpose of the measure, and in such language that the ballot title shall not be an argument for or liable to create prejudice against such measure. Any person who is dissatisfied with the ballot title provided for by the Auditor and Police Judge for any such measure, may appeal to the Council asking for a different title, and give the reason thereof and why the title prepared by the Auditor and Police Judge is improper; and the Council may approve the ballot title prepared by the Auditor and Police Judge, or may, by resolution, prescribe another ballot title therefor, and the ballot title so approved or so prescribed by the Council shall be the title placed upon the ballot.

Such ballot title shall not resemble, in so far as possible, any other ballot title filed for any measure to be submitted at the same election. The Auditor and Police Judge of the City of Warrenton shall number such measure and ballot title in the most convenient and consecutive manner.

The affirmative of the first measure shall be numbered 300 and the negative 301 in numerals, and the succeeding measures shall be numbered 302, 303, 304, 305, and so on.

It shall be the duty of the Auditor and Police Judge to print said ballot title and numbers upon the official ballot. Measures referred to the voters by petition shall be designated "Referendum ordered by petition of the people", measures proposed by Initiative petition shall be designated "Proposed by Initiative Petition", Charter amendments submitted by the Council without Initiative Petition shall be designated "Charter amendments submitted to the voters by the Council".

Section 7. The manner of voting upon measures submitted to the legal voters shall be the same as is now or may be provided by law.

No measure shall be adopted unless it shall receive the affirmative majority of the total number of lawful votes cast on such measures and entitled to be counted thereon, if two or more laws on the same subject or contain provisions that are conflicting shall be approved by the voters, at the same election, the Act receiving the greatest number of affirmative votes shall be and shall be proclaimed to be the law adopted.

Section 8. Petitions for proposed ordinances or Charter Amendments by the Initiative and petitions for submitting ordinances for the Referendum shall be filed with signatures and verifications complete with the Auditor and Police Judge of the City of Warrenton not later than the 30th day before the next regular or special City election, at which such proposed ordinances or amendments is to be submitted or referred to the people, and the Auditor and Police Judge shall, after verifying the number and genuineness of the signatures forthwith and not later than 15 days before the election, cause the full text and ballot title and numbers of each measure to be printed in a newspaper published in the City of Warrenton, to be designated by the Council, for two consecutive publications.

Section 9. Not more than ten per cent of the legal voters may be required to order the referendum nor more than fifteen per cent to propose any measure by the Initiative in said City.

Section 10. An amendment to the Charter of the City of Warrenton may be proposed and submitted to the legal voters of the City by resolution or ordinance of the Council, without an Initiative petition, but the same shall be filed with the Auditor and Police Judge for submission not later than fifteen days before the election at which it is to be voted upon, and no amendment of the Charter shall be effective until it is approved by a majority of the votes cast thereon by the legal voters of the City. The Auditor and Police Judge shall publish said proposed charter

amendment with the ballot title and number, in full in such newspaper published in the City of Warrenton, as shall be designated by the Council, for two consecutive publications thereof, within the fifteen days immediately preceding the election at which such amendment is to be voted upon, and no other notice need be given, and it shall be unnecessary to have any pamphlets printed or circulated, as provided by the General Laws of the State of Oregon.

The ballot title of such amendment shall be adopted by the Council in the resolution submitting the measure.

Section 11. The Council of the City of Warrenton shall, whenever it deems it advisable, or when required to do so by petition, filed under the provisions of this Ordinance, call and make necessary provisions for the holding of a special election.

Section 12. Legal voters of the City of Warrenton are qualified to sign a petition for the referendum or for the Initiative for any measure which he is entitled to vote upon. Any person signing any other name than his own to a petition or knowingly signing his name more than once for the same measure at one election, or who is not at the time of signing the same a legal voter of the City of Warrenton, or any officer or other person unlawfully violating any of the provisions of this Ordinance shall upon conviction thereof be punished by fine not exceeding three hundred dollars or by imprisonment in the City Jail not exceeding three months, or by both such fine and imprisonment, in the discretion of the Municipal Court.

Section 13. The votes on measures and charter amendments shall be counted, canvassed and returned by the regular board of judges, clerks and officers, as votes for candidates are counted, canvassed and returned, and it shall be the duty of the Auditor and Police Judge of the City of Warrenton, in the presence of the mayor, to proceed within five days after election to canvass the votes given for each measure or amendment. The Mayor shall within ten days from the time of such election

proclaim the adoption of each measure or amendment which shall have received the affirmative majority of the total number of votes cast thereon, and upon such proclamation, such measures and amendments shall become and be in full force and effect, except in cases provided for in Section 7, with reference to two or more laws on the same subject or containing provisions that are conflicting. In cases of Ordinances which have been passed by the Council and voted upon by the Referendum, proclamation of the result of such vote shall also be made and such ordinance shall continue in effect or cease to be in effect according to such result from the time of such proclamation.

Section 14. General Ordinance No. 117, "An Ordinance providing for the manner of exercising the Initiative and Referendum powers reserved to the people of the City of Warrenton and the legal voters thereof by Section 1-A of Section 20 of Article XI of the Constitution of the State of Oregon", and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 15. Inasmuch as certain important legislation is now desired to be passed upon by the people of the City of Warrenton, and it is necessary that such legislation be submitted to the people at an early date and such contemplated legislation cannot be so submitted to the people until some provision is made by the council as provided in this Ordinance for the submission thereof to the vote of the people of the City of Warrenton, and if no legislation amending the Charter of the City of Warrenton shall be submitted to the people until the coming regular election, the public health, peace and safety of the City of Warrenton will be endangered by such delay, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect on and after its approval by the Mayor.

Passed by the Common Council this 16th day of
February, 1920, by the following votes:

Yeas J.W. Warren, J.W. Wallingford, W.C. Wickliffe, W.A. Francis, G.A. McQuinn

NAYS none

Submitted to the Mayor this 16th day of
February, 1920,

Approved by the Mayor this 16th day of February,
1920.

J.M. Wilson

Mayor

Attest:

John Evenden
Auditor and Police Judge.