

AN ORDINANCE, CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY OF WARRENTON AN AMENDMENT TO THE CHARTER OF SUCH CITY, BY ADDING THERETO A SECTION, TO BE NUMBERED 135, AUTHORIZING THE LEASING OR SELLING, OR BOTH, OF ALL OR ANY PORTION OF THE TRACT OF LAND, NOW OWNED BY THE CITY, AND PARTICULARLY DESCRIBED IN SECTION 130 OF SAID CHARTER, AS AMENDED AT THE SPECIAL ELECTION HELD IN SAID CITY ON NOVEMBER 7, 1919, AND PROVIDING FOR A POLLING PLACE FOR SAID PROPOSED ELECTION; FOR NOTICE OF SUCH ELECTION; FOR JUDGES AND CLERKS OF THE ELECTION; DECLARING AN EMERGENCY, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, Since the City of Warrenton acquired the property particularly described in Section 130 of the charter of such City, as amended by a vote of the electors of said City, at a special election held therein on November 7, 1919, the Common Council, as well as many of the other inhabitants of the City, have become convinced that said property will not be needed for, nor can it be beneficially used exclusively as, site or sites upon which to construct docks, piers, slips, wharves, cranes, and dock apparatus; and

WHEREAS, It appears that the best interests of the taxpayers and inhabitants of the City of Warrenton would be subserved by vesting in the Common Council power and authority to lease, or to sell, or both, under proper safeguards and restrictions, the whole, or any such portions, of said tract of land as said Council may, from time to time, determine and conclude to be to the best interests of the inhabitants of said City, and that a special election should be immediately called, at which the proposition of granting to the Common Council the authority to so dispose of such portion, or portions, of said property, from time to time, as it may deem to be to the best interests of the taxpayers and inhabitants of said City: Now, therefore,

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:-

Section 1. That a special election be, and the same hereby is called to be held in the City of Warrenton, Oregon, on the 8th day of December, A.D. 1921, at which shall be submitted to the electors of such City, for their approval or rejection, a proposed amendment to the charter of said City, which amendment is in the following words and figures, to-wit:

"AN ACT

"TO AMEND THE CHARTER OF THE CITY OF WARRENTON.

"BE IT ENACTED BY THE PEOPLE OF THE CITY OF WARRENTON:

"That the charter of the City of Warrenton be, and the same is hereby, amended by adding thereto, and making a part thereof, the following provisions, hereby designated and to be known as Section 135, namely:

"Section 135. That the City of Warrenton has heretofore acquired, and now owns, the title in fee of, in and to the lands and premises described in Section 130 of the charter, under the provisions of such section and other provisions thereof applicable thereto, for the uses and purposes therein specified.

"That it is hereby declared that the use of said lands and premises, for the purpose of providing sites for and upon which to construct docks, piers, slips, wharves, basins, cranes and dock apparatus, and other uses and purposes expressed in said Section 130, and other provisions of the charter applicable thereto, is too restrictive for the commercial, shipping and general welfare interests of the City of Warrenton and the inhabitants thereof.

"It is further declared that the commercial, shipping and gen- ← OKAY

eral welfare interests of said City and the inhabitants thereof demand that the use of such lands and premises, and the whole thereof, should and ought to be enlarged and extended, so that such lands and premises, and the whole or any part thereof, may be used and employed for any and all purposes tending to promote the commercial and shipping interests of the City and the inhabitants thereof, and to promote the general welfare of the people.

"Therefore, the City of Warrenton, in addition to the powers now and heretofore granted and vested in it, be and is hereby authorized and empowered to lease said tract of land in said Section 130 described, or any part or portion thereof, for industrial purposes, and for any and all purposes which, in the judgment of the Common Council, will promote the general industrial, commercial or (and) shipping industry or industries of the City of Warrenton and the inhabitants thereof, and for such other purposes as the Common Council may determine of benefit, or which may promote the general welfare of the City, or the inhabitants thereof, and to such person, or persons, firms or (and) corporations as the Council shall from time to time determine, and upon such terms and for such rentals as such Council may from time to time determine, provided that the term of any lease shall not exceed fifty years.

"That the City of Warrenton be, and is hereby, further authorized and empowered to sell said tract of land described in said Section 130, or any part or portion thereof, at such price and (or) prices as the Common Council may determine, and the Common Council is hereby authorized and empowered to accept in payment therefor either cash in hand at the time of sale, or the promissory note or notes of the purchaser, bearing interest at such rate as the Common Council shall determine, payment to be secured by first mortgage upon the tract or tracts conveyed.

"That the Common Council is also authorized and empowered, as a condition or conditions for the sale or leasing of said lands, or any part thereof, to require the construction, operation, and maintenance thereon of such industrial plant or plants as the Council may deem advantageous to the commercial and shipping interests, as well as the general welfare of the City."

Section 2. That said amendment is submitted at said proposed election by the Common Council, on its own initiative, and not by petition, and it is hereby referred to the electors of said City, for their adoption or rejection, as they may deem fit and proper.

Section 3. That the entire City of Warrenton shall constitute one election precinct, and the polling place for said proposed election shall be the City Hall of said City of Warrenton, and the polls for such election shall open at 9 o'clock A.M. and remain open until 7 P.M., but the judges may, in their discretion, close the polls at noon, for one hour.

Section 4. That G. B. Barlow, W. P. Horner and Phil Coffey are hereby appointed judges, and Miss C. C. Munson and C. E. Nelson are hereby appointed clerks, respectively, of said election, and if one or more of them shall fail to appear and qualify, then, the ones present may select and call in any qualified voter or voters of said City to serve in such capacity.

Section 5. That the qualifications of persons who may vote at said election shall be the same as the qualifications of electors authorized by law to vote at a general election for the election of the officers of said City, and such election, except as herein specifically otherwise provided, shall be conducted in a manner similar to that of general elections in said City, and the votes canvassed and returned in a similar manner.

Section 6. That the notice of said election, containing a copy of said proposed charter amendment, and stating when and where said election will be held, shall be given by the Auditor and Police Judge of said City in the following manner: By publishing such notice in two successive issues of "THE NEWS", a weekly newspaper published in said City, such publications to be made in the issues thereof dated November 25, 1921, and December 2, 1921, and by posting a copy of such notice at three public places in said City for a period of ten (10) days prior to said proposed election, and such publication and posting of said notice shall be sufficient, without mailing out to the electors of said City, or to any one whomsoever, said notice, or any copy of the title and text of said proposed charter amendment, or any pamphlet or folder containing the same, as required by Ordinance No. 117, adopted by said Council and approved on May 21, 1914, or at all.

Section 7. That this ordinance is intended to supersede Ordinance No. 308, passed by the Council and approved by the Mayor on Nov. 15, 1921, and to specially repeal the same, so far as its provisions conflict with this ordinance, for the reason that, by some inadvertence, copies of the notice of said special election were not posted within the time and as required by said Ordinance No. 308, thereby vitiating the same.

Section 8. That the passing of this ordinance at this time and the taking effect of same forthwith is necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Warrenton, and, therefore, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect upon its passage by the Council and approval by the Mayor.

Section 9. That all ordinances and parts of ordinances, so far as the same may be in conflict with this ordinance, be, and the same hereby are, repealed.

Passed by the Common Council and approved by the Mayor on this 23rd day of November, A.D. 1921.

Attest:

John Evenden
Auditor and Police Judge.

H. M. Karson
Mayor.