

A RESOLUTION REFERRING TO THE VOTERS OF) RESOLUTION NO. 6
LEBANON A CHARTER AMENDMENT TO CHAPTER III,)
SECTION 12, OF THE 2004 LEBANON CITY CHARTER) for 2008

Whereas, the voters of the City of Lebanon did approve the 2004 Lebanon City Charter in November 2003; and

Whereas, Chapter III, Section 12 of the 2004 Lebanon City Charter concerns the qualifications of members and elected officers of the Lebanon City Council; and

Whereas, the Lebanon City Council desires to submit an amendment of Chapter III, Section 12 of the Lebanon City Charter to the vote of the electors of the City.

Whereas, the Lebanon City Council did provide public notice of this resolution and proposed charter change and received public input concerning the same.

Now, therefore, the Lebanon City Council resolves as follows:

Section 1. The Lebanon City Council approves the following as an amendment to Chapter III, Section 12 of the 2004 Lebanon City Charter and submits the same to the voters of the City of Lebanon for approval at an election to be held on the 20th day of May 2008:

Chapter III. Section 12. Qualifications of Elective Officers. No person shall be eligible for election, appointment or continued service as a member of the City Council unless that person: 1) is a qualified elector within the meaning of the Constitution of the State of Oregon; 2) has resided in the City continuously during the six months immediately preceding the election or appointment; 3) is not an employee of the City of Lebanon, and 4) is not an immediate family member of a city employee, or a seated elected officer with a concurrent term of office, or an approved candidate for city elected office. "Immediate family member" is herein defined as a spouse, domestic partner, parent, sibling, son or daughter, whether by blood, marriage or adoption. The City Clerk/Elections Official shall make appropriate inquiry as to the qualifications of any proposed candidate prior to accepting or certifying the candidate as eligible to stand election for city elective office. The Council shall be final judge of the qualifications and election of its own members, subject, however, to review by a Court of competent jurisdiction.

Section 2. Pursuant to the provisions of ORS 250.285, the City Attorney is hereby directed to prepare a ballot title for the above referred measure.

Section 3. The election on the above referred amended Section 12 of the 2004 Lebanon City Charter shall be conducted according to the provisions of Oregon law.

Section 4. The City Clerk/Elections Official shall normally review/certify candidates as eligible for elective office in the order of receipt of complete nominating papers as they may be filed with the City Clerk on the first business day in July through 5:00 p.m. on the third Friday in August during a municipal election year.

Section 5. Seated elected officials who cease to meet the eligibility qualifications of Section 12 of the City Charter shall submit their resignation from office to the City Clerk within 60 days of their becoming ineligible.

Section 6. This resolution shall be effective upon its passage.

Passed by the Lebanon City Council by a vote of 4 for and 1 against and approved by the Mayor this 27th day of February, 2008.

Kenneth I. Toombs

Kenneth I. Toombs, Mayor

Bob Elliott, Council President

ATTESTED:

Linda Kaser

Linda Kaser, City Clerk/Recorder