

An Ordinance relating to the duties of the Officers of the City of Lebanon

The People of the City of Lebanon do ordain as follows

City Attorney

Sec 1 The City Attorney shall be of the degree of an Attorney and Counsellor of the Supreme Court of the State of Oregon. He shall be appointed by the City Council at any regular meeting thereof, to serve during the pleasure of the Council -

Sec 2 Before entering upon his duties, the City Attorney shall file with the Recorder a certificate of his appointment, with an official oath endorsed thereon, to the effect - that he will faithfully discharge the duties of his office -

Sec 3 It shall be the duty of the City Attorney to attend to all actions within the City in which the City is interested, and all other actions and suits, to which the City may be a party in any Court; and he shall advise the City Council, when requested by them so to do, on any legal question that may arise involving the interest of the City -
And he shall advise the Officers of the City on all legal questions relating to their respective duties when so requested by any of such officers,

Sec 4 The City Attorney shall receive for his services as such Attorney such sums as the Council may deem just and Reasonable. When excessive services are demanded or required of him in prosecuting or defending any case on behalf of the City before any Court, he shall have and receive such fees therefor as the Council shall deem just -

City Recorder

Sec 5

Before entering upon the duties of his office, the Recorder shall file with the Mayor his certificate of election, or appointment; with his oath of office as provided, in the City Charter endorsed thereon, and also a Bond to the City of Lebanon in the sum of One Thousand (\$1000⁰⁰) dollars in United States Gold coin, with two or more sureties, who shall each possess the qualifications of bail on arrest, as required by the general laws of this State, to be approved by the Council of the City, conditioned that he will honestly and faithfully perform all of the duties of his office as prescribed by the Charter of the City, this and all other Ordinances relating thereto, and the orders and directions of the Council; that he will pay over promptly to the City Treasurer all money that may come into his hands by virtue of his office, and turn over to his successor in office all books, papers and property belonging to the City of Lebanon, that may come into his hands by virtue of his office as City Recorder -

Sec 6

The Recorder shall have jurisdiction over all violations of City Ordinances and may hold to bail, fine, or commit to imprisonment in the City Jail any and all persons found guilty thereof, it shall also be his duty when any person is found guilty of any violation of any City Ordinance and adjudged to pay fine to further adjudge, that if such person fail or refuse to pay such fine and the costs of the action, such person be confined in the City Jail at the rate of one day for each two dollars of such fine, until such fine be paid, provided, that such confinement in the City Jail shall in no case exceed fifty days for any one offense - Any money that may be paid by any person adjudged to pay a fine and costs by the City Recorder in his judicial capacity shall be applied in the first instance to the payment of the costs of the action, - Within the City Limits

The Recorder shall have the Civil and criminal jurisdiction of a Justice of the Peace for the County of Linn, and in all proceedings in his Court, shall be governed and regulated in all his proceeding in his Court by the general laws of this State, applicable to Justices of the Peace and Justice Courts, in like or similar cases. He shall keep the Corporate Seal of the City, and all of the documents belonging to the City, and shall file the same in his office under the appropriate heads.

Sec 7

The Recorder shall be elected as provided in the Charter and shall hold his office for the term therein provided, and until his successor is elected and qualified. - He shall be ex-officio clerk of the City Council and with him must be filed all claims and accounts against the City. - He shall attend all meetings of the City Council and shall keep accurate minutes of all proceedings of the Council in a well bound book provided for that purpose, and shall also keep a correct record of all judicial business by him transacted. - He shall also record in a well bound book, to be called "The Book of Ordinances", all Ordinances passed by the City Council, and shall keep all the originals on file in his office, carefully preserved for further reference. - He shall keep an account in a well bound Journal and Ledger, in the usual form of Single Entry of Bookkeeping, between the City and the Recorder, between the Marshal and the City; between the Treasurer and the City, in which he shall charge each of said Officers with whatever he receives belonging to the City, and credit him with whatever he accounts for satisfactorily to the City Council -

Sec 8

The office of Recorder shall be deemed vacant whenever the incumbent shall be absent from the City for more than ten (10) days without the consent of the Council first had and obtained, except -

in case of sickness, or whenever the person elected or appointed shall fail to qualify as provided by Section 18 of the City Charter—

Sec 9 He shall keep a record of Licenses in a well bound book, which shall be spaced in six columns, which shall be filled as follows: The first column shall state the name of the applicant for License; the second, the date of granting the same; the third; the occupation or business for which license is granted; the fourth; the time for which the license is granted; the fifth, the amount that is paid for such license; the sixth, the day, month and year when the license so issued will expire—

Sec 10 The Recorder shall keep a book to be called "the Record of Orders," in which he shall enter in different columns the number, date and amount of each order issued, the name of the person to whom issued, (who shall receipt for the same when delivered), and the date of cancellation, whenever the same shall be returned as cancelled—

Sec 11 No account or claim against the City shall be presented to, or allowed by the City Council, unless the same shall have been first-filed by the Recorder, and when any account shall have been ordered paid by the City Council, the Recorder shall draw his order on the City Treasurer for the amount thereof and make a record of the same as provided in the preceding Section, and when the City Treasurer shall return the same cancelled, the Recorder shall enter the date thereof in the record of Orders, as provided in the last Section, after which, such cancelled order shall be destroyed—

Sec 12 All fines and penalties belonging to the City collected by the Recorder, and all money belonging to the City that may come into his hands shall be imme-

diately paid by him into the City Treasury and he shall take the receipt therefor in duplicate, one of which receipts shall be filed in the Office of the Recorder —

Sec 13

He shall report to the City Council at the first regular meeting in April, July, and October of each year, all money belonging to the City, collected or received by him from any source whatever, the number and character of licenses issued, and a list of the orders drawn by him on the City Treasury, and shall make a similar report at the first meeting of the Council in January of each year, together with a summary of all his transactions with the City and in his Office during the preceding year. —

Sec 14

All fines and penalties that may be collected by the Recorder for the violation of any State Law, shall be deposited by him as provided by the general laws of the State

Sec 15

The Recorder must issue under the Seal of the City, and attest by his official signature all licenses authorized by City Ordinances upon the delivery to him of the receipt of the City Treasurer of the amount of money required for such License, Provided, that in all cases where by the provisions of any Ordinance, he shall be required to make special order for the issuance of any license, such license shall be issued only upon such order. —

Sec 16

The Recorder is hereby authorized and empowered to administer any oath authorized or required to be taken by any law of this State, or by any Ordinance of the City —

Sec 17

The Recorder shall be by virtue of his Office, City Assessor, and when making the regular assessment of property to be taxed for City purposes, shall ascertain by diligent inquiry, the

names of all persons within the City limits, liable to taxation, all the taxable personal property and real estate therein, and appraise the same according to the provisions of the City Charter and the Ordinances made in pursuance thereof—

Sect 18 The Recorder when acting as assessor, shall require every person subject to taxation, to give upon oath or affirmation in writing and subscribed by him a full description of all taxable property owned by him and liable to taxation within the City limits, and all notes, accounts and other evidence of indebtedness within the City limits, shall be liable to taxation for City purposes, and if any person shall fail to give in a description of his, its or her property liable to taxation as herein prescribed the Recorder shall ascertain, from the best information to be had, the taxable property owned or held by such person—

Sect 19 The assessment roll shall be prepared by the Recorder and shall be made in the manner prescribed and provided by the Charter and Ordinances of the City in regard thereto—

Sect 20 All proceedings or actions before the Recorder shall be commenced by complaint in writing, setting forth the violation of the Ordinance, or act of vagrancy or disorderly conduct complained of, or the offense charged, with such particulars as to time, place, person or property, as to enable the defendant to understand distinctly the character of the offense complained of, and to answer the complaint. Such complaints shall be verified by the oath of the party or person making the same. To the complaint the defendant may plead or he may answer or deny the same, such plea, answer or denial, may be oral or in writing, and immediately thereafter the case shall be tried, unless for good cause a postponement be granted by the Recorder. Provided, that all answers or pleas to any complaint of a civil nature

in the Recorders court of said City, shall be in writing and verified by the oath of the person or party making it in accordance with the general Laws of this State in such cases made and provided.

= City Marshall =

Sect 21

Before entering upon the duties of his office, the City Marshall shall file with the City Recorder his certificate of election or appointment as the case may be with his oath of office endorsed thereon as prescribed by the City Charter, and also a Bond payable to the City of Lebanon, in such sum as the City Council may require, payable in gold coin of the United States of America, with two or more good sureties, who shall justify in like manner as bail on arrest under the Laws of this State and to be approved by the Council, conditioned that he will honestly and faithfully discharge his duties of City Marshall of said City; account for and pay over to the City Treasurer all money that may come into his hands by virtue of his said office, and turn over to his successor in office all books, papers and property belonging to or appertaining to his office, belonging to the City of Lebanon, that may be in his hands by virtue of his office as City Marshall, and that he will faithfully and impartially perform all duties that may be required of him by the City Council —

Sect 22

The City Marshall shall be a conservator of the peace, and shall execute all processes directed to him by the Recorder of the City, or by any magistrate of the State of Oregon. He shall attend regularly upon the Recorders court. He may make arrests for a breach of the peace, for a violation of any City Ordinance, or for the commission of any crime within the City limits, the same as a peace officer may under the Laws of the State. — He shall collect all taxes levied by the City Council as required by Ordinance, and shall immediately pay over all money so collected by him to the City Treasurer, taking therefor duplicate receipts, one of which shall be filed in the Recorders office and placed to his credit. — When

any person doing business within the City, or engaging in any occupation for which a City license is required, shall neglect or refuse to take out the same as required by the Ordinances of the City, it shall be the duty of the City Marshall to inform against and prosecute such person before the City Recorder and enforce the payment of such license fee from such delinquent; and in the discharge of his duties he shall exercise vigilant control over the peace and best interests of the City. He shall perform all such other duties as may be required of him by the City Council, and shall serve all notices within the City limits which the Council may direct him to serve, or which he may be required by any City Ordinance or the Charter of the City to serve —

Sec 23

All sums due the City Marshall for the collection of City taxes and for any and all other services rendered the City shall be audited and paid in the same manner as other claims against the City, except that his fees in civil and criminal cases, when collected may be retained

Sec 24

The City Marshall shall have power to appoint by a written appointment filed with the Recorder and subject to the confirmation of the Council (employ) a deputy, who shall hold his office as deputy Marshall, subject to the orders and requirements of the City Marshall, in accordance with and subject to the provisions of City Ordinances in force at the time, and such deputy shall subscribe, take and file an oath in the Recorder's office to faithfully demean himself in office —

City Treasurer

Sec 25

Before entering upon the duties of his office the City Treasurer shall file with the City Recorder a certificate of his election, with his oath of office endorsed thereon, and also a Bond payable to the City of Lebanon in such sum as the City Council may require, payable in gold coin of the United States of America, with two or more sureties, who shall justify in double the sum or penalty mentioned in such Bond, and to be ap-

proved by the City Council, conditioned that he will faithfully discharge the duties of the Office of Treasurer of the City of Lebanon, account for and pay over all money, and turn over to his successor in office all books, papers and property belonging to the City that may come into his hands by virtue of his office as such Treasurer—

Sec 26

The Treasurer shall keep an office at some convenient place in the City, and shall pay all orders, by the Council ordered to be issued to him by the City Recorder in the order in which they are presented for payment, from the funds of the City Treasury; and he shall pay no funds out of the City Treasury except on orders drawn by the City Recorder therefor under the order of the Council. Signed by the Mayor and the Recorder—

Sec 27

He shall at the end of each quarter, namely, the 31st day of March, 30th day of June, 30th day of September and 31st day of December, and at the last regular meeting of the year, or at any time when required by the City Council so to do, report to said Council his doings as Treasurer, and at the time of making such report return to the City Council all the vouchers paid and cancelled by him, which cancelling shall be done at the time of payment by writing the word "Paid" in large letters, with the date of payment across the face of such voucher or warrant. He shall include in his report an account of all money and property in his hands as City Treasurer, and turn the same over to his successor in office, when he shall be duly qualified

Sec 28

When any City warrant shall be presented to the City Treasurer and there is no money in the Treasury to pay the same, the Treasurer shall endorse on the back thereof "Presented and not paid for want of funds," also the date of making such endorsement, and he shall keep a record of such orders or warrants, in a Book kept for that purpose; whenever the City Treasurer shall pay any warrants so endorsed, he shall cancel the same as other warrants are cancelled by him, and enter the same in the Book

of endorsed orders

Sec 29

It shall be the duty of the City Treasurer to keep all monies collected for road tax and paid to him by the Street-Commissioner, separate and apart from the general fund, and such money shall be known as the "Street Fund." He shall also keep a Book to be known as the "Street-Fund Book" in which he shall enter the amount of all money paid him belonging to said fund, and the date thereof, and also the amount paid out by him from said fund by order of the Council the person to whom paid, the number of the order and the date of payment. He shall pay no money out of said fund, except upon an order specially drawn upon said fund by order of the Council, and signed by the Mayor and the Recorder—

Sec 30

The City Treasurer shall also keep a Book of accounts in which he shall keep in Single Entry all the accounts, except the "Street-Fund" accounts, between him and the City.— He shall enter therein the amounts of all monies received by him, with the date of such receipt, and the name of the person from whom received, and what-for.— He shall also make an entry of all sums paid out by him, the date thereof, and to whom paid and what-for; and such Book shall be open at all times to the inspection of the Council—

Sec 31

The City Treasurer shall receive as his salary, one per cent for all monies received, and one and one half per cent for all monies paid out, which shall be paid out of the City Treasury the same as other claims the City are paid—

= Street-Commissioner =

Sec 32

It shall be the duty of the Street-Commissioner to superintend the grading and gravelling, improving and repairing of all streets and alleys, and to see that the same are graded, graveled and improved and repaired in accordance with the orders of the Council and the

provisions of the Ordinances relating thereto, and to superintend the construction of all sidewalks, cross-walks, bridges, culverts and aqueducts ordered by the Council, and to see that they are constructed in accordance with the orders of the Council and the provisions of the Ordinances in relation thereto—

Mayor =

Sec 33

The duties of the Mayor shall be as prescribed in the City Charter and as directed and prescribed from time to time by the Council

Sec 34

All other Ordinances relating to the duties of Officers heretofore passed by the City Council are hereby repealed—

Sec 35

This Ordinance shall be in full force and effect— from and after its approval by the Mayor.
approved this 15th day of September 1891

Attest—

Geo. W. Rice
City Recorder

M. A. Miller
Mayor