

copied
An Ordinance relating to City Elections and the City organization, and the manner of conducting elections within the Corporate limits of the City of Lebanon —

The People of the City of Lebanon do ordain as follows —

Sec 1st That for the purpose of municipal elections the City of Lebanon shall be and the same is hereby divided into but one ward and no more

Sec 2 The annual election of the officers of said City shall be held on the first Monday of December of each year, and the Polls shall be opened at the hour of nine o'clock A. M., and closed at the hour of (6) six P. M. Provided, that the Judges may for the purpose of receiving votes allow the Polls to remain open until the hour of seven o'clock in the evening of said day, and the Polls shall not be closed from 9 o'clock A M until six o'clock P M of said day except for the space ~~of one~~ hour from twelve o'clock M. until one o'clock P M of said day x

Sec 3 It shall be the duty of the Recorder to provide two Poll Books for such Election, which shall be delivered to the Judges of Election when they are sworn in as such Judges x

Sec 4 It shall be the duty of the Marshall of said City to see that the place selected as a voting place, is properly furnished with whatever is necessary for the accommodation of the Judges and Clerks of the Election x

Sec 5 So far as the annual election is not provided for by this ordinance, it shall as far as circumstances will admit, be conducted ac-

According to the Laws of this State, regulating the Elections for State and County officers; Provided that this ordinance shall not be so construed as to make the Australian Ballot System in force in the elections held in said City in pursuance of this ordinance x

Sec 6

Each voter must be a qualified elector of the State of Oregon, and also must have resided in the City three months next preceeding the Election x

Sec 7

Hereafter there shall be chosen at the annual election one Mayor, one Recorder, one Marshall and one Treasurer to serve for the term of one year, and also four Councilmen to serve for the term of one year each x Each officer, besides possessing the privileges of an elector, must have resided in the City three months next preceeding the election x In addition to the qualifications before stated, to be eligible to the office of Councilman, a person must have been a resident of the Ward from which he is elected for a period of three months next preceeding the Election x

Sec 8

Whenever any Councilman removes from the Ward, from which he was elected, or shall fail to attend the Council for ^{three} regular consecutive meetings thereof without first obtaining permission for such absence from the Council, the office shall be deemed vacant, and the Council shall proceed to fill such vacancy by appointment of some resident of the City or Ward properly qualified to hold such office x

Sec 9

At the first regular meeting of the Council in November of each year, or at a special meeting thereafter, called for that purpose

the Council shall appoint Three persons from each ward in the City who are legal voters thereof, to act as Judges of Election, and shall also at the same time appoint two persons from each ward, to act as Clerks of Election, who shall possess the same qualifications as the Judges x

Sec 10 If any person appointed by the Council as Judges of Election, shall fail to be present at the place of voting at the time when the Polls should be opened, the voters there present shall select Judges, who shall be voters of the City, who, when qualified, shall conduct the Election the same as if appointed by the Council; and if any Clerk of Election shall fail to attend and serve at the proper time, the Judges of Election may appoint another in his stead x

Sec 11 Previous to the votes or ballots being taken or received, the Judges and Clerks of Election shall severally take and subscribe to an oath in the following form, to-wit: "I do ~~solemnly~~ swear (or affirm) as the case may be) that I will well and faithfully perform the duties of Judge of Election (or of Clerk of Election as the case may be) according to the Law; to the best of my ability, that I will faithfully endeavor to prevent fraud, deceit and abuse in conducting the same to the best of my ability, so help me God x

Sec 12 The Recorder, or any person authorized to administer oaths, shall swear in the Judges and Clerks of Election, and in case of the Recorder, being absent, or any person so qualified, one of the persons chosen to act as Judge of Election is hereby empowered to administer the oath to the Judges and Clerks of Election, and the person administering such oath shall

cause an entry of the same to be made and subscribed to by him, and prefixed to the Poll Books.

Sec 13

The Council shall select one polling place ~~in each ward~~, at which place the Election shall be held, and ten days before any regular election the Recorder shall give notice of such Election by printed posters in each ward, which notice shall designate the place of holding the Election, the time of opening and closing the Polls, the Officers to be elected and the names of the Judges and Clerks. He shall also at least five days before such election, notify the Judges and Clerks of their appointment as such.

Sec 14

The Judges of Election shall administer the following oath to any person whose vote is challenged: "You do solemnly swear (or affirm as the case may be) that you are a Citizen of the United States, or that you have declared your intention to become such; above the age of twenty-one years; that you have resided in this State for six months, and in this City for three months, and in this ward for three months last past and preceding this Election, so help you God." That if any person refuses to take such oath when tendered him, his vote shall be rejected by the Judges of Election.

Sec 15

The Clerks shall keep a record in the Poll Books of the names of the voters in the order in which they shall vote.

Sec 16

On or before the second day after any City election, returns of said Election shall be made to the Recorder, and on the fourth day after the returns are in the Recorder shall call to his assistance the Mayor, and they shall proceed to canvass the vote. At the next regular meet-

ing of the Council, a written statement must be made to the Council, signed by the canvassers, giving the whole number of votes cast, the number cast for each person for any office, and the names of those elected to each office x

Sec 17 After the votes are counted the Recorder shall issue Certificates of Election to the persons elected which certificates shall be primary evidence of the facts therein contained, but the Council shall be the final judge of the qualifications and election of its own members, and in case of a contest between two or more persons claiming to be elected thereto, must determine the same by a majority vote of the members of the Council x

Sec 18 In case of a contested election of Mayor, Recorder, Marshall or Treasurer, the same shall be determined by the State Laws regulating contested Elections of County officers x

Sec 19 In case two or more persons shall at any election receive an equal number and the highest number of votes for the same office, the Recorder shall notify them of the fact at once and at the same time advise them of the next regular meeting of the Council when the case will be considered by lot x And the Mayor and Recorder shall certify to the City Council the fact of there being a tie vote, and at the first regular meeting of the Council thereafter the Recorder write the names of such candidates on separate pieces of papers and put them in a hat or box, and put into another hat or Box the same number of pieces of paper x On one shall be written the name of the office for which they are candidates,

and after the hats or boxes are thoroughly shaken by two Councilmen separately, two other Councilmen, blind folded, shall draw in the presence of the other Councilmen, one a paper from one hat-or box and the other person from the other hat-or box, and so on until the paper is drawn on which the name of the office is written and the person whose name is drawn against that, shall be declared elected to the Office in question as if he had received a majority of the votes cast at the annual election, and the Recorder shall issue a certificate accordingly x

Sec 20

Any Candidate failing to receive a certificate of election, and intending to contest the election of the Candidate in whose favor return of election has been made, shall, before the next regular meeting of the City Council file with the Recorder a notice of his intention to so contest, addressed to said Council stating therein the points or grounds on which he will contest the same x

Sec 21

The City Council shall then appoint a committee of their own members, consisting of not less than two Councilmen to take and examine testimony in regard to said contest and report thereon at some regular meeting thereafter; provided that the points on which the contest is made are such that they deem it necessary to take testimony; said committee shall give five days notice to both parties of the time and place where such hearing will be had, and after concluding the hearing of the testimony thereon they shall report the result to the Council, with a brief review of the testimony elicited, and the

reasons of their decisions, and therefrom the contest shall be finally decided by a vote of the Council, unless they determine to reexamine the testimony themselves before so deciding, which they may do by renewing the five days notice to the parties interested x

Sec 22 The residence of any voter under the provisions of this Ordinance shall be deemed to be where his family resides if he has one, and in case he has no family where he boards x

Sec 23 Any person who shall willfully vote at any City election illegally, not being a legal voter in the City, or who shall vote or attempt to vote more than once at any City election, shall on conviction thereof before the Recorder's court, be fined not less than fifty (\$50) dollars nor more than One hundred (\$100) dollars, and in default of the payment of such fine, he shall be committed to the City jail not to exceed thirty days x

Penalty for illegal voting

Sec 24 Judges and Clerks of election for City officers shall be allowed a fee of two (\$2) dollars per day for their services and after each election the Recorder shall make out an account and return it to the Council, of those who served as Judges and Clerks, and their claims shall be audited and allowed as other claims against the City are allowed by the Council x

Sec 25 The terms of all officers shall commence on the first Tuesday in January, after the election, and terminate when their successors are respectively elected and duly qualified, and by such time the officer must qualify therefor, by taking an oath and filing the

Qualification

the same with the Recorder as hereinafter provided, or he shall be deemed to have declined and the office to be vacant. The term of office of any person appointed to an office, shall begin on the day following such appointment and terminate when his successor is elected and qualified, and such officer shall qualify on such day, by taking and filing such oath of office with the Recorder, and giving such official undertaking as may be required, or he shall be deemed to have declined, and the office considered vacant.

Sec 26

All officers, elected or appointed, under this ordinance, before entering upon the duties of their offices, shall take, subscribe and file with the Recorder the following oath of office, to-wit: "I _____ do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States and of the State of Oregon, and that I will to the best of my ability, faithfully perform the duties of the office of _____ of the City of Lebanon during my continuance therein. So help me God" If the person affirms instead of the last clause, the following must be taken to-wit: "And this I promise under the pains and penalties of perjury."

Sec 27

All Laws of this State regulating and governing general elections in this State, and proceedings and matters incident thereto, shall apply to and govern city elections in the City of Lebanon, except as otherwise provided by this ordinance.

Sec 28

All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec 29 This Ordinance shall be in full force and effect - from and after its approval by the Mayor

Approved this 19th day of November
A.D. 1891

Attest-

Geo W. Rice
City Recorder

M. A. Miller
Mayor