

CITY OF SHERWOOD, OREGON

ORDINANCE No. 583

AN ORDINANCE FINDING THAT IT IS IN THE BEST INTEREST OF THE PEOPLE OF THE CITY OF SHERWOOD THAT THE CITY BE ANNEXED TO THE TUALATIN RURAL FIRE PROTECTION DISTRICT, REFERRING TO THE VOTERS OF THE CITY A PROPOSITION PROPOSING THE REPEAL OF SECTIONS 257 TO 263 INCLUSIVE, CHAPTER XXV OF THE CHARTER OF THE CITY, THEREBY TO ABOLISH THE FIRE DEPARTMENT OF THE CITY AND ALL FUNCTIONS THEREOF, AND INCLUDING IN THE SAID PROPOSITION THE PROPOSED ANNEXATION OF THE CITY OF SHERWOOD TO THE TUALATIN RURAL FIRE PROTECTION DISTRICT; DIRECTING THAT THE FOREGOING MATTERS BE SUBMITTED TO THE LEGAL VOTERS OF THE CITY AT THE GENERAL ELECTION OF NOVEMBER 5, 1968; PRESCRIBING BALLOT TITLE; AND DECLARING AN EMERGENCY.

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THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: The Council of the City of Sherwood hereby finds, after due investigation, inquiry and consideration, that in its judgment the best interests of the people of the City of Sherwood would be served by abolishing the Fire Department of the City and all functions thereof, and concurrent therewith annexing the City of Sherwood to the Tualatin Rural Fire Protection District of Washington and Clackamas Counties, Oregon, pursuant to the provisions of Section 478.615 and 478.616, Oregon Revised Statutes.

Section 2: The Council of the City of Sherwood further finds that Sections 257 through 263 inclusive, Chapter XXV of the Charter of the City of Sherwood, should be repealed, thereby to abolish the Fire Department of the City and all functions thereof concurrent with and effective on the date that the City of Sherwood shall be annexed to the Tualatin Rural Fire Protect District pursuant to law.

Section 3: The Council of the City of Sherwood further finds that the foregoing matters should be submitted to the legal voters of the City pursuant to Section 264, Chapter XXVI of the Charter of the City and Initiative and Referendum Ordinance No. 400 as contained in Sections 1-1.1 to 1-1.17 of the General Ordinances of the City of Sherwood at the state-wide General Election to be held within the City on November 5, 1968.

Section 4: The Council of the City of Sherwood further finds in the event of approval by the voters of the City of the proposition hereinafter set forth that such approval would constitute enabling legislation only and that the abolition of the Fire Department of the City and the annexation of the City to the Tualatin Rural Fire Protection District is necessarily subject to the approval by the voters of the Tualatin Rural Fire Protection District of a proposal for the annexation of the City to the District, and that the proposal hereinafter set forth may be effective only if and when the Boards of Commissioners, respectively, of Washington and Clackamas Counties, enter an order declaring the annexation pursuant to Section 478.616 (2), Oregon Revised Statutes, and that pending the entry of such order, all functions of the Fire Department of the City of Sherwood shall continue in full force and effect.

Section 5: There is hereby submitted to the voters of the City at the General Election to be held within the City November 5, 1968, between the hours of 8:00 A.M. and 8:00 P.M. at the designated polling place, to-wit: The City Hall, the foregoing matters and the official ballot title for the foregoing proposals approved by the City Attorney as it shall appear on the official ballot to be submitted to the City voters be and the same is hereby prescribed and authorized as follows:

CITY OF SHERWOOD, OREGON

Repeal of Sections 257 through 263, Chapter XXV of the City Charter and Annexation of the City of Sherwood to the Tualatin Rural Fire Protection District Submitted to the Voters by the City Council.

Vote Yes or No

100. Shall Sections 257 through 263 inclusive of Chapter XXV of the Charter of the City of Sherwood be repealed, thereby abolishing the Fire Department of the City of Sherwood and all functions thereof and the City be annexed to the Tualatin Rural Fire Protection District of Washington and Clackamas Counties, Oregon, effective only upon entry of orders of the Boards of Commissioners of Washington and Clackamas Counties declaring the annexation of the City to the Tualatin Rural Fire Protection District? YES NO

Section 6: That the foregoing proposition shall be submitted to the legal voters of the City on a separate ballot at the said state-wide general election to be held within the City on November 5, 1968, and that said election with respect to said proposition shall be conducted by the regular election board(s) designated to conduct the regular state-wide general election within the City on November 5, 1968. Such election board(s) regularly designated to conduct said general election are hereby designated as the election board(s) to conduct the election with respect to the foregoing proposition.

Section 7: In all respects the conduct of the election on the foregoing proposition shall conform to the procedures established pursuant to law for the conduct of the general election in said precincts and the polls shall be opened at the same hour and closed at the same hour and all other applicable provisions and procedures shall be in accordance with the general election laws of the state of Oregon.

Section 8: That this ordinance shall be filed with the Recorder immediately upon enactment hereof pursuant to Section 10 of Ordinance 400 of the General Ordinances of the City of Sherwood.

Section 9: That the recorder of the City of Sherwood be and she is hereby authorized and directed to give legal notice of the foregoing proposal by publishing this ordinance in its entirety in the Tri-City Times, a newspaper published and of general circulation in the City of Sherwood once each week for two successive weeks, three publishings in all, the first publication to be not less than 12 days nor more than 20 days before the election and also by

posting a copy of this ordinance in three public places in the City at least ten days prior to the election and such publication and posting shall fulfill the election notice requirements.

Section 10: That the City Recorder and City Attorney be and they are hereby authorized and directed to prepare all materials required and to do any and all other things needful and necessary to submit the foregoing proposal to the voters and all necessary expenses incident thereto and connected therewith are hereby authorized.

Section 11: Inasmuch as the peace, health and safety of the people of the City of Sherwood require that the foregoing proposal be submitted to the voters of the City at the General Election to be held in the City on November 5, 1968, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its passage by the City Council and its approval by the Mayor.

PASSED:

By the Council, by unanimous vote of all Council members present, after being read by caption three times, and in body once, this 9 day of October, 1968.

Marjorie Stewart  
Recorder - City of Sherwood

APPROVED:

By the Mayor, this 9 day of October, 1968.

D. N. DeLube  
Mayor - City of Sherwood