

PROPOSED AMENDMENTS TO CHARTER

City of Sherwood, Oregon

Ordinance # 656

AN ORDINANCE AUTHORIZING AND APPROVING AMENDMENTS TO SECTIONS 7, 21, 22 and 35 OF THE CHARTER OF THE CITY OF SHERWOOD, OREGON, TO PERMIT EITHER RESIDENT ELECTORS OR NONRESIDENT PERSONS TO HOLD APPOINTIVE OFFICES OF THE CITY, TO REQUIRE NOMINATIONS OF OFFICERS TO BE FILED WITH THE RECORDER 90 DAYS PRIOR TO THE ELECTION AND TO PROVIDE THAT THE COUNCIL MAY, BY UNANIMOUS VOTE DISPENSE WITH THE REQUIREMENT THAT AN ORDINANCE BE READ IN FULL PRIOR TO PASSAGE PROVIDED THAT THE ORDINANCE IS READ BY CAPTION OR TITLE THREE TIMES PRIOR TO PASSAGE; DECLARING AN EMERGENCY, AND CALLING A SPECIAL ELECTION AT WHICH THE PROPOSED CHARTER AMENDMENTS SHALL BE SUBMITTED TO THE VOTERS.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: There shall be, and there is hereby, adopted, approved and authorized an amendment to Chapter II, Section 7, of the City Charter of Sherwood, Oregon, to read as follows:

defeated

"Section 7. No person shall be eligible to any elective office in the City of Sherwood who shall not at the time of his election or appointment be an elector according to the constitution and laws of the State of Oregon and who has not resided within the corporate limits of the City of Sherwood for one year next preceding such election or appointment. Persons occupying appointive offices may or may not be residents of the City."

Section 2. There shall be, and there is hereby adopted, approved and authorized an amendment to Chapter III, Section 21 and 22, of the charter of the City of Sherwood, Oregon, to read as follows:

"Section 21. The City Council is hereby authorized to enact and enforce all ordinances necessary or convenient for carrying in effect the initiative and referendum powers reserved to the municipality by Section 1-a of Article IV, Constitution of the State of Oregon, and also to regulate and govern all other City elections and proceedings and matters incidental thereto. Nominations for City offices may be made at a mass meeting or caucus, which may be convened upon the call of the Mayor of the City, and to be held not less than 90 days prior to the date of election, and the names chosen at such meeting, by a majority of the legal voters of said city who shall attend the same, shall be printed upon the official ballot; and Provided, also that nominations for office may be made by petitions signed by not less than ten legal voters of the City of Sherwood which petitions shall be filed with the Recorder of said City not less than 90 days prior to the date of election: Provided further that no acceptance of the nominations made at such mass meeting or caucus shall be necessary, but the acceptance of the candidate nominated by petition shall accompany such petition when the same is filed with the Recorder."

"Section 22. All initiative and referendum measures to be submitted to the voters at any general or special city election shall be filed with the Recorder not less than 15 days prior to the date of such election. The Recorder shall cause the ballots for any general or special election to be printed at least five days before the election, and he shall deliver the same to the judges of election before the polls open, such ballots to be printed upon plain white paper, and to be of appropriate size to contain the names and measures therein, and no other ballot shall be voted or counted at any such special election except the white ballot furnished by the Recorder, and any ballots deposited in the ballot boxes other than the white ballots provided by the Recorder shall not be counted by the judges and clerks of election; Provided however, that an elector may write on the white ballot provided by the Recorder the name of any person qualified for the office for which he cast his ballot and such votes shall be canvassed and counted the same as votes for persons whose names are printed upon the ballot; Provided that sample ballots, printed upon paper of different color, but otherwise identical with the official ballot, shall be provided for the use of voters. The arrangement of names of candidates, and of measures to be voted upon, shall be substantially in the form prescribed by the laws of the State of Oregon and known as the Australian Ballot, except where a different arrangement is prescribed by the City Council, and ballots shall be voted by placing a cross (X) between the number and name or measure to be voted upon."

Section 3. There shall be and there is hereby adopted, approved and authorized an amendment to Chapter V, Section 35 of the charter of the City of Sherwood, Oregon, to read as follows:

"Section 35. The style of every ordinance shall be "The City of Sherwood does ordain as follows:" and every ordinance shall be read by title or caption three times and in full once unless the council, by unanimous vote, deems it expedient to dispense with this rule, but the reading of an ordinance by title or caption three times, prior to passage, shall in no case be dispensed with."

Section 4. The foregoing proposed amendments shall be submitted to the legal voters of the City of Sherwood at the general election called to be held on the 5th day of November, 1974, in the City of Sherwood, for the purpose of approving or rejecting the foregoing charter amendments, and said election shall be held concurrently with the regular general election to be held in the City of Sherwood on said date, and said election shall be held in accordance with the provisions of the charter of the City of Sherwood and the applicable election laws of the State of Oregon.

Section 5. The Recorder is hereby authorized and directed to cause to have published in the Tigard Times, a newspaper published and of general circulation in the City of Sherwood, Oregon, notice of said general election and charter amendment election, in no less than two consecutive issues of said newspaper within twenty days immediately preceding such election and to post election notices in not less than three public places in the City of Sherwood in accordance with Chapter III, Section 10 of the City Charter.

Section 6. The foregoing propositions shall be submitted to the legal voters of the City of Sherwood by separate ballot at each precinct, or part of precinct, in the City of Sherwood at the general election to be held on November 5, 1974, and said election with respect

to said propositions shall be conducted by the regular election boards designated to conduct the regular statewide general election with the City on November 5, 1974. In all respects the conduct of said election on the charter amendment proposition shall conform to the procedures established by law for the conduct of the general election in precincts within the City and the polls shall be opened at the same hour and closed at the same hour and all other applicable provisions in accordance with the election laws of the State of Oregon.

Section 7. At the close of the polls on said election date the ballots cast on said measures to be submitted along with the general election city ballots for positions on the city council and mayor cast in said election shall be delivered to the city election board for the purpose of counting said ballots and certifying the result thereof to the City Council. Carol M. Roos, Clara Krebbs and Emily Cochran are hereby designated as members of said election counting board to serve in such connection with the election called to be held. Maice PARIS and Jenny Harrington are named as alternates to serve on said board in the event disability or other incapacity to act on the part of any member of said board.

Section 8. The Recorder be and is hereby authorized and directed to cause to have prepared ballots in due and legal form as herein prescribed and to furnish the election board a proper ballot box and all necessary election materials and to take any and all other and further actions that may be required to give effect to the provisions of this ordinance and to incur reasonable and necessary expenses in connection therewith, chargeable to the general fund of the City of Sherwood.

Section 9. The official ballot titles for the foregoing measures as same shall appear upon the official ballot used at the election to be held on the 5th day of November, 1974, is hereby provided, authorized and approved as follows:

Charter amendments submitted to the voters by the City Council:

An Amendment to Section 7, Chapter II of the City Charter of the City of Sherwood, Oregon, authorizing either resident electors or nonresident persons to hold appointive offices in the City of Sherwood, Oregon.

Mark X or ✓ in the square opposite the answer voted for:

51. Shall the City Charter be amended to authorize either resident electors or non resident persons to hold appointive offices in the City of Sherwood? Yes No

An amendment to Chapter III, Sections 21 and 22 of the City Charter of the City of Sherwood, Oregon, to require that nominations for candidates for elective city offices be filed 90 days prior to the date of the election.

Mark X or ✓ in the square opposite the answer voted for:

52. Shall the City Charter be amended to require nominations for candidates to city elective offices to be filed 90 days prior to the date of the election. Yes No

An amendment to Chapter V, Section 35 of the Charter of the City of Sherwood, Oregon, authorizing the Council by unanimous vote, to dispense with the requirement that an ordinance be read in full prior to passage, but requiring that all ordinances be read by title or caption three times prior to passage.

Mark X or ✓ in the square opposite the answer voted for:

53. Shall the City Charter be amended to authorize the City Council, by unanimous vote, to dispense with the requirement that an ordinance be read in full prior to passage, but requiring that all ordinances be read by title or caption three times prior to passage? Yes No

Section 11. The effective date of any of the foregoing charter amendments proposed if approved by the voters at the election shall be December 6, 1975.

Section 12. Inasmuch as it is necessary for the peace, health and safety of the City that this amendment to the City Charter be submitted to the voters without delay, an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passing by the City Council and its approval by the Mayor.

Passed by the City Council this 9th day of October, 1974, by the following vote: Yes 4, No 0.

Approved by the Mayor this 9th day of October, 1974.

Mayor

Jack D. Harper

Attest:

J. Halden
Recorder