

CITY OF SHERWOOD

ORDINANCE NO. 94-985

AN ORDINANCE PROVIDING FOR A CITY ELECTION TO BE HELD IN THE CITY OF SHERWOOD, OREGON, SEPTEMBER 20, 1994, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY THE QUESTION OF APPROVING A PARKS TAX RATE SERIAL LEVY PURSUANT TO ORS 280.060, ET SEQ. AND DECLARING AN EMERGENCY

WHEREAS, the City Council of the City of Sherwood finds that the existing tax base provides insufficient funds to operate all essential functions of the City government, and that there should be submitted to the legal voters of the City, a three-year tax rate serial levy to provide funds for park operating expenses, in addition to those funds provided within the tax base; and

WHEREAS, it appears this matter should be submitted to the voters at the September 20, 1994, special election.

NOW, THEREFORE, THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1. It is necessary and in the best interest of the people of the City of Sherwood that there be submitted to the legal voters of the City of Sherwood at the special election to be held September 20, 1994, the proposition hereinafter set forth for a parks tax rate serial levy outside the tax base, for which purpose an election is hereby called on said date.

Section 2. There shall be submitted to the voters of the City of Sherwood for their approval or rejection, the following parks tax rate serial levy measure for which the following ballot title to appear on the ballot is prescribed:

Caption

CITY OF SHERWOOD THREE-YEAR PARKS
TAX RATE SERIAL LEVY

Question

"SHALL CITY LEVY \$0.31 PER \$1000.00
ASSESSED VALUE FOR THREE YEARS OUTSIDE TAX BASE
FOR PARKS OPERATIONS BEGINNING 1995-96?"

YES () NO ()

Summary

It is estimated that the proposed City of Sherwood parks operations levy of \$0.31 per \$1000.00 of assessed value would provide \$65,102.00 in 1995-96, \$71,612.00 in 1996-97, and \$78,773.00 in 1997-98. The tax is subject to the limit of Section 11b of Article XI for governmental purposes other than public school education purposes. The funds provided by this levy will be used for the expenses of maintaining and improving City parks and park-associated facilities; and for other park services and expenses above any amount budgeted to be paid from the General Fund. By law, the money provided by this levy may be used only for these park operational expenses.

Approval of this measure would not reduce the property tax collections of other non-school district units of government available under the provisions of Section 11b, Article XI, Oregon Constitution and implementing legislation.

Section 3. In addition to such notice as the County Elections Officer shall give, the Recorder shall give notice of the election in the manner required by Section 8.3 of the City Charter. The form of notice shall be substantially as follows:

NOTICE OF PARKS TAX RATE SERIAL LEVY ELECTION

Notice is hereby given that pursuant to Ordinance No. 94-985 enacted by the City Council of Sherwood, Oregon on June 22, 1994, there will be submitted to the qualified voters of the City of Sherwood for their approval or rejection, at the special election to be held on September 20, 1994, between the hours of 7:00 o'clock A.M. and 8:00 o'clock P.M., the following proposition:

Submitted to the qualified voters by the Sherwood City Council

CITY OF SHERWOOD THREE-YEAR PARKS
TAX RATE SERIAL LEVY

**"SHALL CITY LEVY \$0.31 PER \$1000.00
ASSESSED VALUE FOR THREE YEARS OUTSIDE TAX BASE
FOR PARKS OPERATIONS BEGINNING 1995-96?"**

It is estimated that the proposed City of Sherwood parks operations levy of \$0.31 per \$1000.00 of assessed value would provide \$65,102.00 in 1995-96, \$71,612.00 in 1996-97, and \$78,773.00 in 1997-98. The tax is subject to the limit of Section 11b of Article XI for governmental purposes other than public school education purposes. The funds provided by this levy will be used for the expenses of maintaining and improving City parks and park-associated facilities; and for other park services and expenses above any amount budgeted to be paid from the General Fund. By law, the money provided by this levy may be used only for these park operational expenses.

Approval of this measure would not reduce the property tax collections of other non-school district units of government available under the provisions of Section 11b, Article XI, Oregon Constitution and implementing legislation.

* * * * *

The polling places in the City of Sherwood for purposes of this election will be those designated by the County Clerk or elections officer.

WITNESS my hand and seal of the City of
Sherwood this _____ day of September, 1994.

City Recorder

Section 4. Notice of the city election shall be given in the form substantially as hereinabove set forth, by posting notices in said form at each of the herein designated places, such posting to be accomplished not later than September 9, 1994, pursuant to Chapter VIII of the City Charter.

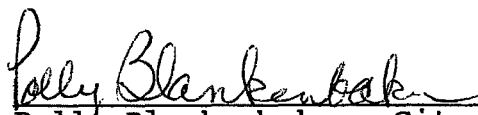
Places of posting conspicuously exposed to public view in the City of Sherwood:

1. At the front door of the Sherwood City Hall
2. At the front door of the United States Post Office, in the City of Sherwood
3. At the front door of U.S. National Bank of Oregon, Sherwood Branch, in the City of Sherwood
4. In at least one other public place to be selected by the City Recorder

Section 5. The City Recorder be and she is hereby authorized and directed to cause the county elections officer to have prepared ballots in due and legal form as herein prescribed and to take any and all other and further actions necessary to conduct the election in accordance with the laws regulating and governing elections.

Section 6. It is necessary for the orderly conduct of the election and to comply with the statutory time requirements for submitting election information to the county elections officer prior to the special election date, and therefore, an emergency is hereby declared to exist. This ordinance shall therefore be effective upon its passage by the Council and approval by the Mayor.

Duly passed by the City Council
this 22nd day of June, 1994.


Polly Blankenbaker, City Recorder

Approved by the Mayor this 22nd
day of June, 1994.

Walter Hitchcock

Walter Hitchcock, Mayor

	<u>Aye</u>	<u>Nay</u>
Boyle	<u>absent</u>	_____
Cottle	<u>✓</u>	_____
Hitchcock	<u>✓</u>	_____
Kennedy	<u>✓</u>	_____
Tobias	<u>✓</u>	_____

City of Sherwood, Oregon

Resolution No. 94-594

A RESOLUTION CANVASSING RETURNS OF THE SEPTEMBER 20, 1994, SPECIAL ELECTION, PROCLAIMING RESULTS AND DIRECTING THE RECORDER TO ENTER ELECTION RESULTS IN THE RECORD.

WHEREAS, there has been duly and regularly certified to the City by the Washington County Clerk, the following returns of the election held in the City of Sherwood September 20, 1994, whereat there was submitted to the electors the question "shall the City levy \$0.31 per \$1,000.00 assessed value for three years outside tax base for parks operations beginning 1994-1995?"

WHEREAS, pursuant to ORS 255.295 the Council is required to canvass the said returns and proclaim the results and direct the Recorder to enter the results in the records of the Council proceedings;

NOW THEREFORE BE IT RESOLVED by the Council of the City of Sherwood as follows:

Approving a \$0.31 three year tax rate serial levy

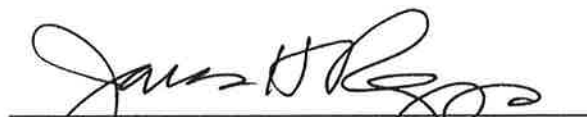
Yes	404
No	536

BE IT FURTHER RESOLVED that the Recorder be, and is hereby, directed to enter a copy of this Resolution in the record of the journal of the proceedings of this Council.

Duly passed by the City Council on October 12, 1994.


Walter Hitchcock, Mayor

Attest:


James H. Rapp, City Manager
City Recorder



WASHINGTON
COUNTY,
OREGON

10/12
Consent
Ask Polly
how
JR

September 28, 1994

City Recorder
City of Sherwood
90 NW Park St
Sherwood, OR 97140

Enclosed you will find a copy of the Abstract of Voters for the Measure relating to the Special Election held on September 20, 1994. In the accordance with ORS 255.295, please canvass the votes and notify the Washington County Elections Division within thirty (30) days of receipt. Please sign and return the bottom portion of this letter to Washington County Elections Division.

Thank you very much.

Sincerely,

GINNY KINGSLEY
ELECTIONS MANAGER

GK/mg

Send to: Washington County Elections Division
155 N First Avenue, Suite B10
Hillsboro, Oregon 97124

I have canvassed the votes for the Measure relating to the Special Election on September 20, 1994.

City of Sherwood

10/13/94

DATE

SPECIAL DISTRICT ELECTION
TUESDAY, SEPTEMBER 20, 1994
SUMMARY REPORT

Date 09/28/94
Time 09:56:30

TOTAL VOTER STATISTICS	(#/PCT 255)	GASTON SCHOOL DIST 34-23	(#/PCT 3)	LAKE OSWEGO CITY 3-24	(#/PCT 1)
	(#/RPT 255)	GENERAL OBLIGATION BOND	(#/RPT 3)	BOND MEASURE ROAD IMPRVM	(#/RPT 1)
	(%/RP 100.0)	(No. to vote for 1)	(%/RP 100.0)	(No. to vote for 1)	(%/RP 100.0)
VOTER REGISTRATION	199408	YES	220 44.7	YES	0 0.0
TURNOUT	75075 37.6	NO	272 55.2	NO	2 100.0
WASHINGTON COUNTY 34-22	(#/PCT 255)	Blank voted (ballots)	3 0.6	Blank voted (ballots)	0 0.0
GENERAL OBLIGATION BOND	(#/RPT 255)	Over voted (ballots)	0 0.0	Over voted (ballots)	0 0.0
(No. to vote for 1)	(%/RP 100.0)				
YES	42750 58.2	HILLSBORO UNION HIGH	(#/PCT 68)	LAKE OSWEGO CITY 3-25	(#/PCT 1)
NO	30586 41.7	34-17 GENL OBLIGTN BOND	(#/RPT 68)	REAL PROP TRANS TAX	(#/RPT 1)
		(No. to vote for 1)	(%/RP 100.0)	(No. to vote for 1)	(%/RP 100.0)
Blank voted (ballots)	1662 2.2	YES	9229 54.2	YES	0 0.0
Over voted (ballots)	77 0.1	NO	7779 45.7	NO	2 100.0
BEAVERTON CITY 34-21	(#/PCT 37)	Blank voted (ballots)	209 1.2	Blank voted (ballots)	0 0.0
3 YR POLICE LEVY	(#/RPT 37)	Over voted (ballots)	9 0.0	Over voted (ballots)	0 0.0
(No. to vote for 1)	(%/RP 100.0)				
YES	7840 70.5	TIGARD-TUAL SCHOOL 34-19	(#/PCT 48)		
NO	3265 29.4	GENERAL OBLIGATION BOND	(#/RPT 48)		
		(No. to vote for 1)	(%/RP 100.0)		
Blank voted (ballots)	140 1.2	YES	6176 47.4		
Over voted (ballots)	5 0.0	NO	6827 52.5		
SHERWOOD CITY 34-18	(#/PCT 2)	Blank voted (ballots)	160 1.2		
3 YR TAX RATE SERIAL LEV	(#/RPT 2)	Over voted (ballots)	5 0.0		
(No. to vote for 1)	(%/RP 100.0)				
YES	404 42.9	LAKE OSWEGO SCH DISTRICT	(#/PCT 1)		
NO	536 57.0	3-29 GENL OBLGTN BOND	(#/RPT 1)		
		(No. to vote for 1)	(%/RP 100.0)		
Blank voted (ballots)	12 1.2	YES	1 100.0		
Over voted (ballots)	1 0.1	NO	0 0.0		
FOREST GROVE SCHOOL DIST	(#/PCT 24)	Blank voted (ballots)	0 0.0		
34-20 GENL OBLIGATION BN	(#/RPT 24)	Over voted (ballots)	0 0.0		
(No. to vote for 1)	(%/RP 100.0)				
YES	2860 50.6				
NO	2788 49.3				
Blank voted (ballots)	85 1.4				
Over voted (ballots)	8 0.1				

CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL

Date September 28, 1994

WASHINGTON COUNTY
ELECTIONS DIVISION

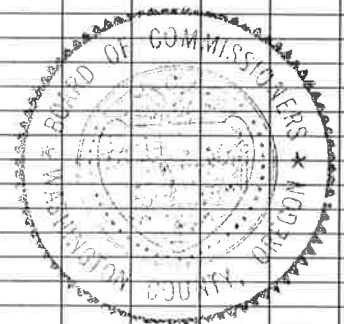
BY W. H. Harris

**** UNOFFICIAL STATEMENT OF VOTES CAST AT THE MAIL BALLOT ELECTION ON SEPTEMBER 20 1994 ****
 SHERWOOD CITY 34-18 - 3 YR TAX RATE SERIAL LEVY

Page Number 7.001.001

REGISTERED VOTERS	TURNOUT	TURNOUT PERCENTAGE	SHERWOOD CITY YES 34-18	SHERWOOD CITY NO 34-18
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002 SHERWOOD INT SCHOOL	991	375	37.8%	145	223
223 SHERWOOD INTERM	1640	578	35.2%	259	313
**** TOTALS ****	2631	953	36.2%	404	536



CERTIFIED TO BE A TRUE AND
 CORRECT COPY OF THE ORIGINAL

Date September 28, 1994

WASHINGTON COUNTY
 ELECTIONS DIVISION

BY [Signature]

CITY OF SHERWOOD

NOTICE OF TAX RATE SERIAL LEVY ELECTION

Notice is hereby given that pursuant to Ordinance No. 94-985 enacted by the City Council of Sherwood, Oregon on June 22, 1994, there will be submitted to the qualified voters of the City of Sherwood for their approval or rejection, at the special election to be held on September 20, 1994, between the hours of 7:00 o'clock A.M. and 8:00 o'clock P.M.. the following proposition:

Submitted to the qualified voters by Sherwood City Council

Caption

CITY OF SHERWOOD THREE-YEAR OPERATING PARKS TAX RATE SERIAL LEVY

Question

SHALL CITY LEVY \$0.31 PER \$1000.00 OF ASSESSED VALUE FOR THREE YEARS OUTSIDE TAX BASE FOR PARKS OPERATIONS BEGINNING 1995-96?"

YES () NO ()

Summary

It is estimated that the proposed City of Sherwood parks operating levy of \$0.31 per \$1000.00 of assessed value would provide \$65,102.00 in 1995-96, \$71,612.00 in 1996-97, and \$78,773.00 in 1997-98. The tax is subject to the limit of Section 11b of Article XI for governmental purposes other than public school education purposes. The funds provided by this levy will be used for the expenses of maintaining and improving City parks and park-associated facilities; and for other park services and expenses above any amount budgeted to be paid from the General Fund. By law, the money provided by this levy may be used only for these park operational expenses.

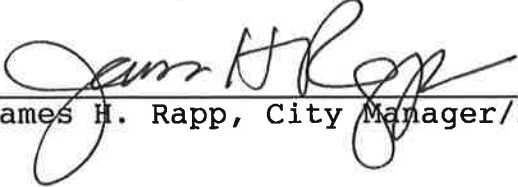
Approval of this measure would not reduce the property tax collections of other non-school district units of government available under the provisions of Section 11b, Article XI, Oregon Constitution and implementing legislation.

* * * * *

Polling Places

The polling places in the City of Sherwood for purposes of this election will be those designated by the County Clerk or elections officer.

WITNESS my hand and seal of the City of Sherwood this 8th day of September, 1994.



James H. Rapp, City Manager/Recorder

NOTICE OF TAX LEVY MEASURE ELECTION

City of Sherwood
(Unit of Local Government)

Notice is hereby given that on Tuesday September 20, 1994
(Day of week) (Date of election)

a measure election will be held in City of Sherwood Washington County, Oregon.
(Name of Local Gov't) (Name of county)
city, county, district, etc.

The county clerk has advised us (SELECT ONE):

- ☐ The election will be conducted at the polls. The polls will be open from 7:00 a.m. to 8:00 p.m.
- ☒ The election will be conducted by mail.

The following shall be the ballot title of the measure to be submitted to the district's voters on this date:

CAPTION (10 Words)

CITY OF SHERWOOD THREE-YEAR PARKS TAX RATE SERIAL LEVY

QUESTION (20 Words)

"SHALL CITY LEVY \$0.31 PER \$1000.00 ASSESSED VALUE FOR THREE YEARS
OUTSIDE TAX BASE FOR PARKS OPERATIONS BEGINNING 1995-96?"

***SUMMARY (175 Words)**

It is estimated that the proposed City of Sherwood parks operations levy of \$0.31 per \$1000.00 of assessed value would provide \$65,102.00 in 1995-96, \$71,612.00 in 1996-97, and \$78,773.00 in 1997-98. The tax is subject to the limit of Section 11b of Article XI for governmental purposes other than public school education purposes. The funds provided by this levy will be used for the expenses of maintaining and improving City parks and park-associated facilities; and for other park services and expenses above any amount budgeted to be paid from the General Fund. By law, the money provided by this levy may be used only for these park operational expenses.

Approval of this measure would not reduce the property tax collections of other non-school district units of government available under the provisions of Section 11b, Article XI, Oregon Constitution and implementing legislation.

The following authorized local government official hereby certifies the above ballot title is true and complete.

Polly Blankenbaker

July 7, 1994

Signature of authorized local government official (not required to be notarized)

Date signed

Polly Blankenbaker

Director of Finance

Printed name of authorized local government official

Title

* For measure authorizing tax levy or establishing new tax base: Concise and impartial statement of not more than 175 words, explaining chief purpose of the measure and giving reasons for the measure. ORS 310.390. Additional statement required by ORS 310.395 shall not be included in word count.

I, Polly Blankenbaker, authorized local government official, hereby certify the City of Sherwood has complied
(NAME OF LOCAL GOVERNMENT UNIT)

with the requirements of ORS 310.180 to 310.188 and has complied with either ORS 310.186(1) or 310.186(2), as applicable.*

Polly Blankenbaker
Signature of authorized local government official
(not required to be notarized)

July 7, 1994
Date signed

*Section 6, chapter 424, Oregon Laws 1993, and the public hearing requirements of ORS 310.180 through 310.188 are not applicable to school districts. However, school district tax levy measures must meet the requirements of ORS 310.315.

NOTICE OF TAX LEVY MEASURE ELECTION

ORS 250.035

34-18
FILED

City of Sherwood
(Unit of Local Government)

JUL 7 1994

Notice is hereby given that on Tuesday
(Day of week)

WASHINGTON COUNTY
ELECTIONS DIVISION
SEP 14 1994
(Date of election)

a measure election will be held in City of Sherwood Washington County, Oregon.
(Name of Local Gov't) (Name of county)
city, county, district, etc.

The county clerk has advised us (SELECT ONE):

- ☐ The election will be conducted at the polls. The polls will be open from 7:00 a.m. to 8:00 p.m.
- ☒ The election will be conducted by mail.

The following shall be the ballot title of the measure to be submitted to the district's voters on this date:

CAPTION (10 Words)

CITY OF SHERWOOD THREE-YEAR PARKS TAX RATE SERIAL LEVY

QUESTION (20 Words)

"SHALL CITY LEVY \$0.31 PER \$1000.00 ASSESSED VALUE FOR THREE YEARS
OUTSIDE TAX BASE FOR PARKS OPERATIONS BEGINNING 1995-96?"

***SUMMARY** (175 Words)

It is estimated that the proposed City of Sherwood parks operations levy of \$0.31 per \$1000.00 of assessed value would provide \$65,102.00 in 1995-96, \$71,612.00 in 1996-97, and \$78,773.00 in 1997-98. The tax is subject to the limit of Section 11b of Article XI for governmental purposes other than public school education purposes. The funds provided by this levy will be used for the expenses of maintaining and improving City parks and park-associated facilities; and for other park services and expenses above any amount budgeted to be paid from the General Fund. By law, the money provided by this levy may be used only for these park operational expenses.

Approval of this measure would not reduce the property tax collections of other non-school district units of government available under the provisions of Section 11b, Article XI, Oregon Constitution and implementing legislation.

The following authorized local government official hereby certifies the above ballot title is true and complete.

Polly Blankenbaker July 7, 1994
Signature of authorized local government official (not required to be notarized) Date signed
Polly Blankenbaker Director of Finance
Printed name of authorized local government official Title

* For measure authorizing tax levy or establishing new tax base: Concise and impartial statement of not more than 175 words, explaining chief purpose of the measure and giving reasons for the measure. ORS 310.390. Additional statement required by ORS 310.395 shall not be included in word count.



90 NW Park Steet
Sherwood, Oregon 97140
503/625-5522 □ FAX 625-5524

FAX COVER LETTER

TO: Washington Co. Elections - Attn: Melisa

FROM: Kathy Cary

CITY OF SHERWOOD

DATE: July 19, 1994

SENT VIA PANAFAX (FAX NO. 625-5524)

To Telephone Number (503) 693-4854

Total Number of Pages (Including Cover Page) 2

NOTE: If FAX is unsuccessful, please call 625-5522

COMMENTS:

The explanatory statement for County Voters' Pamphlet
follows. This is for Measure No. 34-18.

*7-20- Called
to missa.
Did receive
fax*

INSTRUCTIONS

1. The "Explanatory Statement" must be typed.
2. The word total must not exceed 500 words.
3. The "Explanatory Statement" must be signed by the person responsible for the content of the statement and include the name of the governing body that person represents.
4. The "Explanatory Statement" must be filed with the County Election Official of the County in which the administrative office of the electoral district is located.
5. The "Explanatory Statement" must be filed by 5:00 p.m. on the deadline for filing the notice of election.

EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

Ballot Title Caption CITY OF SHERWOOD THREE-YEAR PARKS TAX RATE SERIAL
LEVY
Measure No. 34-18 Word Total (500 max) _____

The City of Sherwood is proposing a three-year operating levy to fund increased operations and maintenance of the City's Parks. A tax rate levy of \$0.31 for every \$1,000 of assessed property valuation will generate additional funds allowing for the expansion, operation and maintenance of the City Parks.

Currently, Sherwood Parks receive only a minimum of care and maintenance. The City is only able to utilize a part-time employee during the summer months to provide the necessary services for the City's three parks. In constructing a new park (Roy Street) in 1994-95, we will require additional manpower to keep the parks in serviceable condition. With the increased manpower, the parks will receive the necessary care and maintenance so they will be fully functional for the citizens of Sherwood.

If approved, the \$0.31 per \$1,000 City Park tax rate levy will implement the following changes in 1995-1996:

1. Hire one full-time parks maintenance worker providing dedicated service to the parks.
2. Hire a part-time parks maintenance worker for the spring growing season and the summer high use period.
3. Purchase capital materials for improvements to the existing park.

Person responsible for the content of the statement

(Typed) Polly Blankenbaker

(Signed) Polly Blankenbaker

Phone # (503) 625-5522

City of Sherwood

Name of the Governing Body person represents



90 NW Park Steet
Sherwood, Oregon 97140
503/625-5522 □ FAX 625-5524

July 7, 1994

TO: Derryck Dittman
FROM: Kathy Cary
RE: Parks Levy

My notice of tax levy measure was rejected by Washington County elections. They stated that verbiage in copy A, regarding Estimate Only, is missing from the first paragraph of the summary. And, verbiage in copy B is missing from the second paragraph of the summary.

Does this necessitate a change to the ordinance, which must go back to the City Council.

Please advise. Thank you.

Four pages total.

the functions or activities to be funded by the tax base and such identification shall not make the caption insufficient, not concise or unfair under ORS 255.155. The question shall include the name of the district, the dollar amount of the proposed tax base and the fiscal year in which the tax base will first be effective. Except as provided in this subsection, the remainder of this section applies to a measure which establishes a new tax base for a metropolitan service district.

(4) When the vote is taken by the electors of a road district or other district not using printed ballots in holding its elections, the oral statement of the question as shown by the records of the elections or the meetings at which they are held is sufficient. [Amended by 1953 c.311 §7; 1981 c.391 §7; 1987 c.732 §1; 1991 c.459 §226]

310.395 Ballot statements; excluded levies. (1) Notwithstanding any other law and when not inconsistent with or otherwise provided for in the Oregon Constitution, whenever a proposed tax levy, whether a fixed dollar serial levy or levy for a single year, is submitted to a vote of the people by this state or any county, municipality, district or body to which the power to levy a tax has been delegated, the statement in the ballot title for the measure submitted shall state the total amount of money to be raised by the proposed levy, in dollars and cents. If the statement in the ballot title for the measure submitted includes an estimated tax impact, it shall be based on the most current estimate of assessed value from the county assessor. The measure shall bear the statement: "The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate."

(2) Subsection (1) of this section does not apply to a levy described in ORS 280.060 (1)(b). For a levy described in ORS 280.060 (1)(b), an estimate of the total amount of money to be raised for each year of the proposed levy shall be stated in dollars and cents. If the levy described in ORS 280.060 (1)(b) raises more money than estimated, the excess collections above that estimate shall be considered a budget resource for the levy fund in the next fiscal year of the subdivision. This section has no application to elections and levies with respect to bonds, for which provision is made in ORS 287.004 to 287.026 and 287.052 to 287.526 or other laws.

(3) The statement or statements required by this section shall be added to and made a part of the 175-word statement required by ORS 310.315 and 310.390. The number of words contained in the statement required by this section shall not be included in the

175-word limitation. [1967 c.293 §2; 1971 c.646 §4; 1973 c.105 §1; 1977 c.730 §3; 1979 c.241 §28; 1981 c.391 §8; 1981 c.790 §1; 1983 c.514 §18; 1983 c.740 §89; 1983 s.s. c.5 §20; 1987 c.183 §3; 1993 c.18 §72; 1993 c.270 §51]

310.396 Ballot titles for local government bond measures. Notwithstanding ORS 310.315 to 310.404 or any other law, the ballot title for any measure requesting elector approval of bonds to be issued by a unit of local government, as defined by ORS 190.003, shall be sufficient if the ballot title complies with ORS 250.035 and, when applicable, ORS 250.037. [1993 c.97 §22]

310.400 [1953 c.133 §1; repealed by 1971 c.646 §6]

310.402 Time for tax base elections; ballot title; notice. (1) Under subsection (5), section 11, Article XI of the Oregon Constitution, tax base elections shall be held only at a regular statewide general or primary election.

(2) For purposes of subsection (3) of section 11a, Article XI of the Oregon Constitution, tax base elections for a school district, as defined in ORS 328.715 and for which a tax base may be established, shall be held in any year, but only on the third Tuesday in May.

(3) The ballot title for a tax base election shall comply with ORS 310.390 and shall specify in dollars and cents the amount of tax base in effect during the current fiscal year in which the election occurs and the amount of tax base in dollars and cents submitted to the electors for approval. The governing body of the municipal corporation holding the tax base election shall prepare and file a ballot title with the county clerk not later than the date specified in the election law applicable to the particular municipal corporation. The county clerk shall give notice of the election as provided in the general election laws.

(4) As used in this section, "municipal corporation" has the meaning given that term by ORS 294.311 (19). [1973 c.339 §2; 1977 c.884 §15; 1981 c.173 §47; 1981 c.391 §9; 1987 c.16 §6]

310.404 Establishing new tax base; inapplicable to certain school districts. (1) In any year in which a proposal to establish a new tax base may be submitted to the electors under section 11, Article XI of the Oregon Constitution, each taxing unit to which the power to levy an ad valorem property tax has been delegated shall submit to the electors the question of establishing a new tax base if:

(a) In three out of the four consecutive fiscal years immediately preceding the year in which a tax base proposal may be submitted to the electors, the taxing unit has submitted the question to the electors, received approval, and has levied outside its tax base

or 310.186 (2) and the requirements of subsection (1) of this section, the election officer shall not place the measure proposing the new or increased tax upon the ballot. [1991 c.396 §7; 1993 c.424 §11]

(Elections)

310.310 Manner of calling and holding elections. Elections for voting upon the question of increasing the tax levy in the counties, municipalities and districts not possessing a separate legislative department, shall be called and held in the manner respectively provided by ORS 310.330 to 310.395. [Amended by 1953 c.311 §7]

310.315 Ballot title for school district tax levy; contents. (1) The ballot title for any measure which authorizes a school district tax levy for one year for operating purposes in addition to the amount authorized in section 11a, Article XI of the Oregon Constitution shall consist of:

(a) The following caption and question:

SCHOOL DISTRICT OPERATING LEVY

Question: Shall _____ school district levy \$_____ in (fiscal year) in excess of the amount levied for operating purposes in (prior fiscal year) and outside its tax base?

(b) A concise and impartial statement of not more than 175 words, explaining the chief purpose of the measure and giving reasons for the measure.

(2) The statement in the ballot title required by this section shall be plainly worded and factual and shall avoid as far as practicable the use of technical terms. The statement shall not advocate a yes or a no vote on the question. The statement shall state whether the tax levy is subject to the limits of section 11b, Article XI of the Oregon Constitution, and whether the revenue to be raised will be used exclusively for educational and support services.

(3) ORS 250.035 and 310.390 do not apply to a ballot title prepared under this section. [1987 c.183 §2; 1991 c.459 §225]

310.320 [Repealed by 1953 c.311 §7]

310.330 Municipal corporation tax levy; notice; election. (1) Whenever it is necessary in the estimation of the governing body of a municipal corporation to increase the amount of the tax levy over the amount limited by the Constitution except on vote of the people, the governing body shall make and enter an order or resolution for a special election on the question and shall prepare and file a ballot title with the county clerk not later than the date specified in the

election law applicable to the particular municipal corporation. The county clerk shall give notice of the election as provided in the general election laws.

(2) The election thus called shall be held on the date specified in the order or resolution and conducted in the same manner as other general or special elections are conducted for the municipal corporation.

(3) As used in this section, "municipal corporation" has the meaning given that term by ORS 294.311 (19). [Amended by 1953 c.311 §7; 1967 c.105 §9; 1977 c.301 §14; 1979 c.316 §15; 1981 c.173 §46; 1981 c.391 §5a; 1983 c.350 §137]

310.340 [Amended by 1953 c.311 §7; 1967 c.105 §10; 1979 c.316 §18; 1981 c.391 §6; repealed by 1981 c.173 §56]

310.350 [Amended by 1979 c.316 §16; repealed by 1981 c.391 §13]

310.360 [Amended by 1953 c.584 §2; 1965 c.100 §125; 1971 c.646 §2; 1975 c.770 §2; repealed by 1981 c.391 §13]

310.370 [Repealed by 1971 c.647 §149]

310.380 [Amended by 1953 c.311 §7; 1979 c.316 §17; repealed by 1981 c.391 §13]

310.385 [1971 c.646 §1; repealed by 1981 c.391 §13]

310.390 Ballot title for levy in excess of base; ballot title for metropolitan service district tax base election; oral statement in district not using printed ballot.

(1) Notwithstanding ORS 250.035, the ballot title of any measure which authorizes a tax levy in addition to the tax base provided in section 11, Article XI of the Oregon Constitution or which establishes a new tax base shall consist of:

(a) A caption of not more than 10 words by which the measure is commonly referred;

(b) A question of not more than 20 words which plainly states the purpose of the measure, and is phrased so that an affirmative response to the question corresponds to an affirmative vote on the measure; and

(c) A concise and impartial statement of not more than 175 words, explaining the chief purpose of the measure and giving reasons for the measure.

(2) The statement in the ballot title required in this section shall be plainly worded and factual and shall avoid as far as practicable the use of technical terms. The statement shall not advocate a yes or a no vote on the question. The statement shall state whether the tax levy is subject to the limits of section 11b, Article XI of the Oregon Constitution, and whether the revenues to be raised will be used exclusively for educational and support services or for other governmental purposes.

(3) For a measure which establishes a new tax base for a metropolitan service district organized under ORS chapter 268, the caption shall state that the measure establishes a tax base. The caption may identify