

ORDINANCE NO. 712

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLE 2., "ADMINISTRATION AND PERSONNEL," CHAPTER 2.04, "CITY COUNCIL;" CHAPTER 2.20, "MUNICIPAL COURT;" AND CHAPTER 2.60, "ELECTIONS;"

WHEREAS, voters in the City of Stayton approved the new 1993 Stayton City Charter, to take effect 1 January 1993; and

WHEREAS, the Stayton City Charter establishes the form of government and powers and duties of city officers; and

WHEREAS, the Stayton City Council recognizes the need to amend certain sections of the Stayton Municipal Code related to the nomination of those officers and their powers and duties;

NOW, THEREFORE, THE STAYTON CITY COUNCIL ORDAINS AS FOLLOWS:

SECTION 1: Stayton Municipal Code Section 2.04.050 is hereby created to read:

2.04.050 CHECK AUTHORIZATION

1. The city administrator and the city finance director are the authorized signatories on all checks or orders drawn on the treasury of the City of Stayton.
2. In the event of the absence of the city administrator or the city finance director, the mayor is hereby authorized to provide the second signature on all checks or orders drawn on the treasury of the City of Stayton.

SECTION 2: Stayton Municipal Code Section 2.20.410 is hereby amended to read:

2.20.410 JUDGE, MUNICIPAL JUDGE, JUDGE PRO TEM

1. The municipal judge shall be the chief judicial officer of the city. A city employee, designated as court clerk, shall be available for the transaction of court business during the usual business hours of each day and at least one day each week the municipal judge shall conduct a court session. Trial of any cause may be filed and warrant may be issued and served from the court on any day.
2. The police department shall assist the municipal judge in the service of subpoenas, notice of jury duty, and such other orders of the court as are necessary for the proper conduct thereof.
3. The municipal judge, in the event of his temporary absence or incapacity, shall appoint a judge pro tem to serve as needed until the return of the municipal judge. If the municipal judge is unable to appoint a judge pro tem, then the mayor may make the appointment. In the event of the municipal judge's permanent incapacity or death, a replacement shall be appointed.

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SECTION 3: Stayton Municipal Code Section 2.60.1530 is hereby amended to read:

2.60.1530 NOMINATION AND ELECTION OF MAYOR AND COUNCIL

1. A qualified elector, resident in the city during the thirty days immediately preceding a regular election, may be nominated as a candidate for an elective city office to be filled at the regular election.
2. Nominating Petition
  - a. A petition specifying the office sought shall be signed by the nominee and by not fewer than ten qualified electors resident in the city of Stayton.
  - b. No elector shall sign more than one petition for each office to be filled at the election, or his signature will be valid only on the first sufficient petition filed for the office.
  - c. To each page of the nominating petition shall be appended an affidavit indicating:
    - i. The name of the person circulating the petition;
    - ii. The number of qualified electors whose signatures appear on that page;
    - iii. A signed statement by the person circulating the petition that each signature on that page was made in his presence by the person whose signature it is purported to be.
    - iv. The address, indicated by its street, street number, and any other relevant designation, of each person whose signature appears on that page.
  - d. No nomination papers comprising a petition shall be accepted before 110 days prior to the election.
  - e. All nomination papers comprising a petition shall be assembled as one document and shall be filed with the city recorder not less than seventy days prior to the election.
  - f. Prior to submittal of the petition to the city, all signatures shall be certified by the Marion County Elections Division.
  - g. The city recorder shall make a record of the exact time and by whom each petition was filed. The address and phone number of the petitioner shall also be recorded.
3. If the petition is insufficient in any particular, the city shall return it immediately to the petitioner, certifying in writing in what manner the petition is insufficient.

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4. The petition may be amended and filed again as a new petition, or a different petition for the same candidate may be filed, no later than seventy days preceding the election.
5. When a petition has been found sufficient and is accepted by the city recorder, the city recorder shall cause the nominee's name to be printed on the ballot.
6. The nominating petition for a successful candidate at an election shall be preserved by the city recorder until the term of office for which the candidate is elected has expired.

SECTION 4: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portions of the section.

SECTION 5: EFFECTIVE DATE

This ordinance shall be in full force and effect thirty days after execution by the mayor of the City of Stayton.


PASSED BY THE STAYTON CITY COUNCIL this 16<sup>th</sup> day of February, 1993.

Date: 2-18-93

By:   
WILLMER VAN VLEET, Mayor

ATTEST

Date: 2-17-93

By:   
DAVID W. KINNEY, City Administrator

APPROVED AS TO FORM

Date: FEB - 5 1993

  
DAVID A. RHOTEN, City Attorney

b:dr:dk[2-1-93]