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ORDINANCE NO. 151.

A Bill for an Ordinance to ordain a proposed amendment to Chapter IV. of the Charter of the Town of Stayton, Oregon, and providing that it be submitted to the legal voters of said town for their adoption or rejection at a special election to be called for that purpose.

THE TOWN OF STAYTON DO ORDAIN AS FOLLOWS:

Section 1. That Chapter IV. of the Charter of the Town of Stayton, Oregon, be and is hereby amended to read as follows:

Chapter IV.

"Of the Organization and Powers of the Council."

Section 1. The Council shall provide for the time and place of its regular meeting, at any of which it may adjourn to the next regular meeting, or to some specified time prior thereto; and it may be convened at any time by the Mayor, upon giving notice to each member of the council at that time present in the town; Provided, that the council shall meet at least once a month in regular session.

Section 2. A majority of the members of the council shall constitute a quorum to do business, but a less number may meet and adjourn from time to time, and compel the attendance of absent members, and may punish any member for disorderly conduct at any meeting, or for refusing or neglecting to attend a regular meeting without sufficient excuse therefor, and may by a three-fourths vote expel a member for cause; and may declare, by ordinance, for what offenses town officers may be impeached, and shall be and constitute a court to try all cases of impeachment, and may by said ordinance provide for the manner of conducting trials of the same.

Section 3. The council may adopt rules for the government of its members and its proceedings. It must keep a journal of its proceedings, and, upon the call of any two members, must cause the ayes and nays to be taken and entered on its journal upon any question before it, except on the question of adjournment, when the ayes and nays shall not be taken unless upon the call of three members; and all of its deliberations and proceedings must be public.

Section 4. The Mayor is ex officio president of the council, and presides over its deliberations when in session. He is not entitled to vote, except in case of a tie vote of the members of the council. He has authority to preserve order, enforce the rules, and to perform such other duties as may be required of him by this charter or ordinances of the town. If the mayor shall be absent from any meeting of the council, the recorder shall act as mayor pro tempore and shall have the same power as the mayor has by this act.

Section 5. On the first Tuesday after the first Monday in January after any general election there shall be a regular meeting of the Council, at which the officers elect shall assume the duties of their office respectively.

Section 6. A majority of the whole number constituting the council is a majority of the council, or the members thereof, within the meaning of this act, and not otherwise, unless it is expressly so provided. The concurrence of a majority of a quorum is a sufficient majority to determine any question or matter other than the final passage of an ordinance or the appointment or removal of an officer.

Section 7. The Mayor and Councilmen shall comprise the common council of said town and at any meeting thereof shall have exclusive power:

1. To assess, levy, and collect taxes for town purposes on all property, both real and personal, within the town limits, and all notes, accounts, and other evidence of indebtedness, and shares of stock in an incorporated company, held or owned by persons residing within the limits of said town, shall, for the purpose of taxation, be deemed personal property within the town limits:

2. To establish hospitals, and make regulations to prevent the introduction of contagious diseases into the town and to remove persons afflicted with such diseases to suitable hospitals provided by the town for such purposes:

3. To prevent and remove nuisances, and to declare, by ordinance, what shall constitute the same; to punish persons guilty of creating them, and to make the expense of abating a nuisance a lien upon the property where such nuisance exists:

4. The council shall have the power to contract for water and lights for town purposes, or to lease, purchase, or contract a plant or plants for water or lights, or both, for town purposes in or outside the town limits: Provided, that the council may grant the use of streets and alleys of the town to any person, company or corporation, who may desire to establish works for supplying the town and inhabitants thereof with light and water, upon such terms and conditions as the council may prescribe: Provided, that no such privileges shall be granted to any such person, company or corporation to continue for a longer period than ten years:

5. To license, tax, and regulate auctioneers, hawkers, peddlers, sample peddlers, and all such callings, trades, occupations and business not prohibited by the laws of this state, as in the judgment of the council the public good may require to be licensed or regulated:

6. To license, tax, and regulate livery and boarding stables, hacks, cabs, wagons, carts, trucks, drays, omnibuses, or other vehicles used for the transportation of persons or property; to license, tax, and regulate ferries across the Santiam river, landing within the town limits, and to fix the maximum rate for carrying persons or property in such vehicles or ferries:

7. To license, tax, and regulate billiard, pool, or pigeonhole tables, or other tables where balls and cues are used, shooting galleries, bowling alleys, theatricals, and other exhibitions, shows and public amusements, swings and merry-go-rounds, hall lectures, or other entertainments where an admission fee is charged; telephones, telegraph offices, produce peddlers, market stalls, retailers of gunpowder:

8. To license, tax, and regulate for the purpose of the town revenue, all such business, callings, professions, trades, and employments as the council may require to be licensed, and as are not prohibited by the laws of this state; and all peddlers selling by sample or catalogue for future delivery of goods, wares, merchandise, trinkets, notions, shall be deemed peddlers under this act:

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9. To regulate the establishment of market houses and places, and regulate the location and management thereof; to control and regulate slaughterhouses, washhouses, and laundries, and to provide for their exclusion from the town, or from any part thereof:

10. To establish and regulate a fire department; to provide for the prevention and extinguishment of fire, and for the protection of property endangered thereby; to appoint firewardens and prescribe their duties, and to compel any person or persons present to aid in the extinguishment of such fires and the protection of property exposed thereto, and the election of officers thereof:

11. To establish and regulate a police force, and to impose fines, forfeitures, and penalties, and to make by-laws and ordinances, not inconsistent with the laws of the United States or this state, to carry into effect the provisions of this act, and to provide for the punishment of persons violating town ordinances, by fine or imprisonment, or both, and the working of such persons on the streets of the town, or at any other work; but no fine shall exceed the sum of \$100, nor shall any imprisonment exceed fifty days:

12. To define what shall constitute vagrancy, and to provide for the restraint, punishment, working, and employment of vagrants, to prevent the sale, circulation, or disposing of obscene literature; including books, papers, prints, pictures, and the like, and to punish any person who sells, offers for sale, or who circulates or disposes of, or has in his possession and exhibits in any place to any person, any obscene literature, including books, papers, prints, pictures, and to declare what books, papers, prints, pictures, are obscene within the meaning of this provision:

13. To establish fire limits, and to prohibit the erection of wooden buildings within the fire limits; and to restrict and limit the height of buildings within such limits, and to provide for and determine the number and size of the place of entrance and exit from all public halls, churches, and other buildings used for public gatherings, and the mode of hanging the doors thereat:

14. To provide for the prevention and removal of obstructions from over, across, extending into and upon any street, alley, cross or sidewalk, and for the cleaning and repairing thereof, and to regulate the uses of sidewalks; to regulate, restrain, and prevent the extension of buildings, fences, house fronts, awnings, awning posts, porches, signs, hanging signs, and displays, and other obstructions extending into, across, or upon any street, alley, side or crosswalks in the town, and provide a penalty therefor, and provide for the removal thereof at the cost of the owner or claimant thereof:

15. To regulate the use of streets, alleys, roads, highways, and other public places within the town of Stayton, and to regulate the rate of speed of horsemen, wagons, carriages, cars, locomotives, automobiles, street railway cars, bicycles, and other vehicles within the limits of said town:

16. To condemn and appropriate land and property for the extension, widening, straightening, and laying out streets, alleys, and lanes, and establishing public squares, and to provide for the manner and means of said condemnation, and the manner and means

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of determining the value thereof, and fixing the compensation to the owners thereof:

17. To provide for the surveying, straightening, and establishing, of blocks and streets, and alleys, and for marking the boundary lines of such streets and alleys and blocks, and establishing permanent monuments thereon, and the making, filing, and recording of maps or plots thereof, and to establish grades of the sidewalks, streets, and crosswalks:

18. To regulate and prevent public criers and advertising noises, steam whistles, and ringing of bells, the playing of bands in the streets, and to control and limit traffic on the streets, avenues, and places; to regulate the use of the streets and sidewalks for the use of signs, signposts, telegraph, telephone, and electric light posts, and other purposes; to regulate and prohibit the hanging of banners, placards, and flags in the streets from houses or other buildings; to regulate the numbering of houses and lots in the streets and avenues, and the naming and numbering of streets, alleys, and avenues, and changing the same; to provide for the cleaning of the streets and alleys, at the cost of the owners of adjacent property; to prohibit persons from roaming on the streets, alleys, and other public places at unreasonable hours of the night; to prohibit idle persons, or persons of unknown occupation, from roaming about town in the night time after 9 o'clock in the evening:

19. To prevent the erection of buildings within the town limits which shall be dangerous to passers-by or to adjacent property; to condemn and cause to be removed or made safe any old or unoccupied building liable to fire by accident, carelessness, or incendiarism, or any building which shall become dangerous to passers-by or to adjacent property, at the expense of the property on which such building is situated and the same shall be a lien against such property as other town liens:

20. To regulate, restrain, and prohibit minors from being on the streets, alleys, or public places of the town after certain hours of the night, and to punish such minors therefor:

21. To prohibit the use of profane, obscene, or insulting language on the streets or in public places or assemblages, or in any public or private house, that is heard by such persons on such streets or persons living in the vicinity thereof, to the annoyance of any person:

22. To prevent and punish trespass on real or personal property or entering any house or building or ground when warned by the owner or occupant thereof not to do so, or to leave any building, house, or ground when ordered to leave by the owner or occupant, proprietor, or person in possession thereof:

23. To compel all persons erecting or maintaining privies or cesspools to keep the same in such place and manner as to not be a nuisance, and to connect the same with sewers which may be hereafter constructed, and make the cost of abating such nuisance or connecting said privies with sewers a lien upon the property, under such regulations as may be provided by ordinance:

24. To suppress, restrain, and prohibit bawdyhouses, assignation houses, and gambling houses, and to declare by ordinance what shall constitute the same:

25. To prevent, restrain, and punish by fine or imprisonment or both, drunkenness, drunken or disorderly conduct, fighting,

quarreling, assault, assault and battery, assault on officers, resisting an officer, threatening an officer, threatening to injure or to do bodily harm to any other person or to property; noises and disturbances, street brawl or disorderly noise, and assemblages in any street, house, or place within the corporate limits of said town, and any and all unlawful and indecent practice, vulgar, indecent, abusive, insulting or profane language, and define what shall constitute the same:

26. To regulate the storage of blasting and gunpowder, giant powder and caps, dynamite, nitroglycerine, coal oil, tar, pitch, turpentine, gasoline oil, and all other explosive and combustible material, and the use of candles, coal oil, gas, electric, and other lamps, in the streets, stores, shops, barns, and other places; to suppress and secure and remove any stove, fireplace, chimney, furnace, boiler, or other apparatus, which may be dangerous in causing fires, and to prevent, by all possible and proper means, danger or risk of injury or damage by fire arising from carelessness, neglect, or otherwise:

27. To tax and regulate horses and other domestic animals kept for breeding purposes; regulate and prohibit animals from running at large within town limits; to regulate and prohibit the use of cow bells on domestic animals; to regulate and prohibit the driving of stock through the streets; to provide for the taking up and selling of any domestic animal found running at large within the town limits; to regulate and prohibit the keeping of swine within the town limits, and domestic fowls from running at large, and define what shall constitute the same, and to punish, by fine, any person who permits such domestic fowls running at large, and to provide for the time and manner of selling the same, and the disposition of the proceeds of such sale:

28. To regulate and prohibit the carrying of deadly or dangerous weapons in a concealed manner, and to provide a penalty therefor, and to define, by ordinance, what shall constitute a dangerous weapon, and the carrying of the same in a concealed manner:

29. To regulate and prohibit the use and firing of guns, pistols, cannons, or any species of firearms, firecrackers, bombs, and detonating works of all descriptions, and to provide a penalty therefor:

30. To regulate, restrain, or permit the opening of street surfaces, the laying down of water, gas, or other mains, the building and the repairing of sewers, the laying down of tracks for street cars and railroads upon such street or streets as the council may permit or designate:

31. To employ an attorney and surveyor when deemed necessary, and to pay the same for their services:

32. To lay out and establish cistern districts, and to provide water for cisterns in the districts laid out and established:

33. To provide by ordinance for the punishment of any person or persons who shall sell or offer for sale any unwholesome or adulterated provisions or unwholesome or diseased meats, and to define what shall constitute the same:

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SECTION 2. That said proposed amendment shall not become operative until approved by a majority of the legal voters of said town of Stayton at a special election to be called for that purpose.

Passed by the Council this 12th day of June, 1918.

Approved by the Mayor this 12th day of June, 1918.

W. A. Beauchamp Mayor.

Attest: J. B. Grier Recorder.