

ORDINANCE NO. 177

*Repealed - Ord. 180 Page 211*

A BILL

for

AN ORDINANCE referring and submitting an amendment to Chapter IV of the Charter of the Town of Stayton, Oregon, to the legal voters of said Town, for their adoption or rejection at the general election to be held on the 7th day of November, 1922; prescribing the Ballot Title for such proposed amendment; ordering notice of such election and proposed amendment to be given; and declaring an emergency to exist.

THE TOWN OF STAYTON DO ORDAIN AS FOLLOWS:

Section 1. That an amendment to Chapter IV of the Charter of the Town of Stayton, Oregon, a copy of which amendment is hereunto annexed, marked "Exhibit A", and made a part hereof, be, and the same is hereby referred and submitted to the qualified, legal voters of the Town of Stayton, Oregon, for their adoption or rejection, at the general election to be held in said Town on the 7th day of November, 1922.

Section 2. That the Ballot Title of the proposed amendment shall be as follows: " A Bill for an Act to amend Chapter IV of the Charter of the Town of Stayton and granting to the Council of said Town the power to construct, extend, improve, operate and maintain a municipal water system within said Town, and to purchase or otherwise acquire necessary fire-fighting equipment for the protection of said Town; to issue bonds to pay therefor not to exceed the sum of \$12,000.00, of specified denominations and maturities, with interest not to exceed 6%; and to apply the revenue from such water system to certain purposes including payment of principal and interest on said bonds;

-----  
SHALL THE CHARTER BE SO AMENDED?

Vote Yes or No by marking X between number and answer voted for  
-----

100            Yes        For indebtedness and proposed amendment to Charter  
-----

101            No        Against indebtedness and proposed amendment to Charter.  
-----

Section 3. The Recorder of the Town of Stayton, shall, not later than ten days before said election, cause notices thereof together with the ballot title and full text of said proposed amendment to be posted in three public

places, in said Town of Stayton, Oregon, and said Recorder shall also cause said notice of election and the full text of said proposed amendment to be published in the Stayton Mail at least five days before said election.

Section 4. That it is the judgement of the Council that an emergency exists and that this Ordinance is necessary for the immediate preservation of the peace, health and safety of the Town of Stayton and its inhabitants, and that it shall become immediately operative upon its passage by the Council and approval by the Mayor.

Passed by the Council of the Town of Stayton, Oregon, this 20 day of October, 1922.

Approved by the Mayor of the Town of Stayton, Oregon this 20 day of October, 1922.

Grant Murphy  
Mayor.

Attest: J. B. Gries  
Recorder.

EXHIBIT A.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:

BE IT ENACTED BY THE PEOPLE OF THE TOWN OF STAYTON:

THE TOWN OF STAYTON DO ORDAIN AS FOLLOWS:

That Chapter IV of an Act entitled, " An Act to Incorporate the Town of Stayton in Marion County, Oregon; to repeal all prior Acts with reference to the Incorporation of said Town; to render valid and binding all ordinances and other acts of said Town under previous Charters.", which was approved on February 2nd, 1903, and filed in the office of the Secretary of State on the 2nd day of February, 1903, be, and the same is hereby, amended by adding another section after Section 7, to be known as Section 8 and to read as follows:

Section 8. The Council of the Town of Stayton, Oregon shall have the power and is hereby authorized to, at any time, whenever it deems it necessary or expedient provide for ample and efficient fire-fighting equipment and facilities for the protection of property within the Town of Stayton, including sufficient and dependable water supply for such purpose, and to provide for ample supply of pure, wholesome water for domestic and other uses, for the inhabitants of said Town; and for the purposes above named the Council shall have the power and authority:

1. To construct, reconstruct, repair, improve, extend, operate, and maintain a municipal water system within the limits of the Town of Stayton.

2. To authorize the construction, reconstruction, repair, extension and/or improvement of such water system by contract or under the direct supervision of said Council, and shall have the power to purchase all necessary materials, equipment or supplies for the same by contract or otherwise.

3. To employ, hire and discharge from time to time, all such agents, workmen, laborers and servants as it may deem necessary or convenient in the conduct, extension, construction, reconstruction,

repair, improvement, management and operation of said water system.

4. To establish rates for the use and consumption of water by the Town of Stayton and the inhabitants thereof, and also for persons living outside the corporate limits of said Town, provided that in no case shall said Town pay, or the Council authorize the payment of the cost of extending such water system or any part thereof beyond the corporate limits of said Town.

5. To provide for the payment of water rents monthly in advance or otherwise, and to shut off the water from any house, building or place for which such water rent has not been paid, or when any rule or regulation for the use thereof is disregarded or disobeyed.

6. To proceed, as soon as funds for that purpose are available, to construct, repair, improve, alter and/or extend the water system of said Town, including pumping plants or plant and filtering plants or plant, and to supply the Town of Stayton and its inhabitants with wholesome water for domestic and other uses and adequate water for ample and efficient protection from fire, and to that end to make any other rule or regulation or do any other act that may be necessary or convenient therefor.

7. To select and acquire any private real property necessary or convenient for the exercise of the above mentioned powers; to appropriate same in the manner provided by laws of the State of Oregon for appropriation of rights of way by corporations for railroad purposes; and to appropriate waters of streams in the manner provided by the laws of said State.

8. To select and purchase or otherwise acquire such equipment, apparatus, hose, machinery and other devices for the purpose of fighting fire within the limits of the Town of Stayton, as to the Council may seem necessary or expedient, from time to time.

9. To issue and sell negotiable bonds of the Town of Stayton, Oregon to the amount necessary for such above named purposes, said amount not to exceed in the aggregate, the sum of \$12,000.00 par value.

Said bonds may be issued and sold at such times and in such amounts as the Council may direct, provided, however, that the aggregate amount thereof shall not exceed \$12,000.00 in par value and that no bond shall be sold for less than par value and accrued interest. Said bonds shall be issued in denominations of \$500.00 each and shall bear interest at a rate not to exceed 6% per annum, said interest to be payable at such times and places as the Council may direct. Said bonds shall be numbered consecutively from 1 to 24 inclusive, provided bonds to the full amount of \$12,000.00 are issued, and in case less than \$12,000.00 aggregate par value are issued, then they shall be numbered from 1 to and including such number as, multiplied by 500.00, shall give as a product the total par value of bonds issued.

Said bonds shall be payable at any place designated by the Council and shall be payable as to principal at the times indicated in the following schedule, to-wit:

- Bond #1 shall be made payable one year from date of issue;
- Bond #2 shall be made payable two years from date of issue;
- Bonds #3 and #4 shall be made payable three years from date of issue;
- Bonds #5 and #6 shall be made payable four years from date of issue;
- Bonds #7 and #8 shall be made payable five years from date of issue;
- Bonds #9 and #10 shall be made payable six years from date of issue;
- Bonds #11 and #12 shall be made payable seven years from date of issue;
- Bonds #13 and #14 shall be made payable eight years from date of issue;
- Bonds #15, #16 and #17 shall be made payable nine years from date of issue;
- Bonds #18, #19 and #20 shall be made payable ten years from day of issue;
- Bonds #21, #22, #23 and #24 shall be made payable eleven years from date of issue.

The above schedule shall apply to any number of bonds issued as herein provided, notwithstanding the fact that the entire 24 bonds set out in said schedule may not be issued.

Said bonds shall be a general obligation of the Town of Stayton, Oregon and the faith and credit of said Town shall be pledged for their payment.

10. To take up and pay, out of the proceeds derived from the sale of said bonds, any and all of the warrants or other obligations of said Town which were, or shall be issued or contracted for the purpose

~~the purpose~~ of building, constructing, maintaining or operating or improving the water system of the Town of Stayton or any part of such system.

11. To apply the income derived from any water system or plant owned or operated by said Town, in the following order and manner, to-wit:

1. To the payment of the reasonable costs and expenses of operating said plant and system, including repairs thereon and the costs of collecting its revenues.

2. To the payment of the interest accruing on outstanding bonds issued to secure, improve or extend such plant or system.

3. To the making of extensions to and improvements upon such plant and system.

4. To the payment of the bonds issued to secure, improve or extend such plant or system.

5. The overplus if any, to be turned over to the general fund of said Town.

This Act shall take effect immediately upon its passage by a majority of the legal voters of the Town of Stayton, Oregon and the publication of the proclamation by the Mayor of said Town of the result of such vote. And all Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.