

ORDINANCE NO: 273

AN ORDINANCE PROPOSING AND INITIATING AN AMENDMENT TO THE CHARTER OF THE TOWN OF STAYTON, OREGON, AMENDING CHAPTER 6, OF CHARTER RELATING TO THE POWERS AND DUTIES OF THE OFFICERS OF THE CORPORATION OF THE TOWN OF STAYTON; PROVIDING FOR THE SUBMISSION OF SUCH AMENDMENT TO THE VOTERS OF THE TOWN OF STAYTON AT A SPECIAL ELECTION TO BE HELD ON THE 24th DAY OF August, 1951.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF STAYTON, OREGON

Section 1. That the common council does hereby propose an amendment to Chapter 6, of the Charter of the Town of Stayton; said amendment relating to the powers and duties of the officers of the corporation.

Section 2. That the amendment of Chapter 6, of the Charter of the Town of Stayton, Oregon is hereby initiated and proposed and shall read as follows, to-wit:

"AN ACT to amend the Charter of the Town of Stayton, Oregon, by amending Chapter 6, providing and relating to the powers and duties of the officers of the corporation.

BE IT ENACTED BY THE PEOPLE OF THE TOWN OF STAYTON, OREGON

Section 1. The recorder is an ex officio clerk of the council, and with him must be filed all accounts and claims against the town. He shall keep accurate records and docket minutes of all the proceedings of the council and a correct record of the business transacted by the council. It is his duty to file every paper presented to him officially, and take charge of and safely keep all the papers and records of the corporation.

Section 2. He shall file a certified copy of his certificate of appointment and oath of office, together with the undertaking required by this act and any ordinance in relation thereto for the faithful performance of his duties, with the county clerk of Marion County, Oregon.

Section 3. The recorder shall make out a quarterly statement of all money received or collected by him for the town, and all warrants drawn on the treasury, and for what purpose

Section 4. The recorder shall receive as compensation for his services such compensation as the council may prescribe, by ordinance, for such other services not provided for by law. All moneys received by the recorder, shall be forthwith paid by him to the town treasurer, who shall give him duplicate receipts therefor, one of which shall be filed in the recorder's office.

Section 5. All demands and accounts against the town shall be presented and filed with the recorder, who shall report them to the council at the next meeting thereof, with any suggestions and explanations which he may deem proper and pertinent; and when any account or demand is ordered paid by the council, the recorder shall draw a warrant on the treasurer for the amount so ordered paid, and enter a memorandum thereof in a book designated the order book, showing the date of the issue, to whom issued, and amount thereof, to whom delivered, and the date of delivery. All warrants so drawn on the treasury shall be countersigned by the mayor.

Section 6. The recorder's name of office, when acting as such, or clerk of the council, is "Recorder of the Town of Stayton".

Section 7. The recorder shall issue all licenses required by this act, or any ordinance of said town, as prescribed herein, or any such ordinance; and shall keep books and accounts showing the amounts of money paid into the treasury, and the amount of all sums paid out on warrants drawn upon the treasurer, and to whom payable, and all such other matters and things as may be prescribed by ordinance, and be proper and necessary to a correct understanding of all the town's finances. He shall also be assessor of the town of Stayton, for the purpose of assessing all taxes for which no provision is made on or in this act; and he shall do and perform

all other duties required of him by this act, or any of the ordinances of the town, and the general laws of the state.

Section 8. The municipal judge is the judicial officer of the corporation, and shall hold a court therein at such place as the council may provide, and shall be known as the municipal court of the town of Stayton, Marion County, Oregon. And he shall be appointed and hold his office as in this act hereinbefore provided. He shall keep accurate records and docket minutes of all the proceedings of the court. It is his duty to file every paper presented to him officially, and take charge of and safely keep all the papers and records of the court.

Section 9. He shall have jurisdiction of all crimes and offenses defined and made punishable by any ordinance of the town, and of actions brought to enforce any forfeiture or penalty declared or given by such ordinance without a jury. He had and has the authority and jurisdiction of a justice of the peace throughout the county of Marion, in both civil and criminal matters, and in all proceedings in his court shall be governed and regulated by the general laws of the state applicable to justices of the peace and justice's courts in like or similar cases. All his proceedings, both civil and criminal, and all transcripts issued and certified by him, shall have the force and effect of a justice of the peace of Marion County; and in case of sickness, absence, or inability of the municipal judge to hold his court, the recorder may preside over the municipal court in all matters relating to a violation of any town ordinance.

Section 10. The municipal judge shall receive as compensation for his services such amount as the council may prescribe. All fines, penalties and cost or other monies received by the municipal judge shall be forthwith by him to the town treasurer, who shall give him duplicate receipts therefor, one of which shall be filed in the recorder's office.

Section 11. The name and title of the municipal judge shall be known as "Municipal Court of the Town of Stayton" and municipal judge shall be known as "Municipal Judge of the Town of Stayton and ex officio Justice of the Peace".

Section 12. For all violations of town ordinances the trial shall be without a jury, unless the defendant, on demanding a jury, shall deposit a jury fee of \$18.

Section 13. It shall be the duty of the marshal to supervise all town property, and to prevent the loss or destruction thereof. He shall attend all meetings of the council and perform the duties of sergeant at arms of said body. He shall be ex officio street commissioner of said town until such time as the council shall create that office as provided in this act, and shall make a quarterly report to the council of all business by him transacted, and a statement of all moneys received by him during that time, and the disposition thereof.

Section 14. The marshal shall collect all taxes, fines, judgments, and penalties of said town, except as hereinafter provided, and shall pay all moneys by him collected over to the recorder, taking duplicate receipts therefor, and file on in the office of the recorder. He shall by virtue of his office, be chief of police. He shall not leave the town without the consent of the council. The marshal shall receive the same fees that a constable now receives for like services, and such other compensation for other services as the council may prescribe and allow.

Section 15. The treasurer shall receive and safely keep all moneys that shall come into his hands belonging to the town of Stayton, and pay the same only upon the warrant or order signed by the recorder and countersigned by the mayor, and keep a correct account of all receipts and disbursements, and make a quarterly report to the council of all moneys received and paid out by him, and file with the recorder said report, with all cancelled or paid warrants, and at all times keep his books open for inspection of the council and citizens; and that the expiration of his term of office shall turn over to his successor, all books, papers, money, and other effects in his hands, belonging to said office; and he shall be elected and hold his office, as hereinbefore provided, and do and perform all other acts and things required by this act or any ordinance of said town.

Section 16. The council shall have the power and authority to prescribe and define the duties and powers of street commissioner and town attorney by ordinance, and provide for their compensation; provided, that all work done or improvements made upon the streets and public squares shall only be done on the order and under the control of the council.

Section 3. The City Attorney is hereby instructed and directed to prepare the necessary heading and ballot title under which the act for the proposed amendment to the Charter of the Town of Stayton shall be submitted to the legal voters of said town.

Section 4. The charter amendment initiated and proposed by this resolution shall be submitted to the legal voters of said Town of Stayton, Oregon, at a special election to be held on the 24th day of August, 1951.

PASSED AND ADOPTED by the Common Council of the Town of Stayton, Oregon, this 5th day of June, 1951.

Mayor M. J. Martin

ATTEST: W. J. Ingles  
Recorder of the Town of Stayton,  
Oregon.