

ORDINANCE NO. 150.

A Bill for an Ordinance to ordain a proposed amendment to Chapter II. of the Charter of the Town of Stayton, Oregon, repealing Section 8, of Chapter VI. of said Charter, 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 II. of the Charter of the Town of Stayton, Oregon, be and is hereby amended to read as follows:

"Chapter II. Elections."

Section 1. A general election shall be held in the town of Stayton, on the first Tuesday after the first Monday in November, 1918, and biennially thereafter.

Section 2. The elective officers of the town of Stayton shall be a Mayor, a Recorder, a Treasurer, and four Councilmen. The Mayor, Recorder, and Treasurer shall hold their respective offices for the term of two years, or until their successors are elected and qualified. The Councilmen shall hold their respective offices for the term of four years, or until their successors are elected and qualified.

Section 3. A primary election shall be held in the town of Stayton biennially for nominating candidates to be voted on at such town election. Said primary election shall be held at the same time the general primary election is held throughout the state.

Section 4. Nominations of candidates to be voted on at such primary election shall be on petition and shall not have any partisan designation. The Council shall provide by ordinance a definite plan for the execution and filing of such petitions, provided however, that not more than fifteen per cent of the qualified electors of said town as shown by the vote cast at the last general election held therein, shall be required on any such petition.

Section 5. A candidate for nomination for any office who receives a majority of all the votes cast for such office at the primary election shall be declared elected and no further election shall be held to fill that office. If there be three or more candidates for nomination for any office, and no candidate receives a majority of all votes cast for such office, the two candidates receiving the largest number of votes cast for such office shall be certified by the canvassing board as nominees for such office at the regular election.

Section 6. A candidate for nomination at the primary election who receives a majority of all votes cast for such office shall receive the same certificate of election as though he had been elected at the regular general election.

Section 7. At the general election held in said town on the first Tuesday after the first Monday in November, 1918, four Councilmen shall be elected, two of whom shall be elected for the term of two years and two for the term of four years, who shall at the first meeting of said Council after said election, decide by lot who shall serve for the term of two years, and who shall serve for the term of four years, and thereafter one half of the number of Councilmen shall be elected biennially for the full term of four years.

Section 8. No person shall be eligible to hold any office in the town of Stayton, who, at the time of his election or appointment is not entitled to the privileges of an elector according to the general laws of this state, and in addition to the above qualifications the Mayor and Councilmen shall be owners of real estate within the corporate limits of said town, and have resided therein for six months immediately preceding his election or appointment.

Section 9. The appointed officers shall be a Marshal, Street Commissioner, Water Commissioner, City Attorney, Surveyor, and such number of deputy marshals or policemen as the council may deem necessary, and shall be appointed by the council.

Section 10. The Marshal, Street Commissioner, Water Commissioner, City Attorney and Surveyor, shall be chosen by the Council at the first regular meeting thereof in January in each year, and shall hold their respective offices for the term of one year, unless sooner removed for cause. The council shall also prescribe their duties and compensation.

Section 11. The recorder shall under the direction of the council give at least ten days notice of all primary and general elections held within the town of Stayton, by posting three printed notices thereof in three public places within said town. Said notices shall designate the time and place where such election is to be held, the hour when the polls will be opened to receive votes, and also the hour when the polls will be closed.

Section 12. No person shall be qualified to vote at any election held under the provisions of this charter who is not at the time of holding such election entitled to the privileges of an elector according to the laws of this state governing state elections.

Section 13. The council shall provide by ordinance the form of poll books and official ballots to be used at elections held within said town and the time and manner of placing the names of candidates upon such official ballots.

Section 14. On or before the second day after the election, the returns thereof must be filed with the Recorder and on or before the fourth day thereafter the Recorder shall call to his assistance the Mayor and one freeholder of said town who shall constitute a canvassing board, who shall canvass the returns of the election and make a written statement of such canvass and file the same with the Recorder immediately upon the completion thereof. Such canvass must contain a statement of the whole number of votes cast at such election, the number cast for each person for any office, the name of each person elected and to what office.

Section 15. Immediately after the completion of the canvass the Recorder must execute and sign a certificate of election of every person declared thereby to be elected and deliver the same to him on demand. Such certificate of election shall be primary evidence of the facts therein stated. Provided however, that the council shall be the final judge of the qualification and the election of its own members and shall decide contest cases between persons claiming to be elected to the same office, subject however, to review by any court of competent jurisdiction.

Section 16. The term of office of any person elected to any office under this charter shall commence on the first Tuesday after the first Monday in January after the election and shall terminate when his successor is elected and qualified. The Recorder, Marshal, and Treasurer shall each execute and file with their oath of office such undertaking as the Council by ordinance may require. All officers elected or appointed under this charter before entering upon the duties of their office must take and file with the recorder an oath of office to the following effect:

STATE OF OREGON )  
                  ) ss.  
COUNTY OF MARION )

I, \_\_\_\_\_, do solemnly swear that I will support the Constitution of the United States of America and the State of Oregon and that I will to the best of my ability faithfully perform the duties of the office of \_\_\_\_\_ of the town of Stayton, during my continuance therein. So help me God.

Section 17. All laws of this state regulating and governing primary and general elections and matters incident thereto including the registration of voters shall apply to and govern all elections held under the provisions of this charter."

SECTION 2. That Section 8, <sup>x</sup> of Chapter VI. of the Charter of the Town of Stayton, be and the same is hereby repealed.

SECTION 3. 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.

J. A. Beauchamp Mayor.

Attest: J. B. Brin Recorder.