

ORDINANCE NO. 531

AN ORDINANCE PROPOSING AMENDMENTS TO THE CHARTER OF THE CITY OF STAYTON TO COMPLY WITH STATE LAW, REFERRING SUCH CHARTER AMENDMENTS TO THE LEGAL VOTERS OF THE CITY AT A PRIMARY ELECTION, AND DECLARING AN EMERGENCY.

WHEREAS, the State has legislated certain revisions in election laws, which revisions are at variance with the City's Charter provision relating to elections, and;

WHEREAS, it is in the City's interest to maintain a Charter that reflects current law,

NOW THEREFORE,

THE CITY OF STAYTON ORDAINS AS FOLLOWS:

Section A. The City Council of the City of Stayton proposes the following amendments to the Stayton City Charter by the deletion of language in brackets and the addition of underlined language as follows:

Section 27. Canvass of Returns. In all elections held in conjunction with State and County elections, the State Laws governing the filing of returns by the County Clerk shall apply. In each Special City Election, the returns therefrom shall be filed with the Recorder on or before noon of the day following, and ~~[not later than five days after the election]~~ upon receipt of election results, the Council shall meet and canvass the returns.

Section 31. Nominations. A qualified elector who has resided in the City during the thirty (30) days immediately preceeding an election may be nominated for elective City office to be filled at the election. The nomination shall be by a petition that specifies the office sought and shall be in the form prescribed the the Council. The petition shall be signed by the nominee and by not fewer than ten (10) electors.

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All nomination papers comprising a petition shall be assembled and filed with the Recorder as one instrument ~~[not earlier than ninety nor]~~ no later than ~~[thirty (30)]~~ seventy (70) days before the election.

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~~[The Recorder shall notify an eligible person of his nomination, and that person shall file with the Recorder his written acceptance of nomination, in such form as the Council may require, within five days of notification of nomination.]~~ Upon receipt of ~~[the acceptance of nomination]~~ an acceptable petition, the Recorder shall cause the nominee's name to be printed on the ballots.

Section 33. Filling of Vacancies. Vacant elective offices in the City shall be filled by appointment by the Mayor. A majority vote of the Council shall be required to validate the appointment. The apointee's term of office shall begin immediately upon his appointment and shall continue [throughout the unexpired term of his predecessor] to the date of the next General Election. The person elected to fill the previously vacated position shall serve a term equal to the then unexpired term of the vacating officer.

Section B: The proposed Charter amendments shall be submitted to the legal voters of the City at the PRIMARY ELECTION to be held on Tuesday, the 20th day of May, 1980, in accordance with the laws of the State of Oregon and the present City Charter and Ordinances.

Section C: At the PRIMARY ELECTION, there shall be sumitted to the legal voters of the City of Stayton for their approval or rejection the following measure:

CITY CHARTER AMENDMENT. Shall the City of Stayton, Marion County, Oregon, amend its Charter to reflect changes in State Election Law?

YES
NO

The 1979 State Legislature changed the election laws applicable to cities and Stayton must abide by these new laws. The current Charter reflects the old law and is therefore misleading. The proposed amendments are designed to bring the City Charter up-to-date.

Section D: Notice of the PRIMARY ELECTION, at which the Charter amendments are to be considered shall be given by publication once in the Stayton Mail, a newspaper of general circulation in the City of Stayton, Oregon, not less than ten (10) days before the election. Notice of the election to consider the Charter amendments shall be posted for not less than ten (10) days before the election in the City Hall and in one public place in each voting precinct in the City. The notice in the newspaper and that posted shall contain the substance of the proposed amendments, as well as the date of the election and the form of the ballot to be submitted to the legal voters of the City.

Section E: This Ordinance being necessary for the immediate preservation of the public peace and safety, an emergency is hereby declared to exist and it shall be in full force and effect from and after its date of passage.

PASSED BY THE COMMON COUNCIL THIS 17th DAY OF MARCH, 1980.

Signed by the Mayor this 18th day of March, 1980.

Henry A. Porter
Mayor

ATTEST:

Elen Vandenberg
City Administrator