

ORDINANCE NO. 315

The Town of Stayton ordains as follows:

WHEREAS, The Town of Stayton, Oregon, at the present time has no provisions made for the disposal of sewage within and without the city limits of said City; and

WHEREAS, It has come to the attention of said City that the installation of a sewage disposal system with adequate sewers is of paramount importance to the people of the Town of Stayton, in order to protect the public health and welfare; and

WHEREAS, The Town of Stayton, Oregon has made preliminary surveys and prepared prospective plans for sewage disposal facilities and sewer system and has adopted a tentative plan for the location of sewage treatment facilities and of a sewer system for the Town of Stayton, Oregon, which will cost the Town of Stayton the estimated total sum of \$690,000.00; and

WHEREAS, It is deemed expedient, necessary and proper to finance the cost and expense of constructing sewage disposal facilities and sewer system by the issuance and sale of negotiable general obligations and revenue bonds of said town in an amount of not more than \$690,000.00 and by the levying and collecting of monthly sewerage charges within and without the said town; pursuant to and substantially in compliance with the hereinafter proposed charter of the Town of Stayton, Marion County, Oregon;

NOW, THEREFORE, BE IT RESOLVED that the following proposed Charter Amendment to the Charter of the Town of Stayton, Oregon be submitted to the people of the Town of Stayton for their approval or rejection;

CHARTER AMENDMENT

AN ACT

To amend the Charter of the Town of Stayton, Marion County, Oregon, by adding a new Chapter thereto, authorizing and empowering the said Town of Stayton, acting by and through its city council, to construct, install and maintain a municipal sewage disposal facilities together with sewer mains and laterals within and without said city by the purchase, construction and installation of such machinery, equipment, units, transmission facilities,

facilities, structures, pipe, and the construction of sewer mains and laterals as shall, in the judgment of said City Council, be deemed expedient, convenient and necessary for the Town of Stayton; to secure by purchase, condemnation or otherwise, within and without said City, all real estate, right of ways, property, easements and licenses necessary or convenient to said improvement, and to purchase, construct and install any and all machinery, equipment structures, appliances and pipes reasonable and necessary therefor, to contract for engineering and legal services reasonable and necessary therefor, and further authorizing and empowering said Town of Stayton, through its Common Council to issue and sell general obligation revenue bonds of said Town of Stayton, Oregon, in the sum of \$690,000.00 or so much thereof as shall be necessary for the purposes aforesaid; and authorizing and empowering the Town of Stayton to levy and collect sewerage service charges; and authorizing said Town of Stayton through its Common Council to expend the proceeds from said bond issue together with any and all other available funds in payment for the installation and construction of said sewage disposal facilities, sewer mains and laterals. The payment of said bonds shall be additionally secured by the pledging of the net revenues of the sewerage system available through the levy of sewerage user charges.

Be it enacted by the legal voters of the Town of Stayton, Oregon, that the Charter of said City be amended by adding a chapter thereto which will read as follows:

Section 1. The Town of Stayton, Marion County, Oregon, acting by and through its City Council, is hereby authorized and empowered to install and maintain a municipal sewage disposal facilities and sewerage system within and without said City by the purchase, construction and installation of such units, machinery, equipment, transmission facilities and structures as shall in the judgment of said City Council be deemed expedient, convenient and necessary; to secure by purchase, condemnation, or otherwise, within and without said Town, all real estate, rights of way, property, easements and licenses necessary or convenient to the installation and maintenance of said sewage disposal facilities and sewer mains, and to purchase, construct, install and maintain any and every unit, machinery equipment, structure and appliance reasonable and necessary therefor.

The Stayton City Council is further authorized and empowered to contract for and engage engineers to draw plans and specifications for such sewerage facilities and sewer system and to oversee the installation and construction of said facilities and sewers and such other engineer's services as may be required in the construction and installation of said sewers; to retain attorneys for the purpose of instituting and preparing the necessary papers incidental to the amendment of the City Charter; providing for a \$690,000.00 bond issue, and for any and all special work in connection with the construction and building of the sewerage facilities and sewer system.

Section 2. For the purpose of providing sufficient funds for the payment of the construction of said sewage facilities and sewer system within and without said Town and for the purposes set out in Section 1 hereof, the Common Council of the Town of Stayton, Oregon, is hereby authorized, empowered and directed to issue and sell as shall be deemed expedient, convenient and necessary negotiable general obligation revenue bonds of the Town of Stayton, Marion County, Oregon, in the amount of \$690,000.00, or so much thereof as shall be deemed necessary to be used with other available funds for the purposes set out herein.

Section 3. The bonds hereby authorized shall be general obligation revenue bonds of said Town, and to mature within 25 years from the date of issue thereof, and may be in such form and of such denomination, date due, interest payments date, place of payment, and bear such callable features and provi-

sions as the Common Council of the Town of Stayton, may deem most likely to enhance their value and insure their salability. Said bonds shall bear a rate of interest not greater than 4.9 per cent per annum and shall be sold for not less than 98 per cent of their par value and accrued interest.

Section 4. And for further funds and as additional security for the payment of the bonds hereby authorized, the Common Council of the Town of Stayton is authorized and directed to levy and collect from each and every user of the sewage facilities to be constructed within and without the city limits of the Town of Stayton, Oregon, a monthly sewerage user charge to be set and determined by the Common Council. The Common Council of the Town of Stayton is further authorized to levy and collect such sewerage user charges and to fix rates for households, business and commercial properties and all other types of users of said sewerage system in such amounts as it shall deem best for the Town of Stayton in order to pay the interest and principal due on the after mentioned bonds as they become due and to defray operating costs, but in no event shall the monthly sewerage user charge be less than a minimum amount of \$3.75 per month for any one user during the period that any of the bonds provided for by this Charter Amendment shall be outstanding and unpaid. The provisions for the collections of minimum sewerage charge shall become discretionary with the City Council when and after all interest and principal on the bonds hereby authorized are paid and the bonds redeemed.

The City Council is authorized and directed to place all of the sewerage user charges as collected within and without the City remaining after deducting the expenses of maintenance and operation of said facilities, for the retirement of the bonded indebtedness of said sewer system, both principal and interest, and to further provide for creation and maintenance of reserve and sinking funds deemed advisable by the City Council for such purposes, not withstanding any other present provisions in the Charter of said City.

Section 5. Should the said pledge net revenues of the sewerage system be insufficient therefor, the Common Council of the Town of Stayton, Oregon, is hereby authorized and directed to include in its general municipal tax levy each year such sufficient special levy as shall aggregate, together with the next revenues of said sewerage system as aforesaid, and any other available funds an amount sufficient to pay the interest on the bonds and to pay the principal of said bonds upon the maturities thereof as issued, without regard to any tax limitation provided by the Charter and over and above any tax limitation provided by the Constitution of the State of Oregon.

Section 6. The Common Council is hereby authorized and directed to issue and sell the bonds from time to time as they may be needed for the purpose herein specified, but before any of said bonds shall be sold, they shall be advertised for sale in the manner provided by law.

Section 7. The money derived from the sale of said bonds or any portion thereof shall constitute a special fund for the use and benefit of the sewage disposal facilities and sewer system within and without the Town of Stayton, Oregon, and shall be used for no other purpose or purposes than herein specified.

Section 8. The indebtedness authorized by this amendment to the Charter of the Town of Stayton is in addition to all other indebtedness authorized by the Charter of said City.

BE IT FURTHER RESOLVED, That an election shall be held in the Town of Stayton, Marion County, Oregon, on the 18th day of May, 1962, at which time the above proposed Charter Amendment shall be submitted to the legal voters of said City for their approval or rejection.

The form of ballot to be used at said election shall be as follows:

No.: \_\_\_\_\_ Stub to be torn  
off by chairman

NO: \_\_\_\_\_ Stub to be torn  
off by clerk

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SAMPLE BALLOT FOR THE ELECTION  
TO BE HELD IN THE TOWN OF STAYTON, OREGON

Mark a cross (x) between the number and the answer voted for.

CHARTER AMENDMENT

Charter amendment submitted to the voters by the Council:

TO CONSTRUCT AND INSTALL MUNICIPAL SEWAGE DISPOSAL FACILITIES AND SEWER SYSTEM WITHIN AND WITHOUT THE TOWN OF STAYTON, OREGON, TO PROVIDE FOR THE FUNDS THEREFOR BY ISSUING \$690,000.00 NEGOTIABLE GENERAL OBLIGATION BONDS, AND BY LEVYING SEWERAGE USER CHARGES AND TO PROVIDE FOR THE CREATING OF A SINKING FUND.

An act to amend the Charter of the Town of Stayton, by adding a Chapter thereto authorizing and empowering said Town through its Common Council to construct and install a municipal sewage disposal facilities and sewer system within and without the Town; to issue and sell negotiable general obligation revenue bonds in an amount not to exceed \$690,000.00 to levy a sewerage user charge and to expend the proceeds therefrom for said purposes, and to create a sinking fund.

VOTE YES OR NO

\_\_\_\_\_ YES, I vote for the Amendment.

\_\_\_\_\_ NO, I vote against the Amendment

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The City Recorder shall provide the necessary poll bonds, ballot boxes, tally sheets and such other supplies for each polling place as are necessary for the carrying on of said election, which supplies shall be delivered to the election board. The following place is hereby designated as polling places for said election in the Town of Stayton

Precincts Nos. 176, 177 and 178

The chairman and clerks of Precincts No. 176, 177 and 178 as listed in the records in the Marion County Clerk's Office and who are residents of the Town of Stayton serving the primary election will serve as the Judges and Clerks for the said election.

The polls shall be open in said voting polling places at 8:00 o'clock A.M., Pacific Standard Time and shall be kept open until 8:00 o'clock P. M. Pacific Standard Time on said election date, and said election shall be conducted in accordance within the election laws and statutes of the State of Oregon and in accordance with the terms and provisions of the Charter of the Town of Stayton, Oregon. The ballots so cast in said election shall be counted, tabulated and returned to the City Recorder of said City.

The City Recorder shall and she hereby is directed to give not less than 20 days notice of said election by posting notice thereof in not less than 10 public places within and without the city limits of the Town of Stayton, Oregon and one of said notices shall be posted on the Bulletin Board at the City Hall, and shall further give notice by publication thereof in The Stayton Mail, a legal newspaper of general circulation in the Town of Stayton, Oregon, which is hereby designated as the official newspaper, which shall be not less than 20 days preceding the election. Said notice shall contain notice of the date of election, the measure to be voted upon and the polling place designated for holding an election.

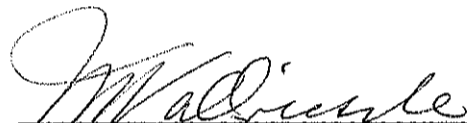
ORDINANCE NO. 307 is hereby repealed.

WHEREAS, That installation of the sewage disposal facilities and sewer system are eminently necessary for the immediate preservation of the peace, health and safety of the citizens of the Town of Stayton.

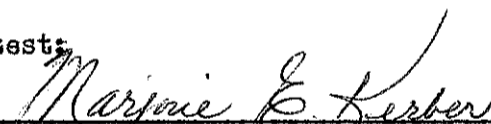
THEREFOR: An emergency is hereby declared to exist, and it is hereby declared to be necessary for the immediate preservation of the peace, health, and safety of the Town of Stayton that this Ordinance shall take effect immediately upon its passage by the Common Council and approval by the Mayor.

Passed by the Common Council this 13th day of April, 1962.

Approved by the Mayor this 13th day of April, 1962.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Recorder