

ORDINANCE NO. 6

AN ORDINANCE TO PROVIDE THE CARRYING INTO EFFECT IN THE CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, THE INITIATIVE AND REFERENDUM POWERS RESERVED TO THE LEGAL VOTERS OF MUNICIPALITIES BY SECTION 1-a OF ARTICLE IV OF THE CONSTITUTION OF THE STATE OF OREGON, AND TO ENACT AND AMEND THEIR MUNICIPAL CHARTERS RESERVED TO LEGAL VOTERS OF CITIES AND TOWNS BY SECTION 2 OF ARTICLE XI OF THE CONSTITUTION OF THE STATE OF OREGON, AND PROVIDING FOR VIOLATION OF THIS ACT AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND CECLARING AN EMERGENCY.

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. The following shall be substantially the form of a petition for any ordinance or charter amendment proposed by the initiative.

Warning

It is a felony for any(one) to sign any initiative or referendum petition with any other name other than his own, or to knowingly sign his name more than once for the same measure, or to sign such petition when he is not a legal voter.

Initiative Petition

To the Honorable _____
Recorder for the City of Wilsonville
Clackamas County, Oregon

We, the undersigned, citizens and legal voters of the City of Wilsonville, Clackamas County, Oregon, respectfully demand that the following proposed ordinance (or amendment to the city charter) shall be submitted to the legal voters of the City of Wilsonville, Clackamas County, Oregon, for their approval or rejection at the regular (or special) city election to be held on the ____ day of _____, 19____, and each for himself says: I have personally signed this petition; I am a legal voter for the City of Wilsonville, Clackamas County, Oregon, and my residence and street number are correctly written after my name.

Name	Residence	Street Number
------	-----------	---------------

(Here follow 20 numbered lines for signatures.)

Section 2. The following shall be substantially the form of petition for referendum to the people on any ordinance passed by the city council.

Warning

It is a felony for anyone to sign any initiative or referendum petition with any other name than his own, or to knowingly sign his name more than once for the same measure, or to sign such petition when he is not a legal voter.

Referendum Petition

To the Honorable _____
Recorder of the City of Wilsonville
Clackamas County, Oregon

We, the undersigned, legal voters of the City of Wilsonville, Clackamas County, Oregon, respectfully demand that Ordinance No. _____ entitled (the title of the ordinance on which the referendum is sought), passed by the council of the City of Wilsonville at

sufficient number of qualified voters be found to have signed said petition, he shall file same within 10 days after presentation thereof to him.

Section 7. Initiative petitions for any proposed ordinance, charter amendment or measure shall be signed by not less than 15 per centum of the voters of the city. Referendum petitions against any ordinance or measure proposed by the city council shall be signed by not less than 10 per centum of the voters of the city.

Section 8. A charter or an amendment to the charter of the City of Wilsonville may be proposed and submitted to the legal voters by resolution of the city council without an initiative petition; and resolution shall be filed with the recorder for submission not later than 15 days before the election at which it is to be voted upon and no charter or charter amendment shall be effective until it is approved by a majority of the votes cast thereon by the legal voters of said city.

Section 9. Where a charter or charter amendment of the City of Wilsonville is proposed and submitted to the legal voters thereof by resolution of the city council without an initiative petition, the said resolution shall therein state the date of the regular municipal election, or the day of a special election at which said resolution will be submitted to be voted on, and shall call and make provision for said election.

Section 10. When any measure for initiative or referendum legislation is filed with the recorder, and after the number and genuineness of signatures thereto have been ascertained as provided by Section 6 supra or when any resolution of the city council is filed with the recorder as provided in Section 8 herein, the recorder shall forthwith transmit to the city's attorney a copy of such measure and he shall within five days provide and return to the recorder a ballot title for such measure. The ballot title shall be printed with the number of the measure on the official ballot. In making such ballot title said attorney shall to the best of his ability

give a true and impartial statement of the purpose of the measure and in such language that the ballot title shall not create any argument for, or be liable to create prejudice against such measure. Any person who is dissatisfied with the ballot title provided by the said attorney for any such measure may within five days after said ballot title is returned to the recorder appeal to the common council asking a different title and giving the reasons therefor, and stating why the title prepared by the said attorney is improper and the common council shall by resolution approve the ballot title prepared by said attorney or shall by resolution prescribe another ballot title therefor and the ballot title so approved or so prescribed by the common council shall be the title placed upon the ballot. Such ballot title shall in no case exceed 100 words, and shall not resemble insofar as possible any other ballot title filed for any measure. The recorder of the City of Wilsonville shall number such measures and ballot title in the most convenient and consecutive manner. The affirmative of the first measure shall be numbered 100 and the negative 101 in numerals, and the succeeding measures shall be numbered 102, 103, 104, 105 and so on. It shall be the duty of the recorder to print said ballot titles and numbers upon the official ballot. Measures referred to the voters by petition shall be designated "referendum ordered by petition of the people". Measures proposed by the initiative petition shall be designated "proposed by initiative petition." A new charter or charter amendments shall be designated "charter (charter amendments) submitted to the voters by the common council". Provided, however, that when a new city charter or charter amendments are to be submitted to the voters by resolution of the council as in this ordinance provided, the council may in said resolution provide for a ballot title for the measure so to be submitted and in the event of such provision being made by the council the hereinabove provisions of this section relative to the filing of the measure with the city attorney, the preparation by said attorney of a ballot title therefor and the appeal to the council from the ballot title so prepared shall not apply.

Section 11. Where a special election is called either on petition for proposed ordinances or charter amendments by the initiative or for submitting ordinances by the referendum or a charter or charter amendments proposed by the council, the recorder shall publish such proposed ordinances, referendum measure, new charter or charter amendments with the ballot title and number in full by posting it in three public, conspicuous and widely separated places in the city for a period of at least two weeks prior to the election at which said proposed ordinance, referendum measure, charter or charter amendment is to be voted on.

Section 12. Legal voters of Wilsonville are qualified to sign a petition for the referendum or for the initiative for any measure which he is entitled to vote upon. Any person signing any name other than his own to a petition, or knowingly signing his name more than once for the same measure at one election, who is not at the time of signing the same a legal voter of the city of Wilsonville, or any officer or other person violating any of the provisions of this ordinance, shall upon conviction thereof be punished by a fine not exceeding \$500.00, or by imprisonment in the County Jail not exceeding six months or by both fine and imprisonment in the discretion of the municipal court.

Section 13. The manner of voting upon measures submitted to the legal voters shall be the same as now is or may hereafter be, provided by law. No measure shall be adopted unless it shall receive the affirmative majority of the total number of legal votes cast on such measure and entitled to be counted thereon. If two or more laws on the same subject or containing provisions that are conflicting, shall be approved by the voters at the same election the measure receiving the greatest number of affirmative votes shall be proclaimed to be the law adopted.

Section 14. The votes on measures and charter amendments shall be counted, canvassed and returned as votes for candidates are counted, canvassed and returned.

Section 15. The mayor shall within 15 days from the time of such election proclaim by posting printed or typewritten copies of such proclamation

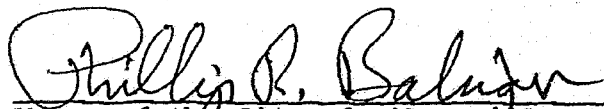
in at least three conspicuous places in said municipality the adoption of such measure and amendments which shall have received the affirmative majority of the total number of votes cast thereon, and upon such proclamation, such measures and amendments shall become in full force and effect, except in cases provided for in Section 13 with reference to two or more laws on the same subject or containing provisions that are conflicting. In cases of ordinances which have been passed by the common council and voted upon by referendum, proclamation of the result of such vote shall also be made, and such ordinance shall continue in effect or cease to be in effect, according to such result from the time of such proclamation.

Section 16. Where referendum petitions shall be signed by the required number of legal voters against any ordinances passed by the common council, the same shall be filed with the recorder within 30 days after the passage and approval of the ordinance in question.

Section 17. All ordinances and parts of ordinances in conflict herewith be, and the same hereby are repealed.

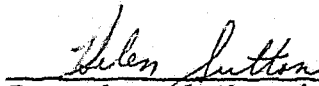
Passed by the Council this 21 day of April, 1969.

Signed and approved by the Mayor this 21 day of April, 1969.



Mayor of the City of Wilsonville, Oregon

ATTEST:



Recorder of the City of Wilsonville, Oregon