

**RESOLUTION NO. 22 FOR 2014**

A RESOLUTION OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON CALLING AN ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY OF SWEET HOME THE QUESTION OF ADOPTING A REVISED CITY OF SWEET HOME CHARTER.

WHEREAS, The Sweet Home City Council appointed a Charter Review Committee in February 2014 comprised of members of the community;

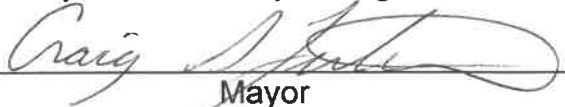
WHEREAS, with prior notice to the public, the Committee met several times to discuss potential charter revisions and receive public comment;

WHEREAS, The City Council reviewed the revised City of Sweet Home Charter on August 12, 2014 and determined to submit said document to the voters of Sweet Home by a ballot measure proposing the revised City of Sweet Home of 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON AS FOLLOWS:

1. That an election is hereby called for the purpose of submitting to the electors of the City the question of revising the City of Sweet Home Charter.
2. That Tuesday, November 4, 2014 is designated as the date for holding the election for voting on measures.
3. That the election will be conducted by the Linn County Elections Office.
4. That the City directs that there shall be delivered to the Elections Officer of Linn County, Oregon not later than the 61<sup>st</sup> day before the date of the election the Notice of Measure Election prepared by staff and approved by the City Manager/City Elections Officer.
5. That the County Elections Officer shall cause the Notice of Measure Election, sample ballot, and date of the election to be posted and published in accordance with the laws of the State of Oregon.
6. That the Ballot Title as set forth in Exhibit A will read as follows: Measure Proposing a revised Charter for City of Sweet Home.
7. That Charter Revisions will read as set forth in Exhibit B – Revised City of Sweet Home Charter 2014.
8. That this resolution shall be effective immediately upon its passage.

PASSED by the Council and approved by the Mayor this 26<sup>th</sup> day of August, 2014.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Manager – Ex Officio City Recorder

**Exhibit A**  
Resolution No. 22 for 2014

**BALLOT TITLE**

**CAPTION: MEASURE PROPOSING A REVISED CHARTER  
FOR CITY OF SWEET HOME**

**QUESTION:** Shall the proposed Sweet Home City Charter of 2014 be adopted to replace Sweet Home City Charter of 1986?

**SUMMARY:** Approving this measure would adopt a revised City Charter, replacing the Sweet Home Charter of 1986. The Sweet Home City Council approved the proposed revised Charter and by this measure referred the Charter adoption to the City voters. Adoption of the revised City Charter requires a vote of the people.

The proposed revised Sweet Home City Charter of 2014 makes changes to the 1986 Charter that include: Simplified and gender neutral language; Removal of previous repealed sections no longer applicable; Renumbered sections; Removal of Charter Amendments no longer applicable and to conform to current law; Revisions of Council voting requirements for actions of Council; Removal of sections on damage suits and debt limits to use State law.

If approved the revised Charter would take effect January 1, 2015.

A complete copy of the proposed revised Sweet Home City Charter of 2014 is available for review at Sweet Home City Hall, 1140 12<sup>th</sup> Avenue, Sweet Home, Oregon and at [www.ci.sweet-home.or.us](http://www.ci.sweet-home.or.us)

**Submitted by:** City Attorney Robert D. Snyder  
**Date:** August 21, 2014

EXHIBIT B  
RESOLUTION NO. 22 FO4 2014

# CITY OF SWEET HOME SWEET HOME, OREGON

## CHARTER



Completely Revised August 2014

**AN ACT TO REVISE THE CHARTER OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON.**

Be it enacted by the City of Sweet Home, Linn County, Oregon:

**CHAPTER I  
NAME, BOUNDARIES, POWERS AND GENERAL PROVISIONS**

**Section 1. Name and Boundaries.** The City of Sweet Home, Linn County, Oregon shall, upon the taking effect of this charter, continue to be a municipal corporation under the name of the City of Sweet Home.

The city includes all territory within its boundaries as they now exist or are legally modified. The city will maintain as a public record an accurate and current description of the boundaries.

**Section 2. Powers of the City.** Subject only to limitations provided in this charter, the city shall have all rights, powers, privileges and immunities now or hereafter granted either expressly or impliedly to municipalities by the constitution, statutes and common law of the state, as fully as though each of such rights, powers, privileges and immunities were specifically stated in this charter.

The enumeration of or reference to particular rights, powers, privileges and immunities in this charter shall not be construed to be exclusive. This charter shall be liberally construed to the end that the city may have all necessary powers for the conduct of its municipal affairs, as contemplated by the municipal home rule provision of the constitution and laws of the state.

**CHAPTER II  
FORM OF GOVERNMENT**

**Section 3. Council and Mayor.** Except as otherwise provided in this charter, all powers of the city shall be vested in a council of seven members nominated and elected from the city at large.

At each biennial general election, four councilors shall be elected. The three receiving the highest number of votes shall each hold office for four years, and the one receiving the number of votes next to the three highest shall hold office for two years. Tie votes shall be determined by lot.

At its first meeting of the new term after each biennial general election, the council shall elect from its membership a chairperson who shall be mayor for a term of two years.

The mayor and councilors in office at the time of adoption of this charter shall continue in office until the expiration of their respective terms, with powers and duties as provided in this charter.

**Section 4. City Attorney, Manager and Municipal Judge.** The council shall appoint and keep in office a city attorney, city manager who shall also serve as the city recorder, and a municipal judge, who shall hold office subject to the discretion of the council and may be removed by the council with or without cause.

**Section 5. Other City Officers and Employees.** The city manager shall appoint a treasurer, a chief of police and such other officers and employees of the city as the council deems necessary, and may remove any of them at any time with or without cause. The council may by resolution require any officer to fill and perform the duties of two or more offices.

**Section 6. Salaries.** The council shall fix the compensation of all city officers and employees.

**Section 7. Bonds of Officers, Employees and Contractors.** If ordinances require, every person appointed to an office or place of public employment in the city or entering into a contract with the city shall give the city a bond for the faithful performance of his/her duties. Nothing in this section, however, shall detract from the effect of Section 20.

### CHAPTER III ELECTIONS

**Section 8. Regulation of Elections.** Except as this charter provides otherwise and as the council provides otherwise by ordinance relating to elections, the general law of the state shall apply to the conduct of all city elections, recounts of the returns therefrom, and contest thereof. Any qualified elector who has resided in the city at least one year may be nominated for the council or for mayor.

**Section 9. Special Elections.** The council may by resolution or ordinance order a special election and provide the time, manner and means for holding it. At least 10 days notice shall be given of each special election.

**Section 10. Commencement of Terms of Office.** The term of office of each person elected to office at a regular city election shall commence on the first Monday of January following the election. In the case of an election to fill an existing vacancy in office, the person elected shall enter upon his/her office immediately.

**Section 11. Oath of Office.** Each officer, before entering upon the duties of his/her office, shall take an oath that he/she will support the constitution and laws of the United States and the state, and that he/she will faithfully perform the duties of his/her office.

#### **CHAPTER IV VACANCIES**

**Section 12. Vacancies in Office Generally.** An office shall be deemed vacant upon the incumbent's death, insanity, conviction of a felony, resignation, removal from the city or absence from the city for a period of 30 days without the consent of the council in case of the mayor, manager, municipal judge or councilor, or without the consent of the manager in case of officers appointed by the manager; upon the incumbent's ceasing to possess the qualifications necessary for office; or upon the failure of the person elected or appointed to an office to qualify therefore on or before the day of his/her term of office commences; and in case of the mayor or a councilor, upon his/her absence from meetings of the council for 60 days without the consent of the council.

**Section 13. Manner in Which Vacancies Shall Be Filled.** Vacancies in office filled by election or by appointment by the council shall be filled by appointment by the council at any regular or special meeting, and the person so appointed shall serve the full unexpired term and until his/her successor is chosen and qualified. Vacancies in offices filled by appointment by the manager shall be filled by appointment by the manager. An officer appointed to fill a vacancy shall within 24 hours after his/her appointment qualify for office, and unless he/she does so, the office shall be considered vacant. During the temporary absence of any officer from the city for any cause his/her office may be filled temporarily in the manner provided for filling vacancies in office.

#### **CHAPTER V THE COUNCIL**

**Section 14. Council Meetings.** The council shall provide for the time and place of its regular meetings and adopt rules and regulations for the government of its members and proceedings. It shall hold at least one regular meeting each month. Special meetings of the council may be called by the mayor, either upon his/her own motion or upon the request of at least three members of the council, and held at any time, upon verbal or written notice to all members of the council then in the city. Special meetings of the council may also be held by the common consent of all members of the council.

**Section 15. Quorum.** A majority of council members is a quorum to conduct business, but a smaller number may meet and adjourn from time to time to compel the attendance of absent members in the manner provided by ordinance. The council shall keep a journal of its proceeding, and on the call of two members shall the yeas and nays to be taken and entered in the journal upon any question before it except a motion to adjourn. The proceedings of the council shall be public.

**Section 16. Mayor’s Duties at Council Meetings.** The Mayor shall be chairperson of the council and shall preside over its deliberations. He/she shall have authority to preserve order, enforce the rules of council and determine the order of business, subject to the rules of the council. He/she may vote as a councilor.

**Section 17. President Pro Tem.** At its first meeting in the new term after each biennial election, the council shall elect from its membership, a president pro tem for a term of two years. The president pro tem shall perform the duties of the mayor in the absence of the mayor.

**Section 18. Vote Required.** The concurrence of a majority of a quorum shall be required to determine any matter before the council except as provided otherwise in this charter.

**CHAPTER VI  
POWERS AND DUTIES OF THE CITY OFFICERS**

**Section 19. Mayor.** The mayor shall appoint the various committees provided for under the rules of the council or otherwise and shall fill all vacancies in committees of the council from that body. He/she shall sign all ordinances passed by the council within three days after their passage. He/she shall sign all instruments and writings authorized by this charter, the laws of the state or the council. In the absence of the mayor, such instruments shall be signed by the president pro tem of the council. All orders on the city treasurer shall be signed by two of the three following named city officers, being the mayor, the city manager and the city treasurer.

**Section 20. Manager.**

(a) **Qualifications.** The manager shall be the administrative head of the city government. He/she shall be chosen by the council without regard to political consideration and solely with reference to his/her executive and administrative qualifications.

Before entering upon his/her duties, the manager shall file with the mayor an official bond for faithful performance thereof, payable to the city in the sum of \$10,000, the premium of which shall be paid by the city. The bond shall be to the satisfaction of the council, and the approval of the mayor shall be endorsed thereon.

(b) Term. The manager shall be appointed for an indefinite term, but may be removed with a vote of four members of the council. Upon any vacancy occurring in the office of the manager subsequent to the first appointment hereunder, the council shall, at its next meeting, adopt a resolution of its intention to appoint a manager, and no such appointment shall be made until at least four weeks after adoption of the resolution. The council shall appoint a manager within a reasonable time after the adoption of the resolution of intention.

(c) Powers and duties. The powers and duties of the manager shall be:

(1) To see that all ordinances are enforced.

(2) To appoint all heads of departments and other city officers and employees, and remove them at pleasure, and to have general supervision and control over them, except as otherwise provided in this charter. All such appointments shall be made upon the basis of merit and fitness alone.

(3) To see that the provisions of all franchises, leases, contracts, permits and privileges granted by the city are fully observed, and to report to the council any violations thereof.

(4) To attend all meetings of the council unless excused therefrom by three councilors or by the mayor.

(5) To act as purchasing agent for all departments of the city. All purchases shall be made in accordance with the council approved city purchasing policy.

(6) To examine or cause to be examined, without notice, the official conduct of any officer, assistant, deputy, clerk or employee in any of the departments of city government, except councilors.

(7) To keep the council advised to the needs of the city.

(8) To prepare and submit to the budget committee the annual budget estimate and such reports as may be required by that body.

(9) To submit to the council an annual report of all departments of the city and such other reports as the council may require.

(10) To prepare or cause to be prepared plans and specification for work coming under his/her supervision which the council orders, and to provide such plans and specifications in sufficient number and in ample time to give full opportunity for all contractors who desire to bid thereon to do so.

(11) To have control, subject to such ordinances as may from time to time be adopted, for all public utilities owned or operated by the city.

(12) To have general supervision over all city property and its use by the public or city employees.

(13) To appoint such advisory boards as he/she may deem desirable to advise on, assist him/her in his/her work; but the members of such boards will receive no compensation as such board members.



(14) To perform such other duties as may be required by this charter or as the council may require of him/her.

(15) From time to time, in order to facilitate the prompt, economical and efficient dispatch of city business, to organize the work of the departments under his/her control, to assign assistants, deputies, and employees from any office or department of the city government to perform work or service in connection with any other office or department thereof, or to work in more than one said offices or departments thereof; provided, that no such change shall affect the powers or duties of any elective officer to the city.

(16) To serve as the city recorder and such to be clerk of the council, keep an accurate record of its proceedings in a book provided for that purpose, and countersign all instruments and writings by this charter or by the laws of the state or the city.

(d) Seats at Council Meetings. The manager and such other officers of the city as may be designated by vote of the council shall be entitled to seats with the council, but shall have no vote therein. The manager shall have the right to take part in the discussion of all matters coming before council.

(e) Manager Pro Tem. During the absence of the manager from the city, during his/her temporary disability to act as manager, or during the interim when the council is seeking a manager, the council shall appoint a manager pro tem who shall possess the powers and discharge the duties of the manager during such absence or disability only; provided, however that a manager pro tem shall have no authority to appoint or remove any city officer or employee except with the approval of five members of the council. No manager pro tem shall hold his/her position for more than six months. No appointment of a manager pro tem shall be consecutively renewed. In case of the absence of the manager or the manager pro tem from council meetings, the council shall appoint a clerk of the council pro tem.

(f) Interference in Administration. No member of the council shall in any manner, directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the manager in the making of any appointment or removal, or the purchase of supplies, or attempt to exact any promise relative to any appointment from any candidate for manager, or discuss, directly or indirectly, with any such candidate, the matter of appointments to any city office or employment. Any violation of the foregoing provisions of this section shall work a forfeiture of the office of the offending member of council, may be removed therefrom by the council or by any court of competent jurisdiction; provided, however, that nothing herein contained shall be construed as prohibiting the council, while in open session, discussing with or suggesting to the manager, fully and freely, anything pertaining to city affairs and for the best interest of the city. Neither the manager nor any person in the employ of the city shall take any part in securing, or shall contribute any money toward, the nomination or election of any candidate for the municipal office.

(g) Ineligible Persons. No person related to the manager by consanguinity or affinity within the third degree shall hold any appointive office or employment with the city.

**Section 21. Municipal Judge.** The municipal judge shall be the judicial officer of the city. He/she shall hold within the city a court known as the municipal court for the City of Sweet Home, Linn County, Oregon. The court shall be open for the transaction of the judicial business at times specified by the council. All areas within the city shall be within the territorial jurisdiction of the court. The municipal judge shall exercise original and exclusive jurisdiction of all offenses defined or authorized by ordinances of the city. He/she shall have authority to issue process for the arrest of any person accused of an offense against the ordinance of the city, to commit any such person to jail or admit him/her to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trail of any cause before him/her, to compel obedience to such subpoenas, to issue any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court. When not governed by ordinances or this charter, all proceedings in the municipal court for the violation of the city ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.

Notwithstanding this section of this charter, the council may provide for the transfer of power and duties of the municipal court to the appropriate state court of the State of Oregon.

**Section 22. Other Officers.** The council shall fix the powers and duties of all appointive offices other than those provided for in this charter.

## CHAPTER VII ORDINANCES

**Section 23. Enacting Clause.** The enacting clause of all ordinances hereafter passed shall be "The City of Sweet Home does ordain as follows."

**Section 24. Introduction, Reading and Passage.** Every ordinance shall be fully and distinctly read in open council meeting on one day and shall be read by title only on two different days previous to being put upon its final passage provided that the council may have the ordinance fully and distinctly read at any reading thereof; provided, however, that any ordinance may be introduced and read the first time at any meeting and may upon a unanimous vote of all the members of council present at the meeting be read a second time by title only and placed upon its passage at the meeting held on a separate and successive day.

**Section 25. When Ordinances Take Effect and Publication Thereof.** Each ordinance passed by the council shall take effect on the thirtieth day after its passage; provided, that when the council deems it expedient or in case of emergency, an ordinance may provide a different time when it shall take effect, or that it shall take effect immediately. All ordinances shall be posted for 10 days after passage in three or more conspicuous places in the city.

## CHAPTER VIII PUBLIC IMPROVEMENTS

**Section 26. Power of Condemnation and Purchase.** The city shall have power to acquire by purchase, gift, devise or condemnation any property either within or without its corporate boundaries for any municipal purpose, for the purpose of (a) protecting, preserving and facilitating an improvement or (b) bringing about such development of property along or in the vicinity of an improvement as will make such development harmonious with and adjusted to the improvement or (c) any combination of such purposes; to acquire by condemnation property in excess of that needed for the actual improvement and to sell or lease such excess property with building and use restrictions and conditions to make its development harmonious with and adjusted to adjacent public improvements. The necessity for the taking of any property by the City of Sweet Home shall be determined by the council and shall be declared by a resolution which shall describe such property as nearly as may be and stating the use to which it is to be devoted. The city shall have power to provide for the payment of all or any part of the cost of land or other property acquired for public use of the construction, reconstruction, repair, operation or maintenance of any structure or work in the nature of a public facility or improvement, including a public utility and of any other public work or service, by levying and collecting special assessments upon property specially benefited.

**Section 27. Special Assessment.** The method and procedure for determining the amount of the assessments, the spread and apportionment of the amount of the assessments, and the boundary and location of the property, lots, district or area to be assessed; for the making and approval of the plans and specifications; for the notices of property owners and other interested parties; for the hearings, for the composition, organization and procedure of boards of revision or appraisal; for the levy of the assessments; for the creation of a lien; and for any and all other determinations, steps, measures, resolutions, ordinances and actions in relation to the assessments shall be governed by either (a) the provisions of the special assessment statutes of the state or (b) the provisions of a general ordinance setting forth such method and procedure, which general ordinance may be enacted by council and shall be subject to amendment or repeal.

**Section 28. Improvements.** Street, sewer, sidewalk and such other improvements as may be deemed necessary by the council may be made on the motion of the council or on petition of a majority of the property owners interested. Remonstrance of two-thirds of the front footage of property owners concerned shall operate to defeat such motion of petition and the same may not again be considered by the council for a period of six months.

**Section 29. Savings Clause.** All ordinances, resolutions, policies, procedures, contracts and regulations heretofore passed by the city, in force when this charter takes effect, if not inconsistent with it, shall remain in full force after it takes effect and until they are amended or repealed by the council.

**Section 30. City to Retain Rights and Be Subject to Liabilities in Existence at Time This Charter Takes Effect.** No right vested in the city and no liability which it has incurred under this charter, prior charters, and any revisions and amendments thereof and laws of the state shall be impaired or discharged by adoption of this charter, except as this charter otherwise provides.

**Section 31. Limitations on Indebtedness.** City indebtedness may not exceed the debt limits imposed by state law. A charter amendment is not required to authorize city indebtedness.

**Section 32. Repealing Clause.** All charter provisions adopted before this charter takes effect are repealed.

**Section 33. Severability.** The terms of this charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the charter.

EXHIBIT B  
RESOLUTION NO. 22 FOR 2014  
(TRACKED CHANGES)

# CITY OF SWEET HOME SWEET HOME, OREGON

## CHARTER



Completely Revised ~~October 1986~~ \_\_\_\_\_ **2014**

**AN ACT TO ENACT A NEW-REVISE THE CHARTER OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON. AND TO REPEAL ALL FORMER CHARTERS AND PARTS OF CHARTERS OF THIS CITY.**

Be it enacted by the City of Sweet Home, Linn County, Oregon:

**CHAPTER I  
NAME, BOUNDARIES, POWERS AND GENERAL PROVISIONS**

**Section 1. Name and Boundaries.** The City of Sweet Home, Linn County, Oregon shall, upon the taking effect of this charter, continue to be a municipal corporation under the name of the City of Sweet Home., ~~with boundaries as follows:~~

~~Beginning at the southwest corner of Section 31, Township 13 south, Range 1 east, of the Willamette Meridian, in Linn County, Oregon; thence east 1 ¼ miles, thence north 1 mile, thence west to the south bank of the south fork of the Santiam River, thence along the south bank of said Santiam River at low water mark until it strikes the one half section line, thence south 14 chains, or until it strikes north line of Lowell Ames donation claim; thence west parallel with said claim until it strikes the meridian line, thence south along said meridian line to place of beginning. [For description of territory annexed to city subsequent to enactment of charter, see the following: Resolution No. 39, October 12, 1954; Ordinance No. 276 and 277, August 31, 1954; Ordinance No. 337, August 12, 1958]~~

*(Remove legal description of boundaries and add the following)* The city includes all territory within its boundaries as they now exist or are legally modified. The city will maintain as a public record an accurate and current description of the boundaries.

**Section 2. Powers of the City.** Subject only to limitations provided in this charter, the city shall have all rights, powers, privileges and immunities now or hereafter granted either expressly or impliedly to municipalities by the constitution, statues and common law of the state, as fully as though each of such rights, powers, privileges and immunities were specifically stated in this charter.

The enumeration of or reference to particular rights, powers, privileges and immunities in this charter shall not be construed to be exclusive. This charter shall be liberally construed to the end that the city may have all necessary powers for the conduct of its municipal affairs, as contemplated by the municipal home rule provision of the constitution and laws of the state.

Current  
Language

## CHAPTER II FORM OF GOVERNMENT

**Section 3. Council and Mayor.** Except as otherwise provided in this charter, all powers of the city shall be vested in a council of seven members nominated and elected from the city at large. ~~At the first biennial general election held after adoption of this charter, seven~~ **councilors** (*"Councilmen" & "Councilman" has been changed to Councilor(s) throughout the entire document*) shall be elected. ~~The three receiving the three highest number of votes shall hold office for four years. The four receiving the next highest number of votes shall each hold office for two years.~~

At each subsequent biennial general election, four **councilors** shall be elected. The three receiving the highest number of votes shall each hold office for four years, and the one receiving the number of votes next to the three highest shall hold office for two years. Tie votes shall be determined by lot.

At its first meeting of the new term after each biennial general election, the council shall elect from its membership a **chairperson** (*"chairman" has been changed to chairperson throughout the entire document*), who shall be mayor for a term of two years. ~~{Section 3, as amended by election held June 12, 1979.}~~ (*Brackets [ ] reflecting past amendments will be removed throughout the entire charter document.*)

The mayor and **councilors** in office at the time of adoption of this charter shall continue in office until the expiration of their respective terms, with powers and duties as provided in this charter.

**Section 4. City Attorney (added), Manager and Municipal Judge.** The council shall appoint and keep in office a city attorney, city manager who shall also serve as the city recorder, and a municipal judge, who shall hold office subject to the discretion of the council and may be removed by the council with or without cause. ~~{Section 4, as amended by elections held May 17, 1946 and June 9, 1969.}~~

**Section 5. Other City Officers and Employees.** The city manager shall appoint a treasurer, a **fire chief**, a chief of police and such other officers and employees of the city as the council deems necessary, and may remove any of them at any time with or without cause. The council may by resolution require any officer to fill and perform the duties of two or more offices. ~~{Section 5, as amended by elections held May 17, 1946 and June 9, 1969.}~~

**Section 6. Salaries.** The council shall fix the compensation of all city officers and employees.

**Section 7. Bonds of Officers, Employees and Contractors.** If ordinances requires, every person appointed to an office or place of public employment in the city or entering into a contact with the city shall give the city a bond for the faithful performance of his/her (“his” has been changed to his/her throughout the entire document) duties. Nothing in this section, however, shall detract from the effect of Section 24 20. *(All repealed/blank section #'s have been removed and Sections have been renumbered throughout the document)*

### CHAPTER III ELECTIONS

**Section 8. Regulation of Elections.** Except as this charter provides otherwise and as the council provides otherwise by ordinance relating to elections, the general law of the state shall apply to the conduct of all city elections, recounts of the returns therefrom, and contest thereof. Any qualified elector who has resided in the city at least one year may be nominated for the council or for mayor. ~~[Section 8, as amended by election held June 24, 1986.]~~

**Section 9. Special Elections.** The council may by resolution or ordinance order a special election and provide the time, manner and means for holding it. At least 10 days notice shall be given of each special election.

~~Section 10, Section 11, Section 12~~ ~~[Repealed by election held June 24, 1986.]~~ *(All repealed/blank section #'s have been removed and Sections have been renumbered throughout the document)*

**Section ~~13~~ 10. Commencement of Terms of Office.** The term of office of each person elected to office at a regular city election shall commence on the first Monday of January following the election. In the case of an election to fill an existing vacancy in office, the person elected shall enter upon his/her office immediately.

**Section 14 11. Oath of Office.** Each officer, before entering upon the duties of his/her office, shall take an oath that he/she (“he” has been changed to he/she throughout the entire document) will support the constitution and laws of the United States and the state, and that he/she will faithfully perform the duties of his/her office.

~~Section 15.~~ ~~[Repealed by election held June 24, 1986.]~~



## CHAPTER IV VACANCIES

**Section 16-12. Vacancies in Office Generally.** An office shall be deemed vacant upon the incumbent's death, insanity, conviction of a felony, resignation, removal from the city or absence from the city for a period of 30 days without the consent of the council in case of the mayor, manager, municipal judge or councilor, or without the consent of the manager in case of officers appointed by the manager; upon the incumbent's ceasing to possess the qualifications necessary for office; or upon the failure of the person elected or appointed to an office to qualify therefore on or before the day of his/her term of office commences; and in case of the mayor or a councilor, upon his/her absence from meetings of the council for 60 days without the consent of the council.

**Section 17-13. Manner in Which Vacancies Shall Be Filled.** Vacancies in office filled by election or by appointment by the council shall be filled by appointment by the council at any regular or special meeting, and the person so appointed shall serve the full unexpired term and until his/her successor is chosen and qualified.; ~~provided, that a majority vote of the whole membership of the council shall be necessary to fill a vacancy in the office of the mayor.~~ Vacancies in offices filled by appointment by the manager shall be filled by appointment by the manager. An officer appointed to fill a vacancy shall within 24 hours after his/her appointment qualify for office, and unless he/she does so, the office shall be considered vacant. During the temporary absence of any officer from the city for any cause his/her office may be filled temporarily in the manner provided for filling vacancies in office.

## CHAPTER V THE COUNCIL

**Section 18-14. Council Meetings.** The council shall provide for the time and place of its regular meetings and adopt rules and regulations for the government of its members and proceedings. It shall hold at least one regular meeting each month. Special meetings of the council may be called by the mayor, either upon his/her own motion or upon the request of at least three members of the council, and held at any time, upon verbal or written notice to all members of the council then in the city. Special meetings of the council may also be held by the common consent of all members of the council.

**Section 19-15. Quorum.** ~~Four members of council shall constitute a quorum to do business~~ (replace with) A majority of council members is a quorum to conduct business, but a smaller

number may meet and adjourn from time to time to compel the attendance of absent members in the manner provided by ordinance. The council shall keep a journal of its proceeding, and on the call of two members shall the yeas and nays to be taken and entered in the journal upon any question before it except a motion to adjourn. The proceedings of the council shall be public.

**Section 20 16. Mayor's Duties at Council Meetings.** The Mayor shall be **chairperson** of the council and shall preside over its deliberations. **He/she** shall have authority to preserve order, enforce the rules of council and determine the order of business, subject to the rules of the council. **He/she** may vote as a **councilor**.

**Section 21 17. President Pro Tem.** At its first meeting in the new term after each biennial election, the council shall elect from its membership, a president pro tem for a term of two years. The president pro tem shall perform the duties of the mayor in the absence of the mayor. [~~Section 21 as amended by election held June 12, 1979.~~]

**Section 22 18. Vote Required.** The concurrence of a majority of a quorum shall be required to determine any matter before the council **except as provided otherwise in this charter**.

## CHAPTER VI POWERS AND DUTIES OF THE CITY OFFICERS

**Section 23 19. Mayor.** The mayor shall appoint the various committees provided for under the rules of the council or otherwise and shall fill all vacancies in committees of the council from that body. **He/she** shall sign all ordinances passed by the council within three days after their passage. **He/she** shall sign all instruments and writings authorized by this charter, the laws of the state or the council. In the absence of the mayor, such instruments shall be signed by the president pro tem of the council. All orders on the city treasurer shall be signed by two of the three following named city officers, being the mayor, the city manager and the city treasurer. [~~Section 23, as amended by election held June 14, 1977.~~]

**Section 24 20. Manager.**

(a) Qualifications. The manager shall be the administrative head of the city government. **He/she** shall be chosen by the council without regard to political consideration and solely with reference to **his/her** executive and administrative qualifications. Before entering upon **his/her** duties, the manager shall file with the mayor an official bond for faithful performance thereof, payable to the city in the sum of ~~\$5,000~~ **\$10,000**, *(Updated to current bond amount which is \$10,000)* the premium of which shall be paid by the city. The

bond shall be to the satisfaction of the council, and the approval of the mayor shall be endorsed thereon.

(b) Term. The manager shall be appointed for an indefinite term, but may be removed with a vote of four members of the council. ~~at the pleasure of a majority of the Council;~~ Upon any vacancy occurring in the office of the manager subsequent to the first appointment hereunder, the council shall, at its next meeting, adopt a resolution of its intention to appoint a manager, and no such appointment shall be made until at least four weeks after adoption of the resolution. The council shall appoint a manager within a reasonable time after the adoption of the resolution of intention.

(c) Powers and duties. The powers and duties of the manager shall be:

(1) To see that all ordinances are enforced.

(2) To appoint all heads of departments and other city officers and employees, and remove them at pleasure, and to have general supervision and control over them, except as otherwise provided in this charter. All such appointments shall be made upon the basis of merit and fitness alone.

(3) To see that the provisions of all franchises, leases, contracts, permits and privileges granted by the city are fully observed, and to report to the council any violations thereof.

(4) To attend all meetings of the council unless excused therefrom by three councilors or by the mayor.

(5) To act as purchasing agent for all departments of the city. ~~All purchases shall be made by requisition signed by the manager.~~

*Replace with:* All purchases shall be made in accordance with the council approved city purchasing policy.

(6) To examine or cause to be examined, without notice, the official conduct of any officer, assistant, deputy, clerk or employee in any of the departments of city government, except councilors.

(7) To keep the council advised to the needs of the city.

(8) To prepare and submit to the budget committee the annual budget estimate and such reports as may be required by that body.

(9) To submit to the council an annual report of all departments of the city and such other reports as the council may require.

(10) To prepare or cause to be prepared plans and specification for work coming under his/her supervision which the council orders, and to provide such plans and specifications in sufficient number and in ample time to give full opportunity for all contractors who desire to bid thereon to do so.

(11) To have control, subject to such ordinances as may from time to time be adopted, for all public utilities owned or operated by the city.

(12) To have general supervision over all city property and its use by the public or city employees.

(13) To appoint such advisory boards as he/she may deem desirable to advise on, assist him/her in his/her work; but the members of such boards will receive no compensation as such board members.

(14) To perform such other duties as may be required by this charter or as the council may require of him/her.

(15) From time to time, in order to facilitate the prompt, economical and efficient dispatch of city business, to organize the work of the departments under his/her control, to assign assistants, deputies, and employees from any office or department of the city government to perform work or service in connection with any other office or department thereof, or to work in more than one said offices or departments thereof; provided, that no such change shall affect the powers or duties of any elective officer to the city.

(16) To serve as the city recorder and such to be clerk of the council, keep an accurate record of its proceedings in a book provided for that purpose, and countersign all instruments and writings by this charter or by the laws of the state or the city.

(d) Seats at Council Meetings. The manager and such other officers of the city as may be designated by vote of the council shall be entitled to seats with the council, but shall have no vote therein. The manager shall have the right to take part in the discussion of all matters coming before council.

(e) Manager Pro Tem. During the absence of the manager from the city, during his/her temporary disability to act as manager, or during the interim when the council is seeking a manager, the council shall appoint a manager pro tem who shall possess the powers and discharge the duties of the manager during such absence or disability only; provided, however that a manager pro tem shall have no authority to appoint or remove any city officer or employee except with the approval of five members of the council. No manager pro tem shall hold his/her position for more than six months. No appointment of a manager pro tem shall be (add) consecutively renewed.

In case of the absence of the manager or the manager pro tem from council meetings, the council shall appoint a clerk of the council pro tem.

(f) Interference in Administration. No member of the council shall in any manner, directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the manager in the making of any appointment or removal, or the purchase of supplies, or attempt to exact any promise relative to any appointment from any candidate for manager, or discuss, directly or indirectly, with any such candidate, the matter of appointments to any city office or employments. Any violation of the foregoing provisions of this section shall work a forfeiture of the office of the offending member of council, may be removed therefrom by the council or by any court of competent jurisdiction; provided, however, that nothing herein



contained shall be construed as prohibiting the council, while in open session, discussing with or suggesting to the manager, fully and freely, anything pertaining to city affairs and for the best interest of the city. Neither the manager nor any person in the employ of the city shall take any part in securing, or shall contribute any money toward, the nomination or election of any candidate for the municipal office.

(g) Ineligible Persons. No person related to the manager by consanguinity or affinity within the third degree shall hold any appointive office or employment with the city.

**Section 25 21. Municipal Judge.** The municipal judge shall be the judicial officer of the city. **He/she** shall hold within the city a court known as the municipal court for the City of Sweet Home, Linn County, Oregon. The court shall be open for the transaction of the judicial business at times specified by the council. All areas within the city shall be within the territorial jurisdiction of the court. The municipal judge shall exercise original and exclusive jurisdiction of all offenses defined or authorized by ordinances of the city. **He/she** shall have authority to issue process for the arrest of any person accused of an offense against the ordinance of the city, to commit any such person to jail or admit **him/her** to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before **him/her**, to compel obedience to such subpoenas, to issue any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court. When not governed by ordinances or this charter, all proceedings in the municipal court for the violation of the city ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.

Notwithstanding this section of this charter, the council may provide for the transfer of power and duties of the municipal court to the appropriate *district (replace with)* **state** court of the State of Oregon. [~~Section 25, as amended by election held June 24, 1986.~~]

**Section 26 22. Other Officers.** The council shall fix the powers and duties of all appointive offices **(add) other** than those provided for in this charter.

## CHAPTER VII ORDINANCES

**Section 27 23. Enacting Clause.** The enacting clause of all ordinances hereafter passed shall be "The City of Sweet Home does ordain as follows."

**Section 28 24. Introduction, Reading and Passage.** Every ordinance shall be fully and distinctly read in open council meeting on one day and shall be read by title only on two different days previous to being put upon its final passage provided that the council may have the ordinance fully and distinctly read at any reading thereof; provided, however, that any

ordinance may be introduced and read the first time at any meeting and may upon a unanimous vote of all the members of council present at the meeting be read a second time by title only and placed upon its passage at the meeting held on a separate and successive day. [~~Section 28, as amended by election held March 1, 1968. Resolution No. 5 for 1968.~~]

**Section 29 25. When Ordinances Take Effect and Publication Thereof.** Each ordinance passed by the council shall take effect on the thirtieth day after its passage; provided, that when the council deems it expedient or in case of emergency, an ordinance may provide a different time when it shall take effect, or that it shall take effect immediately. All ordinances shall be posted for 10 days after passage in three or more conspicuous places in the city.

## CHAPTER VIII PUBLIC IMPROVEMENTS

**Section 30 26. Power of Condemnation and Purchase.** The city shall have power to acquire by purchase, gift, devise or condemnation any property either within or without its corporate boundaries for any municipal purpose, for the purpose of (a) protecting, preserving and facilitating an improvement or (b) bringing about such development of property along or in the vicinity of an improvement as will make such development harmonious with and adjusted to the improvement or (c) any combination of such purposes; to acquire by condemnation property in excess of that needed for the actual improvement and to sell or lease such excess property with building and use restrictions and conditions to make its development harmonious with and adjusted to adjacent public improvements. The necessity for the taking of any property by the City of Sweet Home shall be determined by the council and shall be declared by a resolution which shall describe such property as nearly as may be and stating the use to which it is to be devoted. The city shall have power to provide for the payment of all or any part of the cost of land or other property acquired for public use of the construction, reconstruction, repair, operation or maintenance of any structure or work in the nature of a public facility or improvement, including a public utility and of any other public work or service, by levying and collecting special assessments upon property specially benefited.

**Section 31 27. Special Assessment.** The method and procedure for determining the amount of the assessments, the spread and apportionment of the amount of the assessments, and the boundary and location of the property, lots, district or area to be assessed; for the making and approval of the plans and specifications; for the notices of property owners and other interested parties; for the hearings, for the composition, organization and procedure of boards of revision or appraisal; for the levy of the assessments; for the creation of a lien; and for any and all other determinations, steps, measures, resolutions, ordinances and actions in

relation to the assessments shall be governed by either (a) the provisions of the special assessment statutes of the state or (b) the provisions of a general ordinance setting forth such method and procedure, which general ordinance may be enacted by council and shall be subject to amendment or repeal.

**Section 32-28. Improvements.** Street, sewer, sidewalk and such other improvements as may be deemed necessary by the council may be made on the motion of the council or on petition of a majority of the property owners interested. Remonstrance of two-thirds of the front footage of property owners concerned shall operate to defeat such motion of petition and the same may not again be considered by the council for a period of six months.

**Section 33 29. Existing Ordinances Continued. Savings Clause.** All ordinances, (add) resolutions, policies, procedures, contracts and regulations heretofore passed by the city, in force when this charter takes effect, if not inconsistent with it, shall remain in full force after it takes effect and until they are amended or repealed by the council.

**Section 34-30. City to Retain Rights and Be Subject to Liabilities in Existence at Time This Charter Takes Effect.** No right vested in the city and no liability which it has incurred under this charter, (add) prior charters, and any revisions and amendments thereof and laws of the state adopted in 1910, acts amendatory thereof, and laws of the state shall be impaired or discharged by adoption of this charter, except as this charter otherwise provides.

**Section 35 31. Limitations on Indebtedness.** Unless authorized by the voters of the city, the council shall not contract a voluntary indebtedness of the city in excess of \$5,000.00 for general city purposes and the council shall not contract an indebtedness in excess of the sum of \$25,000.00 for the construction, maintenance and operation of its municipal utilities. [Section 35, as amended by election held April 1, 1947.] *Remove strike out section and replace with: City indebtedness may not exceed the debt limits imposed by state law. A charter amendment is not required to authorize city indebtedness.*

**Section 36. Damage Suits.** *Remove entire Section 36*

~~\_\_\_\_\_ The city shall not in any event be liable in damages to any person for any injury to person or property caused in any manner by any defect or dangerous place at or in any sidewalk, crosswalk, street, alley, defective sewer, public grounds, public buildings, drain, gutter, ditch or way, unless the city shall have had an actual notice of such defect or dangerous place, and a reasonable time thereafter in which to repair or remove such defect or dangerous place, before the happening of such accident or injury, and in no case shall more than \$100.00 be recovered as damages from the city for any such accident or injury.~~

~~\_\_\_\_\_ No action shall be maintained against the city for damages growing out of such an accident or injury unless:~~

~~(1) The claimant first gives written notice to the council within 30 days of the occurrence of the injury or damage, stating~~  
~~(a) the time when, the specific place where, and the circumstances under which the same occurred;~~  
~~(b) that he/she will claim damages of the city for the accident, injury or damage; and (c) the amount of compensation or other relief demanded; and~~  
~~(2) Thirty days have elapsed since the presentation of such notice to the council.~~

**Section 37 32. Repealing Clause.** All former charters and all parts of charters of this city are hereby repealed. *(replace with)* **All charter provisions adopted before this charter takes effect are repealed.**

*Add Severability Section. (new section receiving next Section number following charter order.*  
**Section 33. Severability.** **The terms of this charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the charter**

#### **CHARTER AMENDMENTS *(Delete all amendments)***

All charter amendments listed in the 1986 Revised Charter (attached) will be deleted. List of Amendment title and dates to be removed:

- Charter Amendment authorized August 11, 1944: Chapter I-A
- Charter Amendment authorized August 11, 1944: Chapter I-B
- Charter Amendment authorized May 17, 1946: Chapter II-A
- Charter Amendment authorized April 1, 1947: chapter II-B
- Charter Amendment authorized January 22, 1951: Chapter II-B
- Charter Amendment authorized June 29, 1953: Chapter II-E
- Charter Amendment authorized May 27, 1957: Chapter II-F
- Charter Amendment authorized May 27, 1957: Chapter II-G
- Charter Amendment authorized April 11, 1960: Chapter II-H
- Charter Amendment authorized February 5, 1962: Chapter II-I
- Charter Amendment authorized May 11, 1965: Chapter II-I
- Charter Amendment authorized May 11, 1965: Chapter II-J
- Charter Amendment authorized March 1, 1968: Chapter II-K
- Charter Amendment authorized July 12, 1968: Chapter II-L
- Charter Amendment authorized June 9, 1969: Chapter II-M
- Charter Amendment authorized June 9, 1969: Chapter II-N
- Charter Amendment authorized January 4, 1973: Chapter II-O
- Charter Amendment authorized March 29, 1978: Chapter II-P



All Bond Measures listed in amendment section of 1986 Charter are no longer required to be listed in the city charter and have expired. Charter Amendment authorized September 21, 1993: Chapter IX-A has been declared unconstitutional

This Section has been taken from its original version so editing does not match updated draft Charter. This section will be completely removed.

#### **~~CHARTER AMENDMENTS~~**

**~~Charter Amendment authorized August 11, 1944:~~**

##### **~~Chapter I-A~~**

~~Section 1. The council is hereby authorized to acquire, construct, operate and maintain within and without the city limits a sewage disposal plant or plants, sewers and all equipment and appurtenances necessary, useful or convenient in order to provide a complete sewer system and sewage disposal plant for the city. The council is authorized to establish and collect just and equitable charges for the use of the services of said system.~~

~~Section 2. For the purpose of providing funds with which to acquire a sewer system and sewage disposal plant, the council is authorized to issue and sell general obligation bonds of the city in the sum of \$75,000.00, which bonds shall be in such form, be dated and mature as determined by the council.~~

~~Section 3. The debt limitations contained in the charter of said city shall not apply to the bonds hereby authorized.~~

~~Section 4. The council of the city shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as it becomes due.~~

~~[Resolution No. 4 for 1944]~~

~~Charter Amendment authorized August 11, 1944.~~

~~Chapter I-B~~

~~Section 1. The council is hereby authorized to acquire by construction or otherwise a building to provide facilities for the storage of fire trucks and fire equipment of the city fire department.~~

~~Section 2. For the purpose of providing funds with which to acquire said building, the council is authorized to issue and sell general obligation bonds of the city in the sum of \$5,000.00, which bonds shall be in such form, be dated and mature as determined by the council.~~

~~Section 3. The debt limitations contained in the charter of said city shall not apply to the bonds hereby authorizes.~~

~~Section 4. The council of the city shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as it becomes due.~~

~~[Resolution No. 6 for 1944]~~

~~Charter Amendment authorized May 17, 1946.~~

~~Chapter II-A~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home, in the sum of \$25,000.00 with which to acquire a sewer system and sewage disposal plant which bonds shall be in such form, be dated and mature as determined by the council.~~

~~Section 2. The debt limitation contained in the charter of said city shall not apply to the bonds hereby authorized.~~

~~Section 3. The council of the city shall include in the annual tax levy a sum sufficient to pay the principal of and interest on the bonds hereby authorized as it becomes due.~~

~~[Resolution No. 3 for 1946]~~

~~Charter Amendment authorized April 1, 1947:~~

~~Chapter II-B~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home, in the sum of \$50,000.00 with which to acquire a sewer system and sewage disposal plant which bonds shall be in such form, be dated and mature as determined by the council.~~

~~Section 2. The debt limitation contained in the charter of said city shall not apply to the bonds hereby authorized.~~

~~Section 3. The council of the city shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as it becomes due.~~

~~[Resolution No. 4 for 1947]~~

~~Charter Amendment authorized January 22, 1951:~~

~~Chapter II-B~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home, Oregon, in the sum of \$100,000.00 with which to enlarge and construct new and additional facilities of the water system of said city which bonds shall be in such form and dated to mature as determined by the council.~~

~~Section 2. The debt limitation contained in the charter of said city shall not apply to the bonds hereby authorized.~~

~~Section 3. The council of the city shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as it becomes due.~~

~~{Resolution No. 19 for 1950}~~

~~Charter Amendment authorized June 29, 1953:~~

~~Chapter II-E~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home in the sum of \$75,000.00 with which to plan, construct and furnish a city hall building, which bonds shall be in such form, and be dated and mature as determined by the council.~~

~~Section 2. The debt limitation contained in the city charter shall not apply to the bonds hereby authorized.~~

~~Section 3. The council shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as the same become due.~~

~~Section 4. The purchaser of said bonds shall not be required in any way to see to the proper application of the purchase money.~~

~~{Resolution No. 22 for 1953}~~

~~Charter Amendment authorized May 27, 1957:~~

~~Chapter II-F~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home in the sum of \$50,000.00 with which to plan, enlarge and~~

~~construct new and additional facilities of the water system of said city, which bonds shall be in such form, and be dated and mature as determined by the council.~~

~~Section 2. The debt limitation contained in the city charter shall not apply to the bonds hereby authorized.~~

~~Section 3. The council shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as the same become due.~~

~~Section 4. The purchaser of said bonds shall not be required in any way to see to the proper applications of the purchase money.  
[Resolution No. 6 for 1957]~~

~~**Charter Amendment authorized May 27, 1957:**~~

~~**Chapter II-G**~~

~~Section 1. The council is hereby authorized to levy a tax on all taxable property in the city of Sweet Home, to provide an amount not to exceed \$13,000.00 per year, each year for a five year period commencing on July 1, 1957, and ending on June 30, 1962, and not exceeding the total amount of \$65,000.00, with which to construct and improve streets in said city, and to provide drainage facilities and acquire rights of way as deemed necessary for such street improvement program.~~

~~Section 2. Such tax limitations as might otherwise be applicable to the tax levy authorized in this amendment, as specified in the constitution or statutes of the state of Oregon or in the charter of the city of Sweet Home, shall not be applicable to this said tax levy. Resolution No. 7 for 1957]~~

~~**Charter Amendment authorized April 11, 1960:**~~

~~**Chapter II-H**~~

~~Section 1. The council is hereby authorized to levy a tax on all taxable property in the city of Sweet Home, to provide \$15,000.00 for the year commencing on July 1, 1960, and ending on June 30, 1961, with which to plan and construct a bridge over Ames Creek at L Street.~~

~~Section 2. Such tax limitations as might otherwise be applicable to "the tax levy authorized in this amendment, as specified in the constitution or statutes of the "state of Oregon or in the charter of the city of Sweet Home, shall not be applicable to this said tax levy.~~

~~{Resolution No. 9 for 1960}~~

~~Charter Amendment authorized February 5, 1962:~~

~~Chapter II-I~~

~~Section 1. The council is hereby authorized to levy a tax on all taxable property in the city of Sweet Home, to provide an amount not to exceed \$25,000.00 per year, each year for a five year period commencing on July 1, 1962, and ending on June 30, 1967, and not exceeding the total amount of \$125,000.00, such levy to be used to construct and improve streets and acquire right of way therefore, to provide adequate drainage facilities, and to acquire and install water distribution mains.~~

~~Section 2. Such tax limitations as might otherwise be applicable to the tax levy authorized in this amendment, as specified in the constitution or statutes of the state of Oregon or in the charter of the city of Sweet Home, shall not be applicable to this said tax levy.~~

~~{Resolution No. 2 for 1962}~~

~~Charter Amendment authorized May 11, 1965:~~

~~Chapter II-I~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home in the sum of \$60,000.00 with which to construct improvements to the sanitary sewer treatment plant and interceptor mains, which bonds shall be in such form and be dated and mature as determined by the council.~~

~~Section 2. The debt limitation contained in the city charter shall not apply to the bonds hereby authorized.~~

~~Section 3. The council shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as the same become due. The city council may apply portions of the sewer utility revenues to the payment of principal and interest on said bonds, to reduce the amount thereon to be paid by the said annual tax levy.~~

~~Section 4. The purchaser of said bonds shall not be required in anyway to see to the proper application of the purchase money.~~

~~[Resolution No. 30 for 1965]~~

~~Charter Amendment authorized May 11, 1965:~~

~~Chapter II-J~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home in the sum of \$140,000.00 with which to construct improvements to the water treatment plant of said city, which bonds shall be in such form, and be dated and mature as determined by the council.~~

~~Section 2. The debt limitation contained in the city charter shall not apply to the bonds hereby authorized.~~

~~Section 3. The council shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as the same become due. The city council may apply portions of the water utility revenues to the payment of principal and interest on said bonds to reduce the amount thereon to be paid by the said annual tax levy.~~

~~Section 4. The purchaser of said bonds shall not be required in anyway to see to the proper application of the purchase money.~~

~~[Resolution No. 31 for 1965]~~

~~Charter Amendment authorized March 1, 1968:~~

~~Chapter II-K~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home in the sum of \$92,000.00 with which to plan, construct and furnish a city library building, which bonds shall be in such form, and be dated and mature as determined by the council.~~

~~Section 2. The debt limitation contained in the city charter shall not apply to the bonds hereby authorized.~~

~~Section 3. The council shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as the same become due.~~

~~Section 4. The purchaser of said bonds shall not be required in any way to see to the proper application of the purchase money.~~

~~{Resolution No. 3 for 1968}~~

~~Charter Amendment authorized July 12, 1968: Chapter II-L~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home in the sum of \$276,000.00 with which to construct a water reservoir and improvements and additions to the water distribution system of said city, which bonds shall be in such form, and be dated and mature as determined by the council.~~

~~Section 2. The debt limitation contained in the city charter shall not apply to the bonds hereby authorized.~~

~~Section 3. The council shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as the same become due. The city council may apply portions of the water utility revenues to the payment of principal and interest on said bonds to reduce the amount thereon to be paid by the said annual tax levy.~~

~~Section 4. The purchaser of said bonds shall not be required in any way to see to the proper application of the purchase money.~~



~~{Resolution No. 15 for 1968}~~

~~Charter Amendment authorized June 9, 1969: Chapter II M~~

~~Section 1. The council is hereby authorized to levy a tax on all taxable property in the city of Sweet Home, to provide an amount not to exceed \$6,000.00 per year, each year for a five year period commencing on July 1, 1969, and ending on June 30, 1974, and not exceeding the total amount of \$30,000.00; such levy to be used to construct and improve parks and to beautify such parks.~~

~~Section 2. Such tax limitations as might otherwise be applicable to the tax levy authorized in this amendment, as specified in the constitution or statutes of the state of Oregon or in the charter of the city of Sweet Home, shall not be applicable to this said tax levy.  
{Resolution No. 7 for 1969}~~

~~Charter Amendment authorized June 9, 1969: Chapter II N~~

~~Section 1. The council is hereby authorized to levy a tax on all taxable property in the city of Sweet Home to provide an amount not to exceed \$15,000.00 per year, each year for a five year period commencing on July 1, 1969, and ending on June 30, 1974, and not exceeding the total amount of \$75,000.00; such levy to be used to construct and improve streets and acquire right of way therefore, to provide adequate drainage facilities.~~

~~Section 2. Such tax limitations as might otherwise be applicable to the tax levy authorized in this amendment, as specified in the constitution or statutes of the state of Oregon or in the charter of the city of Sweet Home, shall not be applicable to this said tax levy.  
{Resolution No. 8 for 1969}~~

~~Charter Amendment authorized January 4, 1973: Chapter II O~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home in the sum of \$325,000.00 with which to construct a new sanitary sewer treatment plant, which bonds shall be in such form, and be dated and mature, as determined by the council.~~

~~Section 2. The debt limitation contained in the city charter shall not apply to the bonds hereby authorized.~~

~~Section 3. The council shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as the same become due. The city council may apply portions of the sewer utility revenues to the payment of principal and interest on said bonds, to reduce the amount thereon to be paid by the said annual tax levy.~~

~~Section 4. The purchaser of said bonds shall not be way to see to the proper application of the purchase money.  
Resolution No. 33 for 1972]~~

~~Charter Amendment authorized March 29, 1978: Chapter II-P~~

~~Section 1. The council is hereby authorized to issue and sell general obligation bonds of the city of Sweet Home in the sum of \$985,000.00 with which to construct and repair sanitary sewers, which bonds shall be in such form, and be dated and mature, as determined by the council.~~

~~Section 2. The debt limitation contained in the city charter shall not apply to the bonds hereby authorized.~~

~~Section 3. The council shall include in the annual tax levy a sum sufficient to pay the principal of and the interest on the bonds hereby authorized as the same become due. The bonds shall additionally be payable from sewer hookup charges and sanitary sewer systems development charges, to reduce the amount thereon to be paid by the annual levy.~~

~~Section 4. The purchaser of said bonds shall not be required in any way to see to the proper application of the purchase money.  
[Resolution No. 6 for 1978]~~

## ~~Chapter IX-A~~

### ~~MINORITY STATUS BASED ON HOMOSEXUALITY PROHIBITED.~~

~~(1) The city of Sweet Home, including its City Council and elected or appointed officers, shall not adopt any ordinance, regulation, policy or agreement which has the purpose or effect of granting minority status to homosexuality; therefore, affirmative action, quotas, special class status or special classifications such as "sexual orientation," "domestic partnerships" or similar designations shall not be established on the basis of homosexuality.~~

~~(2) City funds shall not be expended in a manner that has the purpose or effect of promoting or expressing approval of homosexuality.~~

~~(a) City government shall not grant marital status or spousal benefits on the basis of homosexuality.~~

~~(b) The City of Sweet Home, departments and agencies, with regard to public employees, shall generally consider private lawful sexual behaviors as non job related factors, provided that such factors do not disrupt the work place and that such consideration does not violate subsections (1) and (2).~~

~~(c) Though subsections (1) and (2) are established and in effect, no unit of local government shall deny to private persons business licenses, permits or services otherwise due under existing statutes; nor deprive, nullify, or diminish the holding or exercise of any rights guaranteed by the Constitution of the state of Oregon or the constitution of the United States of America.~~

~~(d) Though subsections (1) and (2) are established and in effect, this section shall not limit the availability in public libraries of books and materials written for adults which address homosexuality, provided access to such materials is limited to adults and meets local standards as established through the existing library review process.~~

~~(3) This Section shall be an explicit and necessary restriction and limitation upon the authority of the City Council.~~

~~(4) The PEOPLE INTEND, that if any part of this enactment be found unconstitutional, the remaining parts shall survive in full force and effect. This Section shall be in all parts self-executing.~~

## CHARTER INDEX

*The Charter INDEX is not necessary and will be removed.*