AN ORDINANCE PROVIDING FOR THE MANNER OF EXERCISING THE INITIATIVE AND REFERENCE POWERS RESERVED TO THE LEGAL VOTERS OF THE CITY OF DETROIT, MARION COUNTY, OREGON, BY SECTIONS I AND IN OF ARTICLE IV OF THE CONSTITUTION OF OREGON, AND TO PROVIDE THE MANNER WHEREBY SAID LEGAL VOTERS MAY EMACT AND AMEND THEIR MUNICIPAL CHARTER UNDER THE POWERS RESERVED TO THEM BY SECTION 2 OF ARTICLE XI OF THE CONSTITUTION OF ORECON.

The City of Detroit ordains as follows:

13-1 As used in this ordinance:

- (a) The term "measure" shall mean a charter or an amendment to a charter, and when of a legislative character, the term "measure" shall also include a motion or an order or a resolution or an ordinance. The term "measure" shall not include a motion or an order or a resolution or an ordinance the character of which is administrative and not legislative.
- (b) The Term "legal voter" shall mean a gegistered voter who resides within the boundaries of the City of Detroit.
- (c) The term "general election" shall mean the biennial election held throughout the State of Oregon on the first Tues— day after the first Monday in the month of November of each even numbered year.

13-2 A measure may be:

- (a) Proposed by the council and by order of the council referred to the legal voters for their approval or rejection; or
- (b) Enacted by the council and, through the exercise of the referendum power, referred to the legal voters for their approval or rejection; provided, however, that the referendum power shall not apply to any measure necessary for the immediate preservation of the public peace, health or safety; or
- (c)Proposed by a part of the legal voters, through the exercise of the initiative power, referred to the council for enactment, and, if not enacted by the council, shall be referred to all the legal voters for their approval or rejection.
- 13-3 For the purpose of invoking the referendum against any measure enacted by the council, a petition signed by not less than ten per cent of the legal voters computed on the basis of the number of votes cast for the candidate receiving the highest number of votes cast for the office of councilman at the last election of council members next preceding the invoking of such referendum, shall be filed with the Recorder within thirty days from the date of the approval of such measure by the Mayor, or in the event that such measure need not be approved by the Mayor, then within thirty

days from the date of the enactment of such measure by the council.
The filing of such a required by this measure until The filing of such a patition as required by this ordinance until have the effect of suspending the operation of such measure at either the measure of such measure the measure the measure at either the measure of suspending the operation of such measure at either the measure of suspending the operation of such measure of suspending the operation of such measure by the suspending the operation of such measure by this ordinance shall until the suspending the operation of such measure by this ordinance shall until the suspending the operation of such measure by the suspending the operation of such measure by the suspending the operation of such measure at either the suspending the operation of such measure at the operation of such measure at the operation of such as the operation of such measure at the operation of such me have the effect of suspending the operation of such measure until the measure submitted to the logal voters at either the measure shall been submitted to the logal voters. the measure shall have been submitted to the logal where necessary for the general election. E general election or at a special slection peace; health or safety for the immediate general election or at a special election. Any measure for the immediate preservation of the public peace; health or safety shall not be such shall not be subject to the referendum Such emergency clause shall be subject to the reference. Such emergency clause be subject to the reference of the public peace; nearly such that the peace such that the public peace; nearly such that the pub measure contains an emergency clause shall be sufficient if it recites generally that the measure health or for the immediate preservation of the public peace, health or series for the immediate preservation of the public peace, health or safety of the city of the ci safety of the city. It shall be sufficient if a majority of the total Membership of the concur in the enactment of an total Membership of the council concur in the enactment of an emergency message.

13-4 i referendum petition shall be in substantially the following form:

WARNING
WARNING
Washingly to sign a referendum potition
With say not with any name other than his con, or knowingly to sign his or her name other than his con massure or to sign such her name more than once for the same measure, or to sign such

Petition when he or she is not a legal voter.

PETITION FOR REFERENDUM

City of Detroit, Marion County, Oregon:

We, the undersigned citizens and legal voters of the State of Oregon and City of Detroit, respectfully order that (here describe measure against which referendum is invoked) and approved by the Mayor be referred to the legal voters of Detroit, enacted by the council on Oregon, at a general election or at a special election; and each for himself and herself says: I have personally signed this potition; I am a legal voter of the State of Oregon and the City of Detroit; my residence and post office address are correctly written after my name.

Post Office Residence

(here follow twenty numbered lines for signatures)

Afull, true and correct copy of the measure against which the referendum petition isinvoked shall be attached to every sheet of petitioners' signatures prior to the signing thereof by any petitioner. Not more than twenty signatures on one sheet may be counted.

Each and every sheet of every such petition containingsignatures shall be verified on the face thereof in substantially the following form, by the person who circulated said sheet of said petition, by his or her affidavit thereon, and as a part thereof:

STATE OF ORECON COUNTY OF MARIC City of Detroi	ON) SS.		
person who sign or her name the his or her name that each air	, being fined this sheet of the reto in my presence address post office address is a legal voter on and the City of D	es the State of O	
		Signature of I	Affiant
		Post Office Add	ress of Affiant
Subscribed and	sworn to before me	thisday of_	,a.d.19_
(Notary Seal)			
		Notary Public	of Oregon
My Commissio	n Expires:		
In addition to Oregon, shall contition with to blanks on file and shall attach	said affidavit, the ompare the signature he signatures of the in his office, shall he to the sheets of a certificate to the	es of the electors registration can carefully examinated petition cont	rds, books and ne said petition saining such
STATE OF CREGON)	pour des Clade de	
hereby certify sheets of the returns of said abooks and blanks been able to obtain	able Recor	t for Marion Count the signatured outtached hereto) we sear on the regist from such informa the signatures o	on (number of with the sign- cration cards ation as I have of (names of
(Son) of 000: -1		County Clerk	2
(Seal of Office)	By_		
	of the factors of spirit	Deputy	* ***

It shall be the duty of the Recorder to deliver said petition to the County Clerk in order to obtain the foregoing certificate of

Scid Clerk within five days from the date of the filing of the Petition in the cases of the Recorder.

- When a referendum petition which, is filed with the general election next en man a referendum petition which, in all respects, complies with the Recorder not less is filed with the Recorder not less requirements of this ordinance, date of the general election next entrequirements of this ordinance, date of the general invoked shall be then ninety days previous which the referendum was invoked shall be suing, the measure against which the referendum variance. when ninety days previous to the referendum was invoked shall be suing, the measure against waters at said general elections; provided, suing, the measure against waters at said general elections; provided, submitted to the legal voters at said general elections. submitted to the legal voters at discretion, may call a special however, that the committee of the legal voters are discretion, may call a special however, that the council in it's discretion, may call a special election to be hard asie provious to the date of the next g cloction to be held on a case previous said measure to the legal election for the purpose of submitting said measure to the legal voters for the purpose or rejection. In the event that the re --ection for the purpose of submitting said measure to that the reveters for their approval or rejection. In the event that the next
 ferendum next ferendum petition is filed less than ninety days prior to the next some relegation is filed less than ninety days prior to the next services approved or rejection. In the event of the next ferendum petition is filed less than ninety days prior to the next services approved to the council shall call a special election to be General election, the council shall call a special election to be held not leton to the days after the date of the next general beneral election, the council shall call a Special of the next general held not leter than ninety days after the date of the next general held not leter than ninety submitting to the legal voters for their election for the election for the purpose of submitting to the legal voters for their eporoval or rejection the measure against which the referendum has been invoked
- 13-6 For the purpose of proposing a measure an initiative petition, in the form results ordinance; signed by not less than fifteen the form results ordinance; the purpose of proposing a measure an interest than fifteen the form required by this ordinance; signed by not less than fifteen per cent of the number of Per cent of the legal voters computed on the highest number of votes Votas cast for the candidate receiving the highest number of votes cast for the candidate receiving the last election of council cast for the candidate receiving the last election of council cast for the office of councilmen at the last election of council members shall the Recorder not less than 120 days members shall be filed with the Recorder not less than 120 days previous to the filed with the recorder not less than 120 days previous to the date of the general election next ensuing. The Recorder of the date of the general regular meeting of the Recorder shell, not later than the next regular meeting of the council that s council after said petition is filed, advise the council that said Petition has been filed. If the measure proposed by the initiative petition has been filed. If the measure to a charter, the council Detition is not a charter or an amendment to a charter, the council May within forty-five days, enact the measure as proposed without . alteration, in which case it shall not be necessary to refer said to measure in which case it shall not be necessary to refer said to measure in which case it shall not be necessary to refer said to the necessary to the necessar measure to the legal voters for their approval or rejection; but the enactment by the council of a measure proposed by the initiative Patition shall not impair the right of the people to invoke the referendum against said measure. If said measure is not enacted by the council within forty-five days, or if the measure is a charter or an amendmentto a charter, the measure shall be referred to the legal voters for their approval or rejection at the next general election; provided, however, that the council, in its discretion may call a special election to be held on a date previous to the date of the next general election for the purpose of submitting said measure to the legal voters for their approval or rejection.

13-7 An initiative petition shall be in substantially the following form:

WARNING

It is a misdemeanor for any one to sign an initiative petition with any name other than his won, or knowingly to sign his or her name more than once for the same measure, or to sign such petition when he or she is not a legal voter.

INITIATI WE	PETITION					
	Pecorder	for	the	City	of	Ī

Detroit, To the Honorable Marion County, Oregon: "We, the undersigned citizens and legal voters of the State of Oregon and City of Detroit, respectfully demand that the following proposed manufacturer or an amendment to proposed measure (here specify whether a charter or an amendment to a charter or an ordinance) a charter or a motion or an order or a resolution or an ordinance) a copy of which is hereto annexed and by reference made a part of this patition this petition, be referred to the legal voters of the City of Detroit et a general effection or at a special election; and each for him-self and has betition: self and herself says: I have personally signed this petition: I am a legal voter of the State of Cregon and the City of Detroit;
My residence are the State of Cregon and the city written after my my residence and post office address are correctly written after my name." name, " Post Office Name Residence (here follow twenty numbered mines for signatures) A full, true and correct copy of the measure, the voters! approval of shich is sought, shallbe attached to every sheet of Detitioners' signatures prior to the signing thereof by any petitioner, Not more than twenty signatures on one sheet may be counted. Each and every sheet of every such petition containing signatures shall be verified on the face thereof in substantially the following form, by the peron who circulated said sheet of said petition, by his or her affidavit thereon, and as a part thereof: STATE OF OREGON) County of Marion) SS City of Detroit) I, , being first duly sworn, say: That every person who signed this sheet of the foregoing petition signed his or her name thereto in my presence; I believe that each has stated his or her name, post office address and residence correctly and that each signer is a legal voter of the State of Oregon, the County of Marion and the City of Detroit. Signature of Affiant Post Office Address of Affiant Subscribed and sworn to before me this & & & day of ____ A.D., 19 . (Notary Seal) Notary Public for Oregon My Commission Expires: _

In addition to said effidavit, the County Clerk for Marion by, Oregon, shall compare the signatures of the electors County, Oregon, shall compare the signatures of the registration of the registration with the signatures of the registration with the signature of the registration with the registration with the signature of the registration with the signature of the registration with the significant said petition with the signatures of the registration significant said petition with the signatures of the registration cards, books and Manke on file in his office, shall carefully cards, books and blanks on shall attach to the sheets of said examine said potition and shall strack to the sheets to the potition contains a strack to the strack Potition containing such signatures, his certificate to the Recorder, substantially as follows: Recorder, substantially as follows:

Recorder for the City of STATE OF OREGON) County of Marion) County Clerk for Marion County, Oregon To the Honorable hereby certify that I have compared the signatures on (number of signatures on the signatures of the signatures of with the signatures of the signature of the

sheets) of the initiative perition attached hereto, with the Eign-atures of contactive perition attached hereto, with the Eignatures of said electors as they appear on the registration cards, books, and highest agency and from such information as I books, and blanks in my office, and from such information as I have been able to their Thelieve that the signatures of (name to be a ship to the signature of t have been able to obtain, I believe that the signatures of (name of signary) of signers) numbering (number of genuine signatures) are genuine.

County Clerk

(Seal of Office)

It shall be the duty of the Recorder to deliver said petitions to the County Clerk in order to obtain the foregoing certificate of Said Clerk within five days from the date of the filing of the petition in the office of the Recorder.

- 13-8 When the Council proposes a measure and orders that same be referred to the legal voters for their approval or rejection, or when a referendum petition which in all respects complies with the requirements of this ordinance, is filed with the Recorder, or when an initiative potition which in all respects complies with the requirements of this ordinance is filed with the Recorder a copy of such measure shall be furnished by the Recorder to the City Attorney. Within ten days after receiving such copy, the City Attorney shall furnish the Recorder with a ballot title for said measure. The ballot title as prepared by the City Attorney shall be printed on the ballots, shall contain not more than one hundred words, and shall contain a true and impartial statement of the purpose of the measure.
- 13-9 In each general election at which one or more measures are to be voted upon in the City of Detroit, the city council shall, not less than ten daysprior to such election, appoint election officials to handle the election on such measures, and the election on such measures shall be conducted by such election officials in . the same manner and as a part of the general election. If one or

more measures are voted upon at any general election, the Recorder shall, not less than tendys before the date of such general election, post in four public places in the City of Datroit a notice of election, shich notice shall be in substantially the following form:

NOTICE OF ELECTION ON MEASURES

Notice is hereby given that at the general election to be held on November , 19 , the following measures will be submitted to the legal voters residing within the boundaries of the City of Datroit, Marion County, Oregon, for their approval or rejection:

Measures Referred to the People by the City Council

(insert here ballot titles of such measures)

Referendum Ordered by Petition of the People

(insert here ballot titles of such measures)

Proposed by Initiative Petition

(insert here ballot titles of such measures)

Which election will be held at 6:00 o'clock in the morning and will continue until 8:00 o'clock in the afternoon of said day.

Dated	this	day	or_	 19	C

City Recorder

- 13-10 When the council in compliance with the provisions of this ordinance orders a special election to be held for the purpose of referring to the legal voters for their approval or rejection:
 - (a) one or more measures referred by order of the council, or
 - (b) one or more measures demanded by referendum petition, or
 - (c) one or more measures proposed by initiative petition,

the order calling such special election shall name the persons who are to serve on the special board or boards for such special election. Such Election board or boards shall each consist of five persons, one of whom shall be named as chairman by the council, and the council shall in such order specify the compensation that such persons shall receive and shall also specify the

the place within the City of Detroit, Oregon, where the election is to be held and the city of the day during which the election is to be held and the hours of the polls shall be open not later shall be held end the hours of the polls shall be open not later than 5 oldlars and close not later than 8 than 5 o'clock in the afternoon and close not later than 8 o'clock in the afternoon day. A special election o'clock in the afternoon and close no tall election enall be held ovening of the same days and not more than Enall be held not less than fifteen days and not more than forty-five days than fifteen days and rectalling the same forty-five days after the date of the order calling the same. For such species of the seconder shall procure politicols For such special election the Recorder shall procure poll thooks or other pollection the Recorder Shall procure poll thooks or other accessary records from the County Clerk of Merion County. Or other accessary records shock to be made as to the qual County, Oregon, to enable a check to be made as to the qualifications of ections of persons seeking to wote at such election, and the Recorder shall a seeking to board or boards with such Recorder shell furnish the election board or boards with such election shell furnish the election for Recorder shell, not election supplies as may be required. The Recorder shell, not less than the date of the election, post in less then ten days prior to the date of the election, post in four public Four public places in the City a notice of election, which notice shall be in shall be in substantially the following form:

Measures Referred to the People by the City Council

(insert here ballot titles of such measures)

Referendum Ordered by Petition of the People

(insert here ballot titles of such measures

Proposed by Initiative Petition

(insert here ballot titles of such measures)

which election will be held between the hours of and 8 o'clock in the afternoon of said day, and the polls will be open between these hours.

Dated this _____ day of ______, 19____.

City Recorder

- 13-11 At each general election and at each special election at which one or more measures are submitted to the legal voters of the City of Detroit for their approval or rejection:
 - (a) The Recorder shall furnish to the election board or boards handling said election all ballots and all other supplies as may be required for said election, which materials shall be delivered to

the election board or boards by the City Recorder previous to the time of opening the polls on said election day and shall be picked up by the Recorder after the election is over.

- (b) The judges and clerks conducting said election shall conduct same in the manner provided for by the election laws of the State of Oregon except as in this ordinance otherwise provided.
- (c) The council shall, not later than the next regular council meeting following the date on which either a general election or a special election is held, canvass the election returns and by order declare which measures, if any, have been approved by the legal voters: provided, however, that the council may canvass said election returns and by order declare which measures, if any, have been approved by the people at a special meeting of the council if such special meeting is held after election day and before the next regular meeting of the council. Those measures which have been approved by a majority of the legal voters voting thereon shall be in full force and effect on and after the date on which the council canvasses the election returns and by order declares which measures, if any, have been approved by the legal voters.

13-12. The ballot for an election on measures shall be in substantially the following form:

Stub To Be Torn Off by Chairman

: Stub : To Be Torn Off by First Clerk

OFFICIAL BALLOT

0

For the City of Detroit, Marion County, Oregon (Here insert date of election)

Mark (X) between the number and the answer voted for.)

Measures Referred to the People by the City Council (insert here ballot title for each measure)

(Numbers Yes, I vote for the measure.

Measure)

No, I vote against the measure.

Referendum Ordered by Patition of the People.

(insert here bellot title for each measure)

Yos, I vote for the measure.

(Numbers

for Measuro) No, I vote against the measure.

Proposed by Initiative Potition

(insert here bellot title for each measure)

(Numbers

Yes, I vote for the measure.

for

No, I woto against the measure. Measure)

In the event that one or more candidates are to be elected at the countries are to be at the same election at which one or more measures are to be Submitted to the legal voters for their approval or rejection, the name bellot the names of the candidates may be included on the same bellot with the measures to be voted on.

The Recorder shall number the measures. The affirmative of the first measure shall be numbered 500 and the negative 501 in numerals, and the succeeding measures shall be numbered consecutively 502, 503, 501, 505, and so on, at each election.

- 13-13 It shall be unnecessary for a notice of election on measures for either a general election or a special election to be published in a newspaper; provided, however, that the council, in its discredtion, in a particular instance, may order that a notice of election be published in a newspaper and may also order that the measure itself be published . When the council orders that either a notice of election or a measure be published in a newspaper, the council shall specify the number of times that such notice or such measure shall be published.
- 13-14 It shall be unnecessary for either the City of Detroit or any official thereof to furnish to the legal voters at either a general election or a special election pamphlets containing
 - (a) The text of a measure, or
- (b) Arguments in support of or in opposition to a measure. 13-15 When a measure is proposed by the council and ordered by them referred to the legal voters for their approval or rejection, a copy of such measure shall be filed in the office of the Recorder to enable the legal voters to examine same. It shall be sufficient if such copy of such measure is filed in the Recorder's office for fifteen days previous to the date when an election upon said measure is held.

- 13-16 Insofar as there may be a conflict between the provisions of of this ordinance and the provisions of general law of the State of Oregon relative to the exercise of the initiative and referendum powers by the legal voters resident within incorporated cities and towns, the provisions of this ordinance shall be paramount to the provisions of general law.
- 13-17 Any person who is a logal voter may sign an initiative petition or a magnification of a magnification or a referendum petition. It shall be unlawful for any person who is not a legal voter, as defined by this ordinance, to sign any personal sign and a legal voter, as defined by this ordinance, to sign any such petition. It shall be unlawful for any person to sign any name other than his or her own to any such petition or known any name other than his or her own to any such petition or knowingly to sign his or her name more than once to the same notice. same petition for any measure to be referred to the legal voters at the same of the same o at the same election. It shall be unlawful for any person to procure signatures to any petition by fraud or misrepresentation or falsely and the signature of the signatu or falsely to make any affidavit, dertification or written statement required by this ordinance. Any person violating the provisions of this ordinance, as in this section defined, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$100.00 or by imprisonment for not more than 90 days, or in the discretion of the court, by both fine and imprisonment.
- 13-18 Emergency Clause. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Detroit, and an emergency is hereby declared to exist, and this ordinance shall take effect, and be in full force and effect when signed by the mayor.

Read by title and in full this 20 day of January ,1954
Read a second time by title this 20 day of January ,1954
Passed by the council this 20 day of January ,1954

Ellen S. Humphrey
Recorder

Approved this 20 day

January

Archie Mattoon

Mayor