

E I L E D
AT _____ O'CLOCK

REEL . 91 PAGE 329

NOV 28 1977

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

BY [Signature] DEPUTY

ORDINANCE NO. 18-77)
) IN THE MATTER OF AMENDING CHAPTER 2
) OF LANE CODE TO REVISE INITIATIVE
) AND REFERENDUM PROCEDURES

The Board of County Commissioners of Lane County ordains as follows:
Chapter 2 of Lane Code is hereby amended by removing and substituting
the following pages:

REMOVE THESE PAGES

INSERT THESE PAGES

2.620 - 2.630 to
2.655 - 2.800 (five pages)

2.620 - 2.630(2) to
2.800(1) - 2.800(2) (six pages)

Said pages are attached hereto and incorporated herein by reference. The
purpose of these substitutions is to revise initiative and referendum
procedures.

This ordinance being enacted by the Board of County Commissioners in
the exercise of its police power and for the purpose of meeting an emergency
and being necessary for the immediate preservation of the public peace,
health and safety, an emergency is declared to exist and this ordinance
shall take effect immediately upon being enacted.

Enacted this 23 day of November, 1977.

[Signature]
Chairman, Lane County Board of
Commissioners

[Signature]
Recording Secretary for this Meeting
of the Board

In the Matter of Amending Chapter 2 of Lane Code to Revise Initiative and
Referendum Procedures

APPROVED AS TO FORM
DATE 11/2/77
[Signature]
OFFICE OF LEGAL COUNSEL

2.620

Lane Code

2.630(2)

Initiative and Referendum

2.620 Definitions. For the purposes of LC 2.625 to 2.657 below, the following words and phrases shall have the meaning ascribed to them by this section:

County Legislation. Those matters covered in LC 2.625 to 2.657 below and includes any measure proposing the adoption, repeal or amendment of any ordinance of the County or the repeal, revision or amendment of the Charter.

Final Petition. Refers to the petition signed by the number of qualified voters required by LC 2.625 below.

Preliminary Petition. The preliminary petition is subject to approval under ORS 254.030 and relates only to those matters covered in LC 2.625 to 2.657 below.

2.625 Incorporation of State Law. With respect to County legislation submitted to the voters through the exercise of the initiative and referendum powers, the procedure for filing preliminary petitions, the form of petitions, the verification of signatures, the determination of ballot titles and statements, and the manner of conducting elections shall be as provided with respect to State legislation under ORS 254.015 to 254.100, 254.110, 254.120, 254.160, 254.170, 254.210 to 254.350 and 254.510 through 254.990, as these sections now provide or may hereafter be amended or supplemented, except that the duties required of the Secretary of State as to State legislation shall be performed as to County legislation by the Director of the Department of General Services; the duties required of the Attorney General shall be performed by the County Counsel; the duties required of the Oregon Supreme Court shall be performed by the Circuit Court of the County; and the petitions shall be signed only by electors residing in the County.

2.630 Voters' Pamphlet. Arguments supporting or opposing County legislation proposed by an initiative or referendum petition may be filed with the Director of the Department of General Services for inclusion in a voters' pamphlet:

(1) Not less than 95 days before the election at which the legislation is to be voted upon, and

(2) Not less than 15 days before such election, the Director of the Department of General Services shall cause copies of the voters' pamphlet to be placed in the mail to each post office mailing address in the County.

2.630(3)

Lane Code

(3) The form of voters' pamphlet, the determination of the arguments entitled to be included in the pamphlet and the space to be allotted to them, and the payment of costs of printing and distributing the pamphlets shall be as provided by State law with respect to State legislation in ORS 255.410 to 255.465 as these sections now provide or may hereinafter be amended or supplemented, except that the duties required of the Secretary of State as to State legislation shall be performed as to County legislation by the Director of the Department of General Services.

2.635 Initiative. On the filing with the Director of the Department of General Services of an initiative petition which proposes in a proper manner a measure of County legislation and which is signed by a number of qualified voters equal to six percent of the total number of votes cast in the County for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition, the measure shall be submitted at the next regular primary or general election following the filing of the final petition, provided that, if the final petition is filed within four months prior to such election, it shall be submitted at the next succeeding primary or general election.

2.640 Referendum. Except for any ordinance containing an emergency clause, a referendum on any ordinance enacted by the Board shall be held following the filing with the Director of the Department of General Services of the County according to the proper form and procedure of a referendum petition signed by a number of qualified voters equal to four percent of the total number of votes cast in the County for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition. The final petition shall be filed with the Director of the Department of General Services within 90 days of the passage of the ordinance by vote of the Board. With the filing of the final petition, the effect of the ordinance shall be suspended until the date of the proclamation of the results of the referendum on the ordinance. The referendum shall be held at the next regular primary or general election following the filing of the final petition or at such earlier date as the Board may order, provided that, if the final petition is filed within four months prior to such primary or general election, it shall be held at the next succeeding primary or general election or at such earlier date as the Board may order.

2.645

Lane Code

Revision of Charter. Any measure relating to the amendment, revision or repeal of the Charter may be initiated by proper petition according to the procedure of LC 2.620 to 2.655 herein. Except such measures shall be voted on only at the next succeeding primary or general election.

2.650

Board Referral of Charter Revision.

(1) The Board may order not less than 110 days prior to any regular primary or general election that any measure relating to the amendment, revision or repeal of the Charter be referred to the electorate of the County at such election. The order shall set forth the changes in the language of the Charter which are proposed by the measure. If a majority of votes cast in such election favor the measure, the Charter shall be amended, revised or repealed as set forth in the order. The amendment, revision or repeal shall be effective on the date provided in the order, or if no date is provided, on the date of the formal certification of the results of the election by the Director of the Department of General Services.

(2) The County Counsel shall prepare a ballot title for a measure and shall file the title with the Director of the Department of General Services within five days after the date that the measure is referred to the electorate by order of the Board. The ballot title shall consist of a caption not exceeding 10 words in length by which the measure is concisely identified, followed by an abbreviated statement of the chief purpose of the measure not exceeding 75 words in length. Any person dissatisfied with a ballot title may petition the Circuit Court within 20 days of the date that the ballot title is filed with the Director of the Department of General Services praying for a different title and setting forth the reasons why the title is insufficient or unfair. The Circuit Court shall review the title and the measure, hear arguments, if any, and certify to the Director of the Department of General Services a title for the measure that meets the requirements of this section. The review by the Circuit Court shall be determined as expeditiously as may be appropriate for the orderly and timely conduct of the election at which the measure is to be submitted to the voters.

2.655

Inclusion in the Voters' Pamphlet.

(1) The Board may at its option order that a description and discussion of the measure, ordered pursuant to LC 2.650 above, be included in the State voters' pamphlet which shall contain, in addition to a copy of the ballot title of the measure, a statement explaining the measure and arguments for and against the measure.

(2) The statement and the argument, if included in the State voters' pamphlet, shall conform to the requirements of ORS 255.410 to 255.465.

2.655(3)

Lane Code

2.657

(3) The Board may provide for the ballot title, the statement and arguments for or against the measure to be included in a County voters' pamphlet. The statement and arguments, if included in a County voters' pamphlet, shall conform to the requirements of ORS 255.410 to 255.465.

(4) The Board may appoint a committee of five persons to prepare the arguments in support of the referred Charter amendment.

2.657 Board Referral of a Measure. Board referral of a measure to be voted on at the regular primary, general or a state-wide special election shall follow the same procedures as those prescribed for the Board Referral of Charter Revision, LC 2.650 above, and LC 2.655 above, referring to the inclusion of material in the voters' pamphlet.

2.660

Lane Code

2.665

Service Districts

2.660 Establishment of Local Service District. Pursuant to Section 7 of the Charter, the method for establishing a local service district and for enlarging such a district already established, shall be as prescribed by the general laws of the State.

2.665 Referendum in Local Service District. Pursuant to Section 7 of the Charter, method for exercising the power of referendum in a local service district shall be as prescribed by the general laws of the State.

2.800(1)

Lane Code

2.800(2)

County Lands and Buildings

2.800 Parking.

(1) The Board may designate by separate order certain locations on County owned or controlled lands for parking purposes and may further order such regulation of parking considered reasonable and appropriate, including establishing user's fees and administrative charges in connection with such parking.

(2) For purposes of administration of any parking regulations ordered in accordance with LC 2.800(1) above, it shall be presumed:

(a) That a motor vehicle or other transportation vehicle was used with the owner's consent.

(b) That the owner of record was operating the vehicle whenever the actual operator is unknown.

(c) That a vehicle was parked for one-half the chargeable period whenever the actual time period is unknown.