

FILED

AT _____ O'CLOCK _____ M

REEL 94 PAGE 724

AUG 31 1978

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

D.M. PENFOLD, Director of
General Services of Lane County
BY *Speddy Perchel*
DEPUTY

ORDINANCE NO. 15-78

) IN THE MATTER OF AMENDING CHAPTER 2
) OF LANE CODE TO ESTABLISH PROVISIONS
) FOR BOARD REFERRAL OF ADVISORY
) QUESTIONS

The Board of County Commissioners of Lane County ordains as follows:

Chapter 2 of Lane Code is hereby amended by adding the following page:

REMOVE THIS PAGE

INSERT THIS PAGE

2.659(1) - 2.659(3)

Said page is attached hereto and incorporated herein by reference. The purpose of this addition is to establish provisions for Board referral of advisory questions.

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 29th day of August, 1978.

Gerald H. Rust Jr.
Chairman, Lane County Board of
Commissioners

J. Terry Anderson
Recording Secretary for this Meeting of
the Board

In the Matter of Amending Chapter 2 of Lane Code to Establish Provisions for Board Referral of Advisory Questions

APPROVED AS TO FORM
DATE 7/25/78
Sam Shaw
OFFICE OF THE CLERK

2.659(1)

Lane Code

2.659(3)

2.659 Board Referral of Advisory Questions.

(1) The Board may refer advisory questions relating to any matter to the people not less than 70 days prior to any primary, general or Statewide special election, nor less than 35 days prior to any election held on the dates specified in ORS 259.260, which do not also qualify as a regular primary, general or Statewide special election.

(2) The ballot title shall be referred by the Board in the form that it shall appear on the ballot. The caption shall consist of a question of not more than 10 words in length, and an explanatory statement of not more than 150 words. The explanatory statement shall contain a concise and impartial statement of the issue presented to the voter.

(3) The general procedure for conducting advisory question elections shall be consistent with ORS Chapter 259. The Director of the Department of General Services shall have the authority to take appropriate action to guarantee the submission of the advisory question to the appropriate voter group.

(a) After receipt of the Board referral, the Director shall provide notice of the advisory question in the same manner specified in ORS 259.100.

(b) Advisory questions may be conducted Countywide or within only a portion of the County, however, the areas designated by the Board shall follow precinct boundaries established pursuant to ORS 246.410.

(c) No election recounts, as specified in ORS 259.050 and 251.510 to 251.650, shall be permitted.

(d) No election contests, as specified in ORS 259.050 and 251.015 to 251.090, shall be permitted.

(e) No challenge to the ballot title, consisting of the caption and explanatory statement, shall be permitted after Board referral to the people under this ordinance.

(f) Advisory questions referred pursuant to this ordinance shall be preceded on the ballot by the following statement:

"Referred to the people by the Board of County Commissioners: The questions are advisory only and shall have no binding legal effect whatsoever."