

**FILED**

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BOOK 135 PAGE 515

APR 18 1988

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

County Clerk

For Lane County, Oregon

BY [Signature]  
DEPUTY

ORDINANCE NO. 3-88

) IN THE MATTER OF AMENDING CHAPTER  
) 2 OF LANE CODE TO REVISE LC 2.625  
) AND 2.650 SO AS TO CONFORM TO STATE  
) LAW (ORS 251.205)

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(2),  
i.e. 2-11  
(a total of one page)

2.620 - 2.630(2),  
i.e. 2-11  
(a total of one page)

2.645 - 2.655(2),  
i.e. 2-13  
(a total of one page)

2.645 - 2.655(2),  
i.e. 2-13  
(a total of one page)

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to revise LC 2.625 and 2.650 so as to conform to State law (ORS 251.205).

Enacted this 13th day of April, 1988.

[Signature]  
Vice-Chair, Lane County Board of Commissioners

[Signature]  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM  
DATE 3/16/88  
[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.

Prospective Petition. The prospective petition is subject to approval under ORS 250.165 and relates only to those matters covered in LC 2.625 and 2.657 below.

2.625 Incorporation of State Law.

(1) With respect to County legislation submitted to the voters through the exercise of the initiative and referendum powers, the procedure for filing prospective 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 County measures for non-Home Rule counties under State law, except that the duties required of the District Attorney shall be performed by the County Counsel, and the petitions shall be signed only by electors residing in the County.

(2) With the exception that the appointment of a committee to draft the explanatory statement shall occur 120 days prior to the primary or general election and that the committee shall file its statement within 10 days of appointment, the procedure for explanatory statements shall be as provided with respect to State legislation under ORS 251.205 to 251.235 except that duties with respect to State Regulations required of the Secretary of State, Attorney General, and Oregon Supreme Court shall be performed for County legislation by the County Clerk responsible for election matters, the County Counsel and the Circuit Court of the County, respectively.

(3) With respect to any measure other than County legislation where State law regarding elections requires certain duties of the District Attorney, including, but not limited to, the preparation of ballot titles, those duties shall be performed by County Counsel. This section shall not apply to the criminal prosecution of any persons for election law crimes, which duty shall be performed by the District Attorney.

2.630 Voters' Pamphlet. Arguments supporting or opposing County Legislation proposed by an initiative or referendum petition may be filed with the County Clerk responsible for election matters 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 County Clerk responsible for election matters shall cause copies of the voters pamphlet to be placed in the mail to each post office mailing address in the County.

2.645

Lane Code

2.655(2)

2.645 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 120 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 County Clerk responsible for election matters.

(2) The County Counsel shall prepare a ballot title for a measure and shall file the title with the County Clerk responsible for election matters 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, a question of not more than 20 words which plainly states the purpose of the measure and is phrased so that an affirmative response to the question corresponds to an affirmative vote, and an abbreviated statement of the chief purpose of the measure not exceeding 75 words in length. Any person dissatisfied with a ballot title as filed with the County Clerk may petition the Circuit Court of Lane County in accordance with the provisions of ORS 250.195 (1987 ed.).

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 251.185 to 251.285 as modified by LC 2.630(3).

INITIATIVE AND REFERENDUM

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

Prospective Petition. The prospective petition is subject to approval under ORS 250.165 and relates only to those matters covered in LC 2.625 and 2.657 below.

2.625 Incorporation of State Law.

(1) With respect to County legislation submitted to the voters through the exercise of the initiative and referendum powers, the procedure for filing prospective 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 County measures for non-Home Rule counties under State law, except that the duties required of the District Attorney shall be performed by the County Counsel, and the petitions shall be signed only by electors residing in the County.

(2) With the exception that the appointment of a committee to draft the explanatory statement shall occur [110]120 days prior to the primary or general election and that the committee shall file its statement within 10 days of appointment, the procedure for explanatory statements shall be as provided with respect to State legislation under ORS 251.205 to 251.235 except that duties with respect to State Regulations required of the Secretary of State, Attorney General, and Oregon Supreme Court shall be performed for County legislation by the County Clerk responsible for election matters, the County Counsel and the Circuit Court of the County, respectively.

(3) With respect to any measure other than County legislation where State law regarding elections requires certain duties of the District Attorney, including, but not limited to, the preparation of ballot titles, those duties shall be performed by County Counsel. This section shall not apply to the criminal prosecution of any persons for election law crimes, which duty shall be performed by the District Attorney.

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(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 County Clerk responsible for election matters shall cause copies of the voters pamphlet to be placed in the mail to each post office mailing address in the County.

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Lane Code

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(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 251.185 to 251.285 as modified by LC 2.630(3).