

## THE CITY CHARTER

### Draft of the Proposed City Charter Second Installment.

Following is another chapter of the proposed city charter of St. Johns:

43. To require all railways and railroads to provide proper fenders and other safety appliances and the latest and most approved machinery and methods for their cars and tracks and the operation thereof for the protection of human life and the lessening of danger thereto and to enforce such regulations by such fines and penalties as may be prescribed by ordinance.

**Criminal and Police Powers.**

44. To provide for the punishment by fine of not less than twenty-five dollars nor more than one thousand dollars, or by imprisonment not exceeding two years, or both, of any person or persons who may injure, deface, interfere with or destroy any of the property belonging to the city or in which the city has any interest, right or estate, and to provide that the municipal court or the circuit court of the state of Oregon for the county of Multnomah shall have jurisdiction to enforce such punishment or punishments.

45. To regulate and restrain bartenders, saloon keepers, dealers in and manufacturers of spirituous, vinous, fermented or malt liquors, barrooms, drinking shops or places where spirituous, vinous, fermented or malt liquors are kept for sale or in any manner disposed of, and the sale and disposal thereof; all offensive and dangerous trades, employments or businesses; and for the purpose of this charter to define and declare who is a bartender, saloon keeper or dealer in spirituous, vinous, fermented or malt liquors, and what is a barroom, drinking shop or place where spirituous, vinous, fermented or malt liquors are kept for sale or disposed of and what are offensive or dangerous trades, employments or businesses. No provisions of the law concerning the sale or disposition of any spirituous, vinous, fermented or malt liquors in Multnomah County shall apply to the sale or disposition of the same in the City of St. Johns. No license shall be granted to any person or persons to vend, deal in or dispose of any spirituous, vinous, fermented or malt liquors (except to regularly licensed druggists or to grocers, who may be authorized to sell such liquors not to be used or drunk upon the premises) within four hundred (400) feet, measured on street lines, of any block on which a public school building is situated within the City of St. Johns.

46. To prevent and suppress gaming and gambling houses, lotteries or places where any game in which chance predominates is played for anything of value, and to punish any person who engages in such game, or keeps or frequents such houses or sets up or promotes lotteries or sells lottery tickets; to prevent and suppress bawdy houses or places where fornication is practiced, and to punish any inmate, keeper or frequenter thereof; to prevent and suppress opium smoking and houses and places kept therefor and to punish any keeper of such house or place, or person who smokes opium therein or frequents the same; to regulate the sale of cigarettes, cigars and tobacco and to prohibit the sale of the same to minors.

47. To prevent the sale, circulation and disposition of obscene literature, including books, papers, prints, pictures and the like, and to punish any person who sells or offers for sale, or who circulates or disposes of such literature, books, papers, prints, pictures and the like, and to define and declare from time to time what literature, books, papers, prints, pictures and the like are obscene within the purposes and province of this provision.

48. To prevent trespassing and punish trespassers upon real and personal property.

49. To restrain and punish intoxication, fighting and quarrelling in the city, and any disturbance or any unlawful or indecent practice, and to define what shall constitute the same.

50. To prevent, restrain and disperse any riot or riotous assemblage, and to restrain and punish any person taking part therein.

51. To define what shall constitute vagrancy, and provide for the support, restraint, punishment and employment of vagrants and paupers.

52. To prohibit persons from roaming the streets at unreasonable hours.

53. To prohibit the carrying of dangerous weapons in a concealed manner.

54. To prohibit and prevent cruelty to children and animals; to appropriate such sums as may be paid into the treasury from fines collected on conviction of persons charged with cruelty to animals or children, and to authorize the payment of the same or any part thereof to any society that shall have officially aided in such conviction.

55. To prohibit the exhibition of deformed or crippled persons, and to prohibit all persons from begging upon the streets or in public places.

56. To establish, change, discontinue or re-establish city jails, prisons, police stations, work houses and houses of detention, punishment and confinement.

**Streets.**

57. Except as otherwise provided in this charter or in the constitution or laws of the State of Oregon, to regulate and control for any and every purpose the use of the streets, highways, alleys, sidewalks, public thoroughfares, public places and parks of the city; to regulate the use of streets, roads, highways and public places for foot passengers, animals, bicycles, au-

tomobiles and vehicles of all descriptions.

58. To regulate, restrain and prevent obstructions within the public streets, sidewalks and places and to make all needful regulations to keep and maintain the public streets, sidewalks and places in a clean, open and safe condition for public use; to provide for the removal, impounding and sale or other disposition of such obstructions upon five days' notice.

59. To regulate the use of the streets and sidewalks for the use of signs, sign-posts, hitching posts, awning posts and bicycle racks.

60. To control and limit traffic on the streets, avenues and elsewhere.

61. To prescribe the width of tires of all vehicles, and the weight to be carried thereby.

62. To regulate the use of sidewalks; prevent the extension of building fronts and house fronts over the street line, and to prohibit the building and use of barbed wire fences; to regulate the limits within which it shall be unlawful to erect steps, porches, bay windows or structural ornaments fronting on any of the streets, lanes or alleys of the city.

63. To prohibit the planting, growing and use of trees, such as may be detrimental to the sewers or to the use of the sewers, and to cause such last-mentioned trees to be cut down or removed.

64. To set apart as a boulevard or boulevards any street or streets, or portion of a street or streets, over which there is no existing franchise for any street or other railroad.

65. To provide for surveying the blocks and streets of the city and for marking the boundary lines of such blocks and streets; to change by ordinance the number, letter or designation of any lot, block or tract of land within the city which may be conflicting or otherwise unsuitable and to give by ordinance a designation to any tract of land within the city not numbered, lettered or designated. A certified copy of such ordinance shall be transmitted by the recorder to the recording officer of the county, who shall record the same in the record of plats of said county and shall make a reference to the record of such ordinance upon the recorded plat on file. No charge shall be made by the recording officer.

66. To regulate the numbering of houses and lots on the streets and avenues and the naming of streets and avenues.

**Commerce.**

67. To prescribe rates to be charged for transportation of passengers or property within the limits of the city by means of vehicles of every description.

68. To provide for the establishment of market houses and places, and to regulate the location and management thereof.

69. To provide a standard of weights and measures and to authorize inspection of weights and measures, food and fuel; to regulate the size and weight of bread, other food products and fuel, and to prevent the sale of adulterated, unhealthful and unwholesome food, and to provide for the seizure and forfeiture of bread, other food products and fuel offered for sale or sold contrary to said regulations.

**Wharves, Docks and Harbors.**

70. To create the office and define the duties of harbormaster.

71. To provide for the removal of obstructions, debris and other deleterious matter from the Willamette River within the city limits and to prohibit putting or negligently or willfully suffering the same to be put therein.

72. To regulate the building of wharves, and the driving of piles in the Willamette River within the limits of the city, and to establish lines beyond which wharves shall not be built nor piles driven.

73. To provide for the construction and regulation of landing at the foot of the streets terminating at the Willamette River.

74. To appropriate money for the deepening, widening, docking, covering, walling, altering, or changing channels, waterways, or water courses within the city, and to provide for the construction and maintenance of canals, slips, public landing places, wharves, docks and levees, and all such other work as may be required for the accommodation of commerce; to control and regulate the use thereof and to provide for the acquisition by condemnation or otherwise of all such work or works by the city, and for the construction, maintenance and ownership of the same by the city.

**Fire Department.**

75. To provide for the appointment, organization and equipment of a fire department and to that end may, at its discretion, provide by ordinance for the appointment of any board or commission to have control and management thereof, or to appoint a chief engineer and as many other officers and employees as may by the council be deemed necessary for the proper protection against fire. The council shall have power to fix all salaries of men so employed, to provide for the equipment and maintenance of volunteer fire companies, to purchase and acquire all property both real and personal, including necessary apparatus, engines, hose and other apparatus which the exigencies of a fire department may require, to appropriate money therefor, to prescribe all necessary rules and regulations governing the organization and proper maintenance of said department, to prescribe the duties of officers and members and to empower the chief of said department to cause the destruction or removal of any building or buildings or structures, for the purpose of checking the progress of fire or for the protection

of other property; to provide for the care and relief of members of said department who may be injured while in the performance of duty and to do all other acts which may be necessary in providing efficient protection against fire.

76. The chief shall make a monthly statement of expenditures of the department to the council, and also furnish to the council an estimate of the need of his department for the ensuing month, with such recommendations as he may deem proper for the betterment of the service.

77. The chief of the fire department shall make annually, or oftener, if required by the city council, or if he may deem best, a report to the council or any municipal legislation by him deemed necessary to improve the condition and administration of the fire department; and shall report in like manner fully to the council the business and condition of the fire department, showing the number of alarms responded to, the estimated loss by each fire during the year, with the cause thereof, with such other information as he can furnish relative to the advancement or improvement of the department, and the necessities thereof; also an estimate of money required to pay salaries and expenses of the fire department for the ensuing fiscal year, specifying in detail the items for which the same will be required.

78. The chief shall have such further powers, and be subject to such further duties as may be granted or imposed by the council, except as otherwise in this charter provided.

**Police Department.**

79. To provide for the appointment, organization and equipment of a police department and to that end may, at its discretion, provide by ordinance for the appointment of any board or commission to have control or management thereof, or to appoint a chief of police and as many officers and employees as may by the council be deemed necessary. The council shall have power to fix all salaries of men so employed. In case of any mob riot, pestilence, or on days of public demonstrations to appoint or to empower the chief of police to appoint temporary officers, who shall have power to make arrests and perform all the duties of regular police officers. To erect jails and other necessary buildings and to purchase and acquire property, both real and personal, which the exigencies of a police department may require. To prescribe all necessary rules and regulations governing the organization and proper maintenance of said department. To prescribe the duties of officers; to provide for the care and relief of members of said department who may be injured while in the performance of duty and to do all other acts which may be necessary in providing an efficient police department. The council shall have power to require from the chief and from each subordinate officer a bond in such sum as it may determine, with surety or sureties to be approved by the mayor for the faithful performance of duty. The chief of police and each officer shall take the same oath as is required of elective officers before entering upon their duties. Such bonds shall be filed with the recorder. The chief of police and his sureties shall be responsible to the city or any person aggrieved, the same as sheriffs and their sureties.

The chief of police is a peace officer, and must execute all process issued by the recorder or directed to him by any magistrate of this state in criminal matters; he may make arrests for breach of peace or commission of crime within the limits of the city, with or without a warrant, as peace officers do under the laws of this state; he must exercise a vigilant control over the peace and quiet of the city; he shall keep a watchful care to prevent fires, and exercise like care over all property of the city and report to the proper authorities all waste of water, stoppage of sewers, and all damage to any city property; he is the keeper of the city prison or house of correction; he must attend regularly upon the sittings of the municipal court and the meetings of the council; he shall exercise such additional powers as may be conferred upon him by the ordinances of said city to enable him to carry out the objects and purposes of this charter.

The chief of police or any officer of the police force, when acting under or enforcing any law or statute other than a city ordinance, is entitled to collect and receive the same fees and compensation as are allowed to a constable for like services, and he shall pay the same over to the city treasurer, as provided in the case of fees received by the police judge; but no fees shall be taxed against Multnomah county for services rendered by either chief of police or police judge. The chief of police shall keep in his office a book of arrests, in which shall be entered by him, or under his direction, the name of every person arrested, the cause of such arrest, by whom the arrest was made and the date thereof.

The chief of police may in writing empower any member of the police force, whenever such member is in search of property feloniously obtained, or in search of suspected offenders, to examine the books of any pawnbroker, or his business premises, or the business of any junk shop, keeper or dealer in second-hand merchandise or intelligence office keeper, and such member of the force when thereunto authorized in writing as aforesaid shall be allowed to examine any property purporting to be pawned, pledged or deposited in the possession of whomsoever such property may be; but no such property shall be taken

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Residence Phone Scott 6356.

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