

# PROPOSED CHARTER PRESENTED IN PARTS TO LEGAL VOTERS

For the benefit of legal voters who may not have time to devote careful study to the proposed charter, the Observer will from time to time present sections of the proposed commission form of government. In this way the voters can absorb portions of the charter each day and probably become additionally acquainted with the provisions of the document. Today presents the second installment.

(Continued from Thursday's Day.)

at a special election, to fill such vacancy, shall hold office until the next general election and qualification of his successor, who shall be elected to fill the unexpired term.

### Meetings.

Section 6. The Commission must provide the time and place of its regular meetings, from which it may adjourn to the next succeeding regular meeting, or to some specified time prior thereto, which adjourned meeting will be deemed to be a continuation meeting. Special meetings of the Commission may be called by the Chairman, or the other two members of the Commission, at any time upon not less than six hours' notice by personal service before such meeting.

### Quorum; Compelling Attendance.

Section 7. A majority of the Commission shall constitute a quorum to do business, but a less number can appear and adjourn from time to time. The Commission, or any one of them, can compel the attendance of absent members in such manner and under such penalties as may be prescribed by Ordinance.

### Rules and Records.

Section 8. The Commission may adopt rules for the government of its members and its proceedings. It must keep a journal of its proceedings, and upon the call of any commissioner must cause yeas and nays to be taken and entered in its journal upon any question before it. Its deliberations and proceedings must be public. It shall provide a separate record for the minutes, and a separate record for the ordinances and a separate record for resolutions. Ordinances and resolutions may be referred to in the minutes by appropriate number. The minutes, ordinances and resolutions shall be speedily recorded and the records thereof indexed and cross-indexed so as to render the same conveniently accessible to the public. The concurrence of any two members of the Commission is necessary, and sufficient vote to determine any question or matter under consideration by the Commission.

### Annual Meeting.

Section 9. On the second day of January, unless a legal holiday, then the next day, following any general city election, and also, following the first election under this charter, there must be a regular annual meeting of the Commission, and such meeting is designated and appointed by this Charter, and no notice thereof is necessary.

### General Duties.

Section 10. It shall be the duty of the Commission to enact ordinances, and they may repeal ordinances, as shall be required by the public good, take care that the business character and ability of the General Manager is sufficient to enforce the municipal law, perform his duties and services for the best interests and welfare of the municipal government, and in a careful prudent and business-like manner, and the Commissioners shall be responsible to the city for the strict and efficient performance of his duties. They shall at each regular meeting investigate all matters of importance to the city coming to their attention, either by observation or by report; listen to petitions and grievances and suggestions which may properly be presented to them; obtain from the General Manager weekly reports and act upon them; take and approve all official undertakings which this Charter or the ordinances of the city may require; require any officer to give security for the faithful performance of his duties; and the Recorder shall indorse the approval of the Commission upon such undertaking, together with a reference to the book and page of the minutes where the approval is found, and attach his signature thereto; and the said Commission shall be ordinance limit and fix the salaries and compensation of all officers provided for by this Charter; provided, the salary of the General Manager shall not exceed thirty-six hundred dollars (\$3600.00) per annum; and the Commission shall perform such other duties, and in the manner as may be prescribed hereafter by this charter.

### CHAPTER VI.

#### POWERS OF THE COMMISSION.

The Commission of the City of La Grande has full power and authority within the City of La Grande.

#### General Levy of Ten Mills.

Section 1. To levy taxes for general municipal purposes not to exceed ten mills on the dollar per annum, upon all property, both real and personal, which is taxable by law for state and county purposes.

#### Special Levy of Ten Mills.

Section 2. To levy a special tax not exceeding ten mills upon all the property assessed by authority of Section 1 for any specific object, including special road taxes, sinking fund tax, interest fund tax, library tax, or any other specific purpose, within the powers of this Municipal Corporation, including the payment of any debt, but the ordinance providing therefor must specify the object and purpose thereof.

#### The City May Be Bonded.

Section 3. To provide for the issuance of bonds by the City for any specific purpose, and to designate the manner and time for the payment thereof and the interest thereon.

#### How May Be Bonded.

Section 4. Whenever the City of La Grande shall contemplate the issuance of bonds for any improvement or public purpose under this Charter, except bonds issued for public improvements where the cost thereof is assessed to the property specially benefited, the Commission shall, by ordinance or resolution, direct the manner in which the estimate of the cost of such improvements shall be ascertained, and such estimate shall be filed with the Recorder and before any bonded indebtedness shall be incurred for such purpose, the Commission shall cause the question of its incurrence to be submitted to a vote of the electors of the City at a special election called by the Commission for the purpose, to be held after a similar notice is given as in the case of a general municipal election, which election shall be held in a similar manner to the general municipal election, and each ballot voted in said election shall have printed upon it a brief statement of the purpose of the election and the words, "Bonds—Yes" and "Bonds—No", and each person voting shall make a cross between the words "Bonds—Yes" or "Bonds—No", as he favors or opposes the issuance of bonds. If at such election the majority of the legal votes cast shall be in favor of incurring the indebtedness, then such indebtedness to the amount of the estimated cost of the contemplated improvements as submitted to the voters, or so much thereof as may be necessary, may be incurred; provided, that such vote may also be taken at any regular election. The Commission shall procure blank bonds of a suitable design in amounts of One Hundred dollars (100.00) each, or any multiple thereof up to One Thousand dollars (\$1,000.00) each, which bonds shall be made payable in twenty (20) years or less, as the Commission may by resolution or ordinance determine. Said bonds shall draw interest at the rate of not to exceed five per cent (5 per cent) per annum, such rate to be fixed by the Commission by ordinance or resolution, and interest on said bonds shall be payable semi-annually. Said bonds shall be signed by the Chairman of the Commission, attested by the Recorder of the City of La Grande, upon being authorized so to do by the Commission by ordinance. Said bonds shall be placed in the hands of the Recorder who shall register the same in a book kept for that purpose, by entering the number and amount of such bonds, the date of issue, the date when due, and the place where payable. This section shall not apply to the issuance of bonds upon the application of persons whose property has been taxed for local improvements and the assessments therefor made payable in installments as hereinafter provided.

#### License on Callings and Amusements.

Section 5. To license, tax and regulate brokers, auctioneers, taverns, hawkers, peddlers, pawnbrokers, wash-houses, laundries, bill-posters, places of public amusement or entertainment, including theatres, opera-houses, exhibitions, shows and the like, hotel and restaurant keepers and runners, dealers in second hand articles or merchandise, the keeping of billiard tables, pool tables, bowling alleys, shooting galleries for profit, and such other business and professional callings as the public good may require to be licensed, taxed or regulated, and as are

not otherwise prohibited by law; and for the purpose of this charter, to define and declare what constitutes any such professions and callings, or places of amusement or entertainment.

#### Teams and Transfer Licenses.

Section 6. To license, tax and regulate livery or boarding stables; hacks, cabs, carriages, wagons, carts, trucks, drays or other vehicles used for the transportation of persons or passengers or goods, wares or merchandise, earth, rock, building materials or other articles, for compensation within the limits of the City, and to prescribe the rates to be charged for such transportation.

#### Saloon Licenses; Offensive Callings.

Section 7. To prohibit the dealing in spirituous, vinous or malt liquors, and decide what constitutes spirituous, vinous or malt liquors; the keeping of bar rooms, drinking shops or places where such liquors are kept for sale or in any manner disposed of, and the sale or disposal thereof; to prohibit all offensive or dangerous trades, employments or businesses; and for the purpose of this charter, to define and declare who is a keeper of a bar room, drinking shop, or place where spirituous, vinous or malt liquors are sold or disposed of, and what is a bar room, drinking shop, or place where spirituous, vinous or malt liquors are sold or disposed of, and what are offensive or dangerous trades, employments or businesses; but this section does not empower the City of La Grande to declare a trade, employment or business offensive or dangerous contrary to the common understanding of the subject; nor to authorize anyone to do any act or engage in any business contrary to the law of the land. And to license, tax, regulate and restrain bar-keepers, saloon-keepers, dealers in or manufacturers of spirituous, vinous or malt liquors and places where such liquors are kept for sale or in any manner disposed of, and the sale and disposal thereof.

#### Jails and Other Public Buildings.

Section 8. To purchase sites for public purposes, and provide for the erection of city halls, jails, houses of correction, work-houses and any other public buildings, and for the government and management of the same.

#### Selling Property for Taxes.

Section 9. To purchase, take and hold real property when sold for delinquent taxes or assessments levied or imposed under the authority of the City of La Grande, and to sell the same.

#### Special Assessments; Bonding Property Therefor.

Section 10. (a) To provide for the opening, grading, macadamizing, paving and otherwise improving the streets and alleys of the city, and to assess the cost thereof to the property specially benefited thereby. (b) To provide a general sewerage system for the city, the laying of the necessary mains and laterals therefor, and to assess the cost thereof to the property specially benefited thereby.

The manner in which all public improvements shall be made, and the cost thereof assessed to the property specially benefited thereby as provided for by this Charter and other provisions of this Charter shall be as follows:

First: The Commission shall create by resolution an improvement district and fix the boundaries thereof, which shall include therein all property to be affected or benefited thereby.

Second: The Commission shall then cause plans and specifications of the improvements to be prepared and submitted to them for consideration. Said plans and specifications may be standard plans and specifications for the particular improvements contemplated. Said plans and specifications shall thereafter be adopted.

Third: The Commission shall appoint two of their number as a Committee of Estimates and said committee shall examine all property affected by said improvements and upon which local assessments are to be levied as to the extent and valuation, if any, of the special benefits to be derived by said property by reason of the improvement. Said Committee shall then report their findings in writing to the Commission. Said report shall contain the following:

(a) The boundaries of the district to be affected or benefited by such improvement.

(b) A general statement as to the character of the improvements, and refer to the plans and specifications theretofore adopted for the specific improvement, or to the standard plans and specifications, as the case may be.

(c) A general statement of their findings as to whether or not the property within the improvement district is benefited.

(d) The estimated total cost of said improvement.

(e) The description of each lot or parcel of land and the estimated proportion of the cost of the improvement which applies against the same, together with the name of the owner or the reputed owner thereof.

The Commission shall then consider the said report and may enlarge or diminish the improvement district, alter the amount or change the character of the improvement or the plans and specifications thereof, amend, alter, modify or change the report of the Committee on Estimates and adopt the same in whole, or any part thereof, either in the original, enlarged, diminished, changed, altered, modified or amended condition.

Fourth: After the Commission has created the appropriate improvement district, adopted plans and specifications, general or special, appointed a Committee on Estimates, received their report and acted upon the same, and finally approved and adopted the same, the Commission shall fix a time and place when the Commission will meet, hear and determine objections, remonstrances and claims of grievance of persons interested therein and direct the City Recorder to prepare and the police to serve a notice to all whom it may concern, of the intention of the Commission to make the improvements mentioned in the proceedings. Said notice shall contain, among other things, the following:

(a) The boundaries of the improvement district to be improved or benefited as finally adopted by the Commission.

(b) A description, generally, of the improvements so proposed, referring to the plans and specifications adopted therefor.

(c) The time and place when the Commission will meet to hear and determine all objections, remonstrances and claims of grievance, of any person interested.

(d) The date issued and the signature of the City Recorder.

Said notice shall be personally served at least ten (10) days prior to the date fixed for said hearing upon the property owner, or occupant of the property, within said improvement district, or in the absence of such owner or occupant, said notice shall be published for ten (10) successive days, except Sunday, immediately preceding the time fixed for said hearing. Proof of service shall be made by the affidavit of the police, and of service by publication by the owner, manager or printer's mission shall have power, by appropriate summary proceedings to correct the amount of the cost which the city has incurred by reason of the improvement; and any person interested shall be heard thereon, and said statement and objections thereto, if any, shall be considered and determined by the Commission and adjusted as they may think proper. The Commission shall be deemed to have acquired jurisdiction to make said improvement; provided, that if the owners of fifty-five (55 per cent) per cent of the property to be affected by said improvement measured by the front foot object to said improvement, the Commission shall be ousted of jurisdiction for a period of six (6) months thereafter. At the end of six (6) months, new proceedings may be initiated for the improvement contemplated, or any part thereof. Jurisdiction once obtained shall be deemed continuing jurisdiction to make assessments as hereinafter provided.

Fifth: The Commission in its discretion may adjourn said hearing until a later date, but not later than thirty (30) days thereafter. At the time and place fixed for said hearing, or any adjournment thereof, the Commission shall hear and determine objections, remonstrances and claims of grievance of any person interested in said improvement. After a substantial compliance with the foregoing requirements the Commission shall be deemed to have acquired jurisdiction to make said improvement; provided, that if the owners of fifty-five (55 per cent) per cent of the property to be affected by said improvement measured by the front foot object to said improvement, the Commission shall be ousted of jurisdiction for a period of six (6) months thereafter. At the end of six (6) months, new proceedings may be initiated for the improvement contemplated, or any part thereof. Jurisdiction once obtained shall be deemed continuing jurisdiction to make assessments as hereinafter provided.

Sixth: The Commission shall then advertise for bids for the making of said improvement and shall let the contract for such improvement to the lowest responsible bidder, whose bid does not exceed the estimated cost of such improvement; provided no patented material used in a contract shall be so designated, so as to prevent competition or the consideration of other material equally as good; provided that the contractor or contractors shall expressly agree in the contract entered into for making such improvement, that he or they will accept at par the improvement bonds issued by the city to pay for such improvement in payment therefor, and that he or they will look alone to the property assessed as specially benefited by such improvement for the payment of the contract price of said improvement and the special improvement bonds taken in payment thereof, including interest as well as principal.

Seventh: When said improvement is completed and accepted the Commission shall direct the City Engineer to prepare a statement of the entire cost of the same, together with a description of the property benefited thereby and the names of the owners, or reputed owners thereof, as described in the report of the Committee on Estimates, as adopted by the Commission; he shall include in the cost of said improvement the

contract price thereof, the expense of advertising, engineering, and interest, if any, upon improvement fund warrants drawn in partial or full payment of the contract price, as the case may be, and all other additional expense which the city has incurred by reason of the improvement; and any person interested shall be heard thereon, and said statement and objections thereto, if any, shall be considered and determined by the Commission and adjusted as they may think proper. The Commission shall have power, by appropriate summary proceedings to correct any clerical error appearing therein.

Eighth: Said assessment shall be declared, the assessment roll provided for, and the time and manner of collection of said assessment fixed, by ordinance. All special assessments to cover the cost of any public improvement herein authorized shall be levied and assessed upon, and equitably apportioned among all blocks, lots, parts of blocks and lots, lands and real estate included within the boundaries of the improvement district created for such public improvement to the extent of and in proportion to, the benefits to such blocks, lots, parts of blocks and lots, and real estate, by reason of such improvements; such assessments to be adjusted and proportioned in a uniform manner.

Such assessments may be according to the square feet or foot frontage, and the expense of improving all intersections of streets and spaces opposite alleys, in any district ordered to be improved shall be equally borne by and apportioned among the owners of said property abutting upon, contiguous, adjacent or tributary to said intersections and spaces opposite said alleys, according to the benefits which said property receives by reason of said improvements; but the Commission in its discretion may declare the expense of improving all intersections of streets and spaces opposite alleys to be a public purpose and to pay for the same out of the general fund, or issue bonds for the payment thereof in the manner provided in Subdivision Third of this section, and the Commission may submit to the legal voters of the City the question of whether or not the city shall refund to property owners the cost and expense of all intersections of streets and spaces opposite alleys in any district heretofore improved, the cost and expense of which has been assessed to the property owners affected and benefited, and when authorized by a majority of the legal voters of said city shall incur indebtedness in the manner prescribed in Subdivision Third of this section, but nothing herein contained shall be construed to exempt any street railway, or other railway company, from keeping every portion of every street, alley and avenue used by it, upon and across which its tracks shall be constructed at or near the grade of such streets in good and safe condition for public travel, but it shall keep the same planked, paved, macadamized or otherwise in such condition for public travel as the Commission of said City may from time to time direct. The portions of the streets and alleys to be kept and maintained by all such street railways or railway companies shall include all the space between different rails and tracks and also a space outside of the outer rail of each track of at least two feet in width, and the track herein referred to shall include not only the main track but also all side tracks, crossings and turn-outs constructed for the use of such street railway or other railway. Special assessments made and levied to defray the costs and expenses of any work or improvements contemplated by the provisions of this section, and the cost of the collection thereof, shall constitute a lien upon and against the property upon which said assessment shall be made and levied, from and after the date of the ordinance declaring the said assessment, and such assessment shall be collected in the manner prescribed by this Charter and the ordinance declaring the assessment. When the cost of any public improvement shall have been assessed to the property benefited thereby, the Recorder of the City of La Grande shall enter in a docket to be kept for that purpose and known and designated as the Bond Lien Docket, under separate heads for each public improvement by number or name, a description of each lot or parcel of land or other property against which such assessment is made or which bears, or is chargeable, with the cost of such unpaid assessment, with the name of the owner and the amount of such unpaid assessment. Such docket shall stand thereafter as a lien docket as for taxes assessed and levied for the City of La Grande, and for the amounts of such unpaid assessments therein docketed, with interest on said unpaid assessments at the rate of six (6) per cent per annum against each such lots or parcels of land or other property until such assessments and interest are paid in the manner hereinafter provided; and all unpaid assessments and interest shall be and remain a lien on each lot or parcel of land or other property respectively, in favor of said City of La Grande, and such liens shall have priority over all other liens and incumbrances whatsoever. When such Bond Lien Docket shall be made up as hereinbefore provided as to the assessments for any public improvement, the Commission of the City of La Grande shall, by ordinance, authorize the issue of Improvement Bonds of the City of La Grande in convenient denominations not exceeding five hundred (\$500) Dollars each, and in all equal to the total amount of unpaid assessments for such public improvement, and such bonds shall, by the terms thereof, mature in ten (10) years from the date thereof and be payable in gold coin of the United States, and bear interest not to exceed six (6) per cent per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds; provided, the right to take up and cancel such bond or bonds upon the payment of the face value thereof with accrued interest to the date of payment, at any semi-annual coupon period at, or after one year from the date of such bond or bonds, shall be, and hereby is, vested in the City of La Grande issuing such bond or bonds. Notice that certain bonds are to be taken up and cancelled as aforesaid and that the interest thereof shall cease at the interest payment period next following shall be published in a newspaper, printed and published in the city of La Grande, and of general circulation in Union County, not less than twice during the month preceding said semi-annual period; and after said semi-annual period, interest upon the bonds designated in such notice shall cease. Such bonds, before issuance, shall be signed by the President of the City of La Grande, and countersigned by the Recorder of said City and authenticated by the seal of the City attached thereto, and shall be registered consecutively by number and denomination of each, in a book to be kept by the Recorder of the City of La Grande, to be known and designated as the "Improvement Bond Register."

Each of such bonds issued for public improvements shall have distinctly and plainly inscribed or printed on the face thereof the registered number of said bond and the words "Improvement Bond, District Number . . . . . created . . . . . 19 . . . ." with the name of the City of La Grande issuing the same. Such bonds shall be advertised for sale and sold for the highest price obtainable, but for not less than par and accrued interest; and the proceeds thereof shall be paid by the purchaser to the Treasurer of the City of La Grande and credited to the respective public improvement funds for which said bonds are issued, provided, that said bonds may be delivered by the city to the contractor in payment, at par, upon the contract for the improvement for which such bonds are issued.

Thereafter there shall be due and payable annually for ten (10) successive years, to the Treasurer of such City, by the owner of each lot, parcel of land or other property assessed for such public improvement, ten (10) per cent of the cost of such public improvement assessed against the property of such owner as appears by the bond lien docket hereinbefore described, with the amount of one year's interest at six (6) per cent per annum on all unpaid assessments or installments. The first payment aforesaid shall be due and payable at the expiration of one year from the date of said assessment in the bond lien docket, and subsequent payments at the expiration of each year thereafter. Should such owner or owners neglect or refuse to pay the sum or sums aforesaid, as the same shall become due and payable, for a period of twenty (20) days then the same shall be collected in the same manner and with the same penalties as delinquent public improvement assessments are paid and collected in the city of La Grande. It shall be the duty of the Recorder of the City of La Grande, when the installments and interest on any assessment in the Bond Lien Docket are due, to make the proper extensions of such installments and interest on said Bond Lien Docket and turn the same over to the Treasurer of the City of La Grande, whose duty it shall be to notify the owner or owners of property, that the installments aforesaid are due and payable, but a failure of such owner or owners to receive such notice shall not be taken or held to prevent the collection of the same as herein provided. The Treasurer of said City shall issue a receipt to the person or persons paying said installments and interest and shall file duplicates of said receipts with the Recorder, and when the Treasurer returns said Bond Lien Docket, said Recorder shall make the proper entries on said Bond Lien Docket, showing the amount of each payment and the date thereof, provided, however, that at any time after issuance of such bonds, any owner at the time being of any such lot or parcel of land or other property against which such assessment is made and lien docketed, may pay into the City Treasurer of the City of La Grande the whole amount of such assessment and for which such lien is docketed, together with the full amount of interest and costs accrued thereon to such date of payment and upon producing to the Recorder of said city the receipt of the Treasurer of the city of such payment (in which receipt shall be

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