

# :-: JACKSONVILLE POST :-:

Official Paper of the City of Jacksonville, Oregon

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## Ordinance No.

An ordinance submitting a Charter Amendment.

THE PEOPLE OF THE CITY OF JACKSONVILLE DO ORDAIN AS FOLLOWS:

That the following proposed Charter Amendment be submitted to a vote of the electors of the City of Jacksonville for their approval or rejection at a special election to be held in the City Hall in the City of Jacksonville, on the thirteenth day of Nov., A. D. 1916 between the hours of 12 M. and 7 p. m.

1. An Act to amend Section 86 of the charter of the City of Jacksonville.

THE PEOPLE OF THE CITY OF JACKSONVILLE DO ORDAIN AS FOLLOWS Section 1: That Section 86 of the Charter of the City of Jacksonville be, and the same is hereby amended so as to read as follows:

Section 86. The city council of the City of Jacksonville shall have power and authority:

1. To assess, levy and collect all taxes within the corporate limits of the City of Jacksonville necessary to meet the expenditures of the city government, upon all property made taxable by the laws of the State of Oregon.

2. To borrow money, incur indebtedness, issue warrants and negotiable bonds in the manner and to the extent in this charter provided and not otherwise.

3. 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 streets, highways, alleys, sidewalks, footways, public thoroughfares, public places and parks of the city.

4. To provide for the survey and plat of the blocks and streets of the city, and for marking the boundary lines of such streets, blocks and lots and to provide for the survey and permanent marking of the boundary lines of the corporation.

5. To provide for the naming and numbering of streets and the numbering of houses and to compel the owner or owners of houses to number them in accordance with the regulations prescribed therefor by ordinance.

6. To control, regulate, prevent and prohibit the construction or maintenance of awnings, bill boards, posters, advertising signs, sign posts, hitching posts, awning posts, bicycle racks and all other obstructions within the streets or upon the sidewalks and to compel the removal of such obstructions or anything that is so constructed and maintained in violation of any ordinance or regulation in regard thereto and to make the cost of such removal a lien upon the property immediately in front of which the same is maintained or constructed; to make all needful or expedient regulations to keep and maintain the public streets, sidewalks and places in a clean, open and safe condition for public use.

7. To regulate, control and prohibit the erection and maintenance of all telegraph, telephone, electric light or power lines, wires, cables, poles and posts, conduits and all electric and other apparatus for the carrying or transmission of electric current or power of any nature whatever; the manner of constructing and the location of street car lines or railways, the manner of operating the same, and to regulate the rates of fare thereon; of water mains and pipes, oil and gas mains and pipes, sewers, drains and ditches, and the opening of street surfaces.

8. To regulate, control and prohibit the planting of trees and shrubbery along the streets and sidewalks.

9. To compel the owners of lots adjacent to any street to construct, reconstruct, repair and re-repair sidewalks adjacent and contiguous to said lots in the manner prescribed herein and by ordinance and in default of the owner to comply therewith to have the same constructed and make the cost thereof a lien upon the adjacent and contiguous lot and to provide for the collection of the same by the sale of said lot or lots and everything necessary and requisite to carry into effect this power.

10. To provide and establish a road district, which shall be of the same extent and be embraced within the corporate limits of the city.

11. To divide the city into wards and change the same at will; provided, a change in the wards of the city shall not be made oftener than once in two years.

12. To open, vacate, alter, grade and improve streets as herein provided.

13. To exercise the right of eminent domain for all municipal purposes and to provide the procedure therein.

14. To provide a municipal court,

to be called the Recorder's Court, and to regulate the practice and proceedings of the same.

15. To establish a police force which shall be under the superintendence of the city marshal.

16. To license, tax and regulate auctioneers, hawkers and peddlers, brokers and pawnbrokers, or to prohibit any or all of such occupations within the city.

17. To license and tax the selling of goods by sample and such other branches of business and professions as in the judgment of the council ought to be licensed and taxed.

18. To provide water for the use of the inhabitants of the city and to that end to own, buy, sell, lease or contract for water to be furnished by third persons to the city or to the inhabitants thereof and to control and regulate the use and rate thereof; to own, buy, lease, or contract for property within or without the city for such purposes; to construct, maintain and own, manage, operate a complete system of water works, with all the necessary implements and appliances for the supply of water to the city and citizens of the City of Jacksonville and vicinity, to be constructed in such time and manner as shall seem to the council most practicable, or as shall be determined by a vote of the electors of said city upon referendum of such measures or upon the initiative petition and the water to be taken therefor may be taken from any stream, spring, well or wells, cistern or cisterns and for this purpose to condemn private property in the same manner that private corporations may do so under the general laws of the State of Oregon.

19. To provide electric, gas or other lights for said city and to its inhabitants, and to that end to own, buy, sell, lease or contract for property, or contract with third persons to furnish the same to said city or its inhabitants, and to regulate and control the price and the use thereof; provided, that no purchase of any public utility or no sale or lease of any such property described in this or the preceding section shall be without the consent of at least three-fourths of the entire council. Said contract, purchase or lease shall be made by ordinance and shall not become binding or operative until the eleventh day after its passage.

19a. The council shall have the power to fix the maximum rate for gas or other lights, and water rates, and said city shall never deprive itself of the right through its council of regulating and adjusting any such rates so that the same shall be reasonable for the services rendered at least once in a period of two years.

20. To prevent and restrain riot, noise, disorderly conduct, and disorderly assemblages.

21. To regulate and prohibit the passage of any steam, traction, or other engine, motor or machinery upon the streets or any bicycle, motorcycle, tricycle or similar vehicle, upon the sidewalks.

22. To license, tax and regulate bar-rooms, saloons, billiard rooms, bowling alleys, or any place where spirituous, malt or vinous liquors are sold or offered for sale; provided, that the council may refuse any particular person a liquor license, and may restrict the number of licenses granted.

23. To prohibit any person from selling or giving away any malt, spirituous or vinous liquor to any person under the age of twenty-one years, and to prevent the owner or keeper of any place where such liquors are sold or kept for sale from permitting any person under the age of twenty-one years to come into or remain in any such place; provided, that no license for the sale of any liquor as a beverage shall ever be issued to any person who shall have been previously convicted of wilfully and knowingly selling any intoxicating liquor to any minor knowing him to be such.

24. To prohibit the selling or giving of any intoxicating liquor to any drunken person, or any person in the habit of becoming intoxicated, and to define who is such person, and to designate who are such persons.

25. To restrain or prohibit the smoking of opium, or the running of opium houses or places for smoking opium; to define what is an opium house or place for smoking opium; and to punish the proprietors and keepers thereof; and opium smokers and frequenters of such houses.

26. To suppress, restrain or prohibit bawdy and assignation houses, houses of ill-fame and prostitution, gaming and gambling houses, and such other places, and to define and declare by ordinance what shall constitute the same, to punish by

fine or imprisonment or both, any person who, owning, controlling or being in possession of any house or rooms therein, uses the same or any part thereof, or knowingly permits the same or any part thereof to be used as a bawdy or assignation house, or house of ill-fame or prostitution, a gaming or gambling house, or for a model artist exhibition, or other show of an immoral character; to punish, fine, and imprisonment, or both, any and all persons who occupy, visit or resort to such house or houses, and to punish by fine or imprisonment or both any and all persons or person who engage in gaming or gambling, as the same is defined by ordinance; to punish by fine or imprisonment, or both, any person or persons who loiter about or inhabit or frequent any house of ill-fame or ill-repute, live with a prostitute or woman of ill-repute the same may be defined by ordinance, Common reputation shall be competent evidence and proof of the character of such house.

27. To define vagrancy, and to provide for the punishment, support, restraint and employment of vagrants and paupers and to provide a work house and place of detention for the keeping of vagrants and vicious persons, and to provide rules and regulations for the government thereof.

28. To take, purchase, hold and sell real estate when sold for any assessment for municipal purposes, either general or special.

29. To license, tax and regulate dance houses, theatrical exhibitions and other shows and amusements and prohibit the same when indecent or liable to excite lust, and to define what shall constitute such exhibitions and amusements.

30. To provide for the collection and disbursement of all money to which the city is or may become entitled by law, or which may be assessed, levied or authorized to be collected for city purposes within the city.

31. To provide for the erection, control, and repair of such buildings as may be necessary for city purposes, within or without the city.

32. To provide punishment by fine, imprisonment and hard labor for the violation of any city ordinance, but no fine shall exceed the sum of \$50 and no term of imprisonment or hard labor shall exceed twenty days; and, where fine and costs are imposed the person adjudged to pay the same may be imprisoned one day for each \$2.50 fine and costs, or kept at hard labor one day for each \$2.50 of said fine and costs, if he fail or refuse to pay the same.

33. To provide by ordinance for the granting of franchises; provided, that no franchise be granted for a longer period than fifty years and before any grant or any franchise or right to use any highway, avenue, street, lane or alley or other public property, either on or above or below the surface of the same shall be made, the proposed specific grant shall be embodied in the form of an ordinance, with all the terms and conditions, including all provisions as to rates, fares, charges, if any, which proposed ordinance shall be published in full at the expense of the applicant for the franchise, at least twice in a newspaper published in said city. Such publication shall take place and be completed not less than twenty nor more than ninety days before the final passage of such ordinance, and such ordinance shall require for its passage the affirmative vote of at least three-fourths of all the members of the council, as shown by "yeas" and "nays," and the approval of the mayor, before it shall be valid for any purpose; but if the same is vetoed by the mayor it shall not become operative unless passed by a unanimous vote of the councilmen. No amendments to any franchise after publication shall be valid unless the ordinance, as amended, shall be republished in like manner and for like time as the original. No franchise shall be granted or put on its final passage within sixty days of its introduction, and no franchise shall be granted which by its terms will not go into effect within one year after its passage. The council is hereby granted power to impose by ordinance other conditions and regulations for the granting of franchises and to revoke the same for violation of such ordinances or regulations.

34. Whenever herein any right or authority is given said city council to regulate or prohibit any act, such provision shall include the right to punish all persons guilty of any violation of the ordinance regulating or prohibiting said act or acts.

35. To make regulations to prevent the introduction of contagious, infectious or other diseases into the city and to remove and quarantine persons afflicted with such disease; to establish, provide, regulate and maintain hospitals within or without the city limits and for this purpose to purchase, lease or otherwise acquire property within or without the city.

36. To appoint and constitute a board of health and define their duties and to prescribe sanitary regulations for the city.

37. To regulate the plumbing, drainage and sewerage of buildings and premises, and to define and declare by ordinance what shall constitute the same, and to prohibit the maintenance and provide for the removal of any such plumbing, drainage

sewerage that is not constructed or maintained according to the regulations provided by ordinance and to make the cost of such removal a lien upon the property upon which the same is found or fixed and to provide by ordinance for the collection of the same.

38. To fill up or drain any lots, blocks, or parcels of land where any stagnant water stands, and to declare the same a nuisance, and to make the cost of filling up or draining the same a lien upon the property so filled or drained. Such liens may, upon the order of the council, be entered in the docket of city liens and thereafter collected in the same manner as assessments for improvements, or may be collected in such other manner as the council may direct.

39. To prohibit the deposit or accumulation of filth, garbage or refuse of any kind in any part of the city and to prohibit the throwing of any filth, garbage, refuse or impurities of any kind into any water or stream, natural or artificial, within the limits of the city or the doing of any other act by which the water supply of the city might be contaminated or the general health of the inhabitants impaired.

40. To determine and prescribe by ordinance the number and size of all places or entrance and exit to and from public halls, churches, theaters, schools and other buildings used for public gatherings; also to prescribe and regulate the size and manner of hanging doors thereto and the manner of lighting and heating said places, entrances and exits.

41. To compel all persons erecting or maintaining privies or cesspools within one hundred feet of any streets in which a sewer has or may hereafter be constructed to connect the same therewith.

42. To regulate, prevent and prohibit public criers, advertising noises, steam whistles, the ringing of bells and playing of bands.

43. To regulate the rate of speed of all automobiles, trains, cars, locomotives, vehicles and horses; and to punish all persons driving or managing any such automobile, train, car, locomotive machine, vehicle, or horse or riding any horse in said city at any greater speed than designated in said ordinance.

44. To require all automobiles, motor bicycles, bicycles, tricycles, motorcycles, engines, cars, locomotives etc., to provide and adopt proper safety appliances, lights and warning signals for the protection of human life and the lessening of danger thereto; and to enforce such regulations by fine and imprisonment or both.

45. To prohibit or regulate the sale and use of bean shooters, sling shots, air guns, pistols, firearms, missile weapons, fireworks, bombs, rockets, firecrackers and detonating works of all descriptions and to prohibit the carrying of deadly weapons in a concealed manner and to define what shall constitute such weapon and carrying.

46. To establish and define the fire limits, and to prohibit and regulate the erection, removal and repair of wooden

buildings within the fire limits; to define and establish the class of materials of which buildings within the fire limits must be constructed; to regulate the height, construction and inspection and repair of all private and public buildings within the city and provide by ordinance regulations in regard to moving the same.

47. To provide for the establishment and maintenance of a fire department and fire companies, and for their regulation.

48. To provide for the prevention and extinguishment of fires and the preservation of property exposed to danger on account thereof, to construct cisterns and wells for water for the extinguishment of fires, and to prescribe by ordinance such other sewers; provisions, rules and regulations as shall be necessary or expedient for the occasion.

49. To require adequate fire escapes apparatus and appliances for protection against fire, to be provided in buildings.

50. To provide the manner and regulate the wiring of houses, buildings and other structures for light, power, telegraph, telephone and any other purposes for which electricity is now or may be hereafter used.

51. To regulate and prohibit the manufacture, storage, sale, transportation and use of gunpowder, blasting powder, dynamite, nitro-glycerine and all other combustible and explosive materials.

52. To regulate and prohibit the use of manufacture transportation and storage of oil, acids, gas, candles, lamps and other lights in stores, shops, stables and other places; to prevent, remove or make secure any fireplace, flue stove or stove pipe, chimney, oven, boiler, furnace or other apparatus which may be considered by said council as dangerous in causing fires and to make the cost of such removal or securing a lien upon the property whereon or in connection with which the same is located and provide for the manner of collecting the same.

53. To regulate and prohibit the building of party walls, fences and partitions.

54. To make secure or remove dangerous, unsafe, insecure and unsightly buildings and to make the cost of such securing and removal a lien upon the premises and providing for the collection thereof.

55. To prevent, restrain, prohibit and regulate the running at large of any and all domestic or other animals, poultry or fowl within the city limits or any part thereof; and to provide punishment for the owners or keepers of such animals, poultry or fowl who allow or permit the same to run at large in violation of any ordinance or regulation for such purpose; and to provide for the impounding and selling of any or all such animals, poultry or fowl found running at large within the city limits and the time and manner of such sale, and the disposition of the proceeds of such sale.

56. To regulate and prohibit the driving or herding of any or all domes-

tic or other animals over, upon or through any of the streets, alleys, avenues, boulevards or other highways of the city.

57. To regulate and prohibit the erection and maintenance of hitching racks, hitching posts and all other hitching fixtures on the streets, alleys, curbs sidewalks and other highways of the city.

58. To provide and regulate the manner and prohibit the hitching or fastening of any domestic or other animals upon the streets, alleys or other highways of the city and to prohibit the leaving of domestic or other animals, with or without carriage or other vehicle attached, in the streets, alleys or other highways of the city, without being securely fastened according to the regulation provided by ordinance and to provide the time that such animals may be so hitched or fastened; and to prohibit the staking or fastening of domestic or other animals upon the streets, alleys or other highways or public grounds of the city for feeding or grazing.

59. To prevent cruelty to animals and to define what shall constitute the same and provide punishment therefor.

60. To regulate and restrain the keeping and running at large of dogs; to punish those persons who allow their dogs to be unlicensed, or to run at large against the regulations established, and to provide for the impounding of dogs, and for the killing of the same when kept against such regulations, or on which no license has been obtained or tax paid, as provided by the council.

61. To prohibit the keeping or feeding of any hogs within the city limits or any part thereof.

62. To regulate, remove and prohibit the erection and maintenance of stockyards, tanneries, slaughter houses, hog pens, wash houses, laundries and all other offensive trades, businesses or occupations carried on; and to provide for their exclusion from the city or any part thereof, and to prohibit their maintenance beyond the city limits when their proximity to the corporate boundaries is such as to be an annoyance or nuisance to those residing within the corporate limits.

63. To prevent, remove and abate nuisances, and to declare what shall constitute the same, and to punish, by fine or imprisonment, or both, persons committing or suffering nuisances, and to provide the manner of their removal, and to make the costs of such removal a lien upon the property where such nuisance existed. Such liens may upon order of the council, be entered in the docket of city liens, and thereafter collected in the same manner as assessments for street improvements, or may

(Continued on page 3.)

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