

PROPOSED NEW CHARTER FOR THE CITY OF MEDFORD

Drafted by a Charter Commission of Twenty-one Citizens Appointed by the City Council—Referred to the People by the City Council

ELECTION NOTICE FOR CHARTER AMENDMENT NOTICE IS HEREBY GIVEN that the following is a full and correct copy of the title and text of that certain proposed act of municipal legislation amending the Charter of the City of Medford, Oregon, to be submitted to the legal voters of said City for their adoption or rejection at the annual election to be held in and for said City on the 12th day of January, 1915, together with the numbers and form in which the ballot title thereof will be printed on the official ballot.

ELMER T. FOSS, Recorder of the City of Medford.

Dated December 15th, 1914.

AN ACT TO AMEND THE CHARTER OF THE CITY OF MEDFORD providing the powers of said Municipal Government; the manner of election or appointment of its officers; defining their duties; providing for their removal and providing the manner of conducting the business and affairs of said Municipal Corporation, and repealing all provisions of said Charter in conflict herewith, whether enacted by the people or Legislative Assembly of this state.

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

Section 1. That the Charter of the City of Medford be and the same is hereby amended so as to read as follows:

CHARTER OF THE CITY OF MEDFORD

ARTICLE I. INCORPORATION—BOUNDARIES.

Sec. 1. Corporate Name.—All that territory in the County of Jackson contained within the boundaries hereinafter described, shall be a city; and the people now or hereafter inhabiting said territory shall constitute a body politic and corporate, under the name "City of Medford," with power and authority to change its boundaries in manner herein provided; and by such name said municipal corporation shall have perpetual succession.

Sec. 2. Boundaries.—The geographical limits and boundaries of said City shall be as follows: Commencing at the southwest corner of D. L. C. No. 44, Township 37 south, Range 1 west, Willamette Meridian, and running thence west along the center line of Stewart Avenue to the center line of Plum Street; thence north along the center line of Plum Street to the center line of Dakota Avenue; thence west on the center line of Dakota Avenue to the center line of Columbus Avenue, extended; thence north on the center line of Columbus Avenue, extended to the south line of Highland Park Addition; thence west on the south line of Highland Park Addition and Walnut Park Addition to the west margin of Louis Avenue; thence north on the west margin of Louis Avenue to the north line of West Main Street; thence east on the north line of West Main Street to the west line of Western Avenue; thence north on the west line of Western Avenue to the north line of Locust Street; thence east on the north line of Locust Street to the west line of the alley on the west side of block 3, Kenwood Addition; thence north on the west line of said alley to the center line of the street on the north of said block 3; thence east on the center line of said street to the center line of Columbus Avenue; thence north on the center line of Columbus Avenue to the center line of Jackson Street; thence west on the center line of Jackson Street to the center line of the county road or McAndrew Street; thence north on the center line of McAndrew Street to the center line of Court Street; thence east on the center line of McAndrew Street to a point 66 feet east of the east bank of Bear Creek; thence southward, parallel with and 66 feet east of the east bank of Bear Creek to the westward projection of the north line of the alley north of block 1, Sunrise Home Park Addition; thence east on said line to the center line of Roosevelt Avenue; thence south on the center line of Roosevelt Avenue to the north line of Section 39, Township 37 south, Range 1 west; thence eastward on the north line of Sections 39 and 29 to the east line of the Queen Anne Addition; thence south on the east line of Queen Anne Addition and said line extended to the center line of Hillcrest Road; thence east on center line of Hillcrest Road to east line of Harnburg Road; thence south 0 deg. 15 min. west 1669.8 feet; thence north 89 deg. 40 min. west 1543.13 feet; thence south 0 deg. 15 min. west 14 feet; thence south 72 deg. 33 min. west 1923.5 feet; thence north 33 deg. 47 min. west 138.60 feet; thence north 38 deg. 47 min. west 175.5 feet; thence north 46 deg. 45 min. west 328.9 feet; thence north 85 deg. 30 min. west 53.5 feet; thence north 9 deg. 04 min. west, 841.89 feet; thence south 78 deg. 23 min. west 327.39 feet; thence south 0 deg. 05 min. west 505 feet; thence north 73 deg. 29 min. west 247 feet; thence south 49 deg. 49 min. west 81.3 feet; thence south 26 deg. 24 min. east 698.24 feet; thence south 72 deg. 10 min. west 106.2 feet; thence south 26 deg. 27 min. east 400 feet; thence south 72 deg. 12 min. west, 527.65 feet to the east side of Riverside Avenue; thence southeasterly along the east side of Riverside to the south side of D. L. C. No. 44, above mentioned; thence westward along county road to Stewart Avenue to place of beginning.

Sec. 3. Enlarging Boundaries.—The boundaries of the City may be altered and new territory included therein in the manner provided by Title XXVI of the Oregon Laws; providing however that in any such proceedings, prior to the ordering of any election thereon, there shall be filed in the office of the Secretary of the City, a map or plat of the new territory proposed to be included within said boundaries showing all highways dedicated or existing therein. Said map or plat shall be referred to the City Engineer or that officer of the City performing the duties of such office, who shall attach thereto his certificate stating whether the highways shown thereon do or do not substantially conform to the arrangement of the adjacent streets and alleys of said city, or to the streets and alleys of said City in the neighborhood of said proposed new territory. If extended on an orderly plan to the boundaries of said City contiguous to said new territory. If said certificate shall be that said highways do not so conform, then it shall be obligatory upon the Secretary of the City, in giving notice of said election, to state that fact therein and that the intent and purposes of the City Charter respecting the same would be violated by including within the City said proposed territory as planned, and advise, in the name of the people of the City, pursuant to its Charter, that the same be not so included until any highways running through the same or any part thereof, shall be made to substantially conform to the contiguous streets and alleys of the City.

ARTICLE II. RIGHTS, LIABILITIES, POWERS

Sec. 4. General.—It is the intent of this Charter that the naming of powers in any part thereof shall not be construed to limit the powers of this City to those so named.

Sec. 5. Under its corporate name the City of Medford shall be known in law and be capable of contracting and being contracted with, suing and being sued, impleading and being impleaded, in all courts and places and in all matters.

Sec. 6. It may adopt and use a corporate seal and alter the same at pleasure.

Sec. 7. Said City shall have power:

- 1. Property Rights.—To receive, take, purchase, acquire, hold, use, manage, lease, grant, convey or otherwise dispose of property of any kind, real, personal or mixed, within or without the corporate limits of the City.
2. To receive gifts, donations and bequests of property of any kind, in fee or in trust; and may do all things and acts necessary or convenient in carrying out the purposes of such gifts, donations, bequests and trusts.
3. To appropriate and condemn, for the purpose of carrying out any of the powers herein granted, any real estate, within or without the City, in the manner provided by statute for the appropriation and condemnation of private property for corporate or public purposes.
4. Municipal Business.—To exercise all powers necessary to the complete and efficient management and control of the City's property, and for the efficient administration of the municipal government, whether such powers be expressly enumerated herein or not.
5. To levy taxes and assessments as provided herein; enforce the collection thereof, and provide for the repayment of any such taxes or assessments promissorily or illegally collected.
6. To provide for the collection of the City's money, to appropriate the same for purposes of administration of the City's affairs, its advertisement, the protection of its inhabitants, and such purposes as are authorized by this Charter.
7. To borrow money, incur indebtedness, issue bonds, warrants or other evidences of indebtedness, in the manner and to the extent provided in this Charter and not otherwise.
8. Public Welfare.—To secure by construction, purchase, lease, condemnation or otherwise; and to establish, organize, equip, own and conduct libraries, reading rooms, art galleries, museums, assembly halls, schools of all kinds, parks, playgrounds, gymnasiums, baths, public comfort stations, markets, slaughter houses, municipal lodging and tenement houses, dispensaries, infirmaries, hospitals, charitable institutions, employment bureaus,

almshouses, jails, houses of correction, work farms, detention homes, cemeteries, crematories, morgues, garbage collection, disposal and reduction works, street cleaning, sprinkling and paving plants, quarries, works or plants for the preparation, manufacture or handling of materials of use in the construction, maintenance or repair of buildings; and any and all works, constructions, plants or organizations necessary or useful in promoting the health, morals, education or welfare of the inhabitants of the City or for their amusement, recreation, entertainment or benefit.

9. To ordain and establish such laws, regulations, ordinances and provisions, not inconsistent with the constitution or the criminal laws of the State of Oregon, or with this Charter, as it may deem necessary or proper for the government, good order, health, prosperity, peace and general welfare of the City.

10. Public Peace.—To provide for the establishment, equipment and maintenance of a police department.

11. To license, tax, regulate or prohibit bar rooms, drinking shops, billiard rooms, bowling alleys, dance houses and all places where spirituous, malt or vinous liquors are sold or kept for sale, subject to the constitution and the general laws of the state of Oregon, provided that no license for the sale of spirituous, malt or vinous liquors shall be granted for any less amount than is or may be provided by the laws of the state in force at the time of the granting thereof; and further provided, that said City shall not at any time license drinking shops, or other places where intoxicating liquors are sold, to sell intoxicating liquors on Sunday.

12. To define and prohibit all forms of gambling, games of chance and fraudulent practices, the keeping or operating of any machine or contrivance used or intended to be used in conducting a game of chance; the maintenance of houses or places used or intended to be used for that purpose; the selling of pools on races, prize fights or contests of animals; or the keeping of certain termination; and to authorize the destruction of all materials, contrivances and machines used, or intended to be used for any such purpose.

13. To restrain, prevent or prohibit any drunkenness, disorderly conduct, disorderly assemblages, riots, or any offensive, immoral or disorderly conduct or practice in the City.

14. To define vagrancy, pauperism and begging and to provide for the restraint, employment, support and punishment of vagrants, paupers, and beggars.

15. To regulate or prohibit the driving of live stock through any part of the City, the running at large of any animal; to prohibit cruelty to animals; to provide for a pound and for the sale, destruction or other disposition of animals picked up while running at large without a license; and to provide for the licensing of animals.

16. Public Health.—To provide for the regulation and inspection of all meat, poultry, fish, butter, eggs, milk, vegetables, meat products and any and all other forms of food and food products offered for sale or intended to be offered for sale, within the City; to provide for the killing and summary destruction of any such products as are adulterated, unwholesome, spoiled or diseased food products; and for the inspection and regulation of any slaughter houses or dairies either within or without the City that offer for sale or sell any of their products in the City; and provide for the exclusion from the City of any such slaughter house or dairy.

17. To establish hospitals, adopt quarantine regulations, remove or quarantine persons afflicted with contagious, infectious or malignant diseases and to adopt such regulations as may be deemed expedient or necessary to prevent the introduction or spread of disease.

18. To provide for the collection and disposal of garbage, refuse, rubbish, ashes, dead animals and waste matter both on streets and highways and on private property.

19. To regulate the construction, location and use of sewers, gutters, wells, vaults, privies and cesspools, and the connecting, emptying and cleaning of the same, and to provide the time and manner in which the same shall be done.

20. To require the drainage or filling up of lands on which pools of water stand and to prevent the pollution of any water running through or within the City.

21. To regulate or prohibit the sale or other disposition of the use of opium, cocaine and other drugs and narcotics of a like or similar nature, and to regulate the sale or use of tobacco and cigarettes.

22. To declare what shall constitute a nuisance; regulate, abate or prohibit the same and to make any expense of abating the same a lien upon the property where it existed.

23. Public Safety.—To provide for the establishment, equipment and maintenance of a fire department.

24. To regulate, license, prohibit the carrying and use of weapons and the discharge of firearms.

25. To regulate the use of steam engines, gas engines, steam boilers and electric motors and other machines for the generation or transmission of power and heat.

26. To regulate the speed of all trains, cars, locomotives and street cars within the city limits; of all automobiles, bicycles, motorcycles, wagons or other vehicles and horses on any street or highway of the City; to require railroad or street car companies to station flagmen, place gates or viaducts at such street crossings as may be deemed necessary; to prohibit the stopping of trains on any street crossing or intersection of the city, or the blocking of the same in any manner; and to require street cars or trains to be equipped with fenders or other appliances for the better protection of the public.

27. To regulate, control or prohibit the erection or maintenance of telephone, telegraph or electric light poles or wires anywhere within the City or any designated portion thereof; and to require the removal or placing underground of any thereof.

28. To establish fire limits, to regulate the character, height and architecture of buildings that may be erected within said limits, prohibit the erection of new or repair or alteration of old buildings therein without having first obtained a permit, to determine the nature of the materials to be used therein, and to condemn and remove therefrom dangerous or unsafe buildings.

29. To regulate the construction of and the materials used in all buildings, walls, foundations, stacks and other structures; to prevent the erection and maintenance of insecure or unsafe buildings, walls, or other structures and to provide for the summary destruction of any such; to regulate the manner of construction and location of drains and sewers; the materials used and the methods employed in wiring buildings or other structures for electric light, power, heat or other purposes; and in piping buildings or other structures for supplying the same with water or gas; and to prohibit the construction of buildings and structures which do not conform to these regulations.

30. To regulate the size and construction of entrances, exits, aisles and open places in theaters, lecture rooms, halls, schools, churches and other places for public gatherings of every kind; and to prevent the placing of seats or other obstructions therein.

31. To regulate hotels, lodgings, tenement and apartment houses; prevent the overcrowding of the same and to provide for their being kept in a healthful and sanitary manner.

32. To regulate, license or prohibit the manufacture, storage, keeping and use of powder, dynamite, gun-cotton, nitro-glycerine, oil, gasoline, fireworks or other explosive, inflammable or combustible materials or compounds.

33. To regulate, license or prohibit the storage, keeping or allowing to collect of hay, straw, shavings, rubbish or other easily burned materials.

34. Service Utilities.—To acquire, purchase, appropriate, add to, construct, maintain, conduct, operate and own works and systems for the impounding, diverting, conveying and distribution of water; for the general or distribution or both of gas or electricity; transportation systems, telephone, telegraph or other systems for inter-communication; heating plants; and any and all other public or semi-public utilities, works, systems or ways which may, in whole or in part, be used by or serviceable to said City or the inhabitants thereof; and it shall have all the foregoing rights and powers, respecting any contracting in relation to or in connection with any such system, plant, work or way; and, subject to the provisions of this Charter, to issue bonds or other evidences of indebtedness in an amount necessary to carry out any of said powers and purposes.

35. To grant, amend or revoke franchises for public or semi-public utilities and to regulate all acts, constructions and operations thereunder, subject to the provisions of this Charter.

36. To have and exercise all powers necessary or convenient for the complete supervision, control and regulation of all public utilities and public utility service in the city, including the right to fix rates to be charged and collected by any person, firm or corporation for water, gas, electricity, heat, light, power, refrigeration, storage, telephones, telephone service, the conveyance of passengers or freight by means of street or interurban cars, hacks, cabs, automobiles or cars or vehicles of any kind; to designate streets and places which may and which may not be used by the same, and places which any of such vehicles may use as public stands.

37. Public Improvements.—To establish, open, alter, extend, grade, pave, improve streets, alleys, sidewalks, parks and other public ways and vacate the same, and regulate the use and prevent the abuse thereof; to regulate or prohibit the passage of

steam, gas or other tractors or motors upon any of said streets or ways, or of any bicycle or other vehicle on any sidewalk; to name and number any such streets, alleys or ways, or parks and to change said names and numbers.

38. To cause any street, alley or public way within the City, or any part thereof, to be paved, parked or otherwise improved, and to be sprinkled, and to assess against the property benefited thereby the cost thereof.

39. To provide for sewers, water mains and other local improvements and to levy assessments against the property benefited thereby for the cost thereof and to pay to the owners of any property damaged thereby the amount of such damage.

40. To regulate encroachments upon or over any street or alley in the City.

41. To regulate, license or prohibit the construction and use of billboards, signs and advertising placards, banners and awnings.

42. To provide for the inspection and certification of all weights, measures and scales used in the city and to enforce the use by merchants and dealers of proper weights, measures and scales duly certified.

43. To regulate, license or prohibit all exhibitions, circuses, shows, games, parades, processions and public amusements.

44. To license, tax and regulate auctioneers, peddlers, street vendors, brokers, pawnbrokers, dealers in second-hand goods, commercial travelers; and to license and tax mercantile and business houses, hotels, taverns, restaurants, barber shops and all other branches of business that it may be deemed right and proper to license, or tax.

45. To order censuses of the inhabitants of the City and provide the manner of taking the same.

46. To provide punishment for the violation of any provision hereof or any ordinance or regulation of the City, but no fine shall exceed \$100, and no term of imprisonment or hard labor shall exceed thirty days; and where a fine and costs are imposed, the person addicted to pay the same may be imprisoned or kept in a jail or workhouse for each two dollars fine and costs if he fails or refuses to pay the same.

47. To provide for an emergency fund, not exceeding \$500, to be expended under the direction of the President of the Board.

48. To do all things and acts necessary or convenient to carry out any of the provisions of this Charter.

ARTICLE III. OFFICERS.

BOARD OF DIRECTORS

Sec. 8. Vesting of Powers.—All powers of the City and the general management and control of its affairs, shall be vested in a Board of Directors subject to such delegation thereof as is authorized by this Charter.

Sec. 9. Membership.—The Board of Directors shall consist of seven members who shall be elected at large from among the qualified electors of the city. They shall serve without compensation.

Sec. 10. Terms.—The three members of City Council of the City of Medford acting as such at the time this charter is adopted and whose terms expire in January, 1915, are hereby made members of the first Board of Directors hereunder with terms expiring on the third Tuesday of January, 1916. The three persons elected as members of said City Council at the election at which this Charter is adopted, are hereby made members of the first Board of Directors hereunder with terms expiring on the third Tuesday of January, 1917. The person elected as Mayor of the City of Medford at the election at which this charter is adopted is hereby made the seventh member of said Board of Directors and President thereof, with term expiring on the third Tuesday of January, 1917. The successors to all said members of the first Board of Directors shall be elected for terms of four years, beginning with the year 1917 and thereafter, four directors shall be elected at each biennial municipal election and, in addition, any necessary to fill vacancies. The terms of the three first declared elected shall be for four years and until their successors are elected and qualified, and the term of the other Director or Directors elected shall be for two years and until their successors are elected and qualified.

Sec. 11. Vacancy.—A vacancy in the Board shall be caused by the death, resignation, removal from office, conviction of a felony, removal from the City or failure to qualify of any member. If a vacancy occurs, a majority of the remaining members of the Board shall appoint a qualified person to serve until the next municipal election when a successor shall be elected to fill the unexpired term if any.

Sec. 12. Quorum.—A majority of the members shall constitute a quorum but a less number may adjourn or compel the attendance of absent members.

Sec. 13. Ordinances.—All legislative acts of the Board shall be by ordinance and no ordinance or section thereof shall be repealed or amended except by ordinance. All ordinances shall be read three times before passage except that the second or third reading or both may be dispensed with by the unanimous vote of the members present. The yeas and nays shall be taken upon the passage of all ordinances and recorded in the Journal, and shall, on the demand of any member, be taken and recorded upon any resolution or motion.

Sec. 14. The enacting clause of all ordinances shall be, "The City of Medford doth ordain as follows:"

Sec. 15. Record of Ordinances.—A true copy of every ordinance adopted for the City shall be kept in a special Ordinance Record Book in the office of the Secretary, duly attested by the Secretary with the date of its passage. In the case of ordinances adopted by vote of the electors, the proclamation declaring the same adopted, shall be recorded. Such Ordinance Record Book shall be open to the public.

Sec. 16. President Shall Attest.—The adoption of all ordinances shall be attested by the President of the Board and the Secretary of the City, but the failure of such officers to attest any ordinance shall not affect the validity thereof.

Sec. 17. Publication.—Every ordinance adopted for the City shall be printed or published, either in full or by a digest thereof, fairly and accurately giving its purposes, provisions and results, in such manner as this Charter or Board of Directors pursuant hereto may provide.

Sec. 18. Compilè Ordinances.—The Board shall at such times as it deems it advisable, cause all city ordinances at that time in force to be published in book form either together with or without the city Charter as then constituted.

Sec. 19. Regulate Own Meetings.—The Board may adopt rules, not inconsistent with this Charter, governing its own proceedings, may compel the attendance of members at meetings and may punish any member or other person for disorderly conduct during any of its meetings. It may prescribe the time and place of its meetings and the manner in which any thereof may be called, but at least two regular meetings shall be held during each month. No member of the Board shall be excused from voting except upon a showing of a compelling and reasonable cause of official conduct. All meetings of the Board shall be open to the public. All its proceedings, and those of any committee to which power is given to act for the Board, shall be kept in a journal which shall be a public record.

PRESIDENT OF THE BOARD OF DIRECTORS

Sec. 20. Election.—At its first meeting after the Directors elected at each biennial municipal election have taken office, the Board of Directors shall select one of their number as President and another as Vice-President of the Board for terms of two years, and the Board may at any time declare vacant and again refill such offices for the unexpired term.

Sec. 21. Duties.—The President shall preside at all meetings of the Board; he shall sign all ordinances and resolutions; he shall have a vote in all proceedings of the Board but no veto; and he shall perform such other duties and have such other powers as are conferred upon him by this Charter and as said Board may deem proper and expedient not inconsistent with this Charter.

Sec. 22. Official Head of City.—He shall be recognized as the official head of the City for all purposes not inconsistent with this Charter.

Sec. 23. Title of Mayor.—He may assume the title of Mayor of the City in any case where the language of the Constitution or any law of the State makes necessary, but this right shall not be construed to confer upon him any power or function inconsistent with the provisions of this Charter.

Sec. 24. Vice-President.—In the temporary absence or disability of the President, his duties shall be performed by the Vice-President during such absence or disability. In the absence or disability of both President and Vice-President, the remaining members of the Board shall select one of their number to perform such duties.

CITY MANAGER

Sec. 25. Appointment.—The office of City Manager of Medford is hereby created. Said City Manager shall be appointed by the Board of Directors without regard to his political beliefs or affiliations; he shall hold office at the pleasure of said Board, and shall receive such salary as it may from time to time determine.

Sec. 26. General Supervision.—Responsibility for the general management and control of the municipal government shall rest upon the Board of Directors but, except as otherwise herein provided, the duties of a general administration of city affairs shall be delegated to the City Manager subject to the direction and supervision of the Board.

Sec. 27. Appoint Subordinates.—Except as otherwise herein provided he shall appoint all officers and employees of the City, such appointments to be based upon merit and fitness alone; and he may remove at pleasure any so appointed, subject to such civil service rules as the Board of Directors may adopt hereunder.

Sec. 28. Control Over Subordinates.—He shall prescribe such rules for the conduct of the officers and work of the City under his supervision, not inconsistent with this Charter or regulations made by the Board of Directors as he may deem necessary or proper. He may himself perform the duties of any other city officer

or officers. He may at any time call together such officers and employees of the City as he may see fit for a discussion and consideration of administrative matters. He may cause the affairs of any department or branch of the city administration or of any officer or employee appointed by himself to be investigated, and to that end shall have the same power to compel the giving and production of evidence as this Charter confers upon the Board of Directors.

Sec. 29. Enforce Laws.—It shall be the duty of the City Manager to enforce the laws, ordinances and regulations applicable to the City or any part thereof.

Sec. 30. Represent City In Contracts.—He shall represent the City in the carrying out of any contract to which it is a party unless otherwise therein provided, and shall enforce the due performance of any term or condition imposed in public utility franchises in favor of the City or its inhabitants.

Sec. 31. Sign Document.—He shall sign on behalf of the City such contracts, licenses and other documents as the Board of Directors shall require.

Sec. 32. Not Interested In City Transactions.—He shall not be interested directly or indirectly in any contract, purchase or transaction to which the City is a party.

Sec. 33. Attend Meetings of Directors.—He may attend any meeting of the Board of Directors and shall attend whenever the Board requires, with the right to participate in discussions but with no vote.

Sec. 34. Report to Directors.—He shall recommend to the Board of Directors for adoption such measures as he deems necessary or expedient. At least once a month he shall submit to the Board a statement of the progress of routine administrative affairs, of public improvement work and of the financial condition and needs of the City. He shall submit such other reports and information as the Board may require.

Sec. 35. Additional Duties.—He shall perform such other duties as shall be assigned to him by the Board of Directors or the Board of Directors may from time to time order, not inconsistent herewith.

Sec. 36. Absence or Disability.—During the absence or disability of the City Manager the Board may appoint some qualified person to perform the duties of the office.

SECRETARY OF THE CITY

Sec. 37. Selection.—The Board of Directors shall appoint, from among the qualified electors of the City, an officer to be known as the Secretary of the City. He shall hold office at the pleasure of the Board and shall receive such compensation as the Board may determine. He shall be under the direct orders of the Manager and, after the manner of the Board of Directors, shall attend all its meetings; shall keep a record of all its proceedings, and perform such other duties as the said Board may require.

Sec. 38. Keep Ordinance Record.—He shall record, in books to be kept for that purpose, all ordinances adopted for the City and all resolutions of the Board of Directors; and such record, when signed by the Secretary of the City with the date of the adoption of any such ordinance or resolution, and the date when it becomes operative, shall be competent and prima facie evidence of the due adoption thereof. In pleading any ordinance of the City, it shall be sufficient to state the title of such ordinance and the date when it was signed by the President of the Board or became operative.

Sec. 39. Financial Duties.—The Secretary shall draw all warrants on the Treasurer when the same shall have been ordered by the Board of Directors; he shall issue such licenses as the Board of Directors shall authorize or require; he shall collect such fees or fines as the Board may require of him; and all moneys coming into his hands as Secretary shall be forthwith turned over to the Treasurer with a statement of from whom and for what purpose received; and he shall make a monthly report of all such moneys, in writing, to the Manager in such form as the latter may require.

Sec. 40. Books of Account.—He shall keep books of account showing all warrants drawn by him, with date, amount, name of payee, and the fund against which the same is drawn. He shall keep, in proper books for that purpose, a tabulated and alphabetical record of all taxes, assessments and levies made by the city, other than the annual tax levy provided for in section 62 hereof, showing names of person liable for the payment thereof, amount, whether paid or unpaid, and property assessed if any.

Sec. 41. Other Duties.—He shall perform such other duties as the Board of Directors or Manager may, from time to time, require.

TREASURER

Sec. 42. Appointment.—The Board of Directors shall appoint, from among the qualified electors of the City, a City Treasurer, who shall, subject to the direction of the Board, receive and safely keep all moneys belonging to the City, and shall pay out the same only on warrants of the Board of Directors, attested by the President of the Board and the Secretary of the City. He shall hold office at the pleasure of the Board.

Sec. 43. Depositories.—City funds coming into the Treasurer's hands shall be deposited in such banks as the Board of Directors may from time to time direct, and he shall not be held personally liable for any loss due to a compliance with such directions.

Such depositories shall be required to give the City indemnity bonds in such sums as the Board may prescribe. Interest on such deposits shall accrue to the general treasury of the City.

Sec. 44. Fund Accounts.—Promptly upon its adoption, the Secretary of the City shall transmit to the City Treasurer a copy of the Annual Appropriation Ordinance. The City Treasurer's books shall contain an account with each fund provided for therein. Moneys coming into his hands shall be apportioned among the several funds pro rata as the appropriation for each is to the total of appropriations; and he shall not honor a warrant on any fund unless there is money therein to meet said warrant.

Sec. 45. Approval of Claims.—No warrant shall be issued until the claim against the City to be met therewith shall have been audited, and the amount paid or unpaid, as provided by ordinance.

Sec. 46. Other Duties.—The Treasurer shall keep such books of accounts and records, shall make such reports and perform such other duties as the Board of Directors may from time to time require.

Sec. 47. Purchasing Agent and Storekeeper.—The Manager shall be the Purchasing Agent and Store Keeper and no supplies, materials or tools for the City shall be bought or issued to any one except under his direction and approval and in accordance with the rates or regulations which may be provided by ordinance or otherwise by the Board of Directors. The records of his office shall show the unit cost of all supplies, materials and tools purchased and a return shall be rendered to the Board of Directors on March 31st of each year showing the amount or number on hand at the beginning of the fiscal year and the amount received, issued or disposed of during the year. Supplies or materials accidentally destroyed by fire or otherwise, and tools accidentally destroyed or worn out, may be dropped from the return on a certificate of the Manager setting forth the facts and approved by the President of the Board of Directors.

The Manager may, with the approval of the Board of Directors appoint an assistant purchasing agent and store keeper to assist him in these duties and to perform such other duties as he may direct.

Sec. 48. Bonds of Officers.—The Board of Directors may require of any city officer or employee a surety bond in favor of the City in such sum as it may determine, premiums thereon to be paid by the City. Such bonds shall be subject to approval of the Board and, when approved, shall be deposited with the President of the Board of Directors who shall keep them in a safety box within the vault of some bank of the City.

MUNICIPAL COURT

Sec. 49. Jurisdiction.—There is hereby created in the City of Medford, a court to be known as the Municipal Court. It shall have exclusive original jurisdiction over all charges of violations of City ordinances and of this Charter.

Sec. 50. Proceedings.—All proceedings in said court shall be governed by the laws of Oregon relating to justice courts, including taxation of costs and disbursements, filing of transcripts of its judgments in the office of the County Clerk, and power of enforcing its judgments, except (1) there shall be no change of venue from said court, and (2) trial by jury may be denied in all cases except those involving moral turpitude, provided however no penalty of imprisonment for more than five days without the option of a fine shall be imposed except the defendant shall have had the right of trial by jury. A defendant demanding a trial by jury shall tender in advance the costs thereof. Such jury shall consist of six citizens of said City.

Sec. 51. Judge.—At the first meeting of the Board of Directors at which it shall organize, to be held on the third Tuesday of January of each second year, or as soon thereafter as may be, the Board shall appoint a Judge of said court from among the electors of the City, who shall hold office until the third Tuesday of January of the second year thereafter and until his successor is appointed and qualified. He shall be paid such compensation as the Board of Directors may determine. Vacancies in said office shall be filled by the Board for the balance of the unexpired term.

Sec. 52. Reports on Moneys Collected.—All fines and costs collected and all moneys forfeited by said court shall be forthwith turned over to the City Treasurer by the Judge of said court and shall accrue to the general treasury of the City; and said Judge shall make a monthly report thereof in writing to the Board of Directors.

ARTICLE IV. ADMINISTRATIVE

Sec. 53. General Administration.—The Board of Directors shall have the power of