ORDINANCE NO. 234.

An ordinance to amend section 2 of an act entitled "An act to in-corporate the City of Tillamook City, in Tillamook County, State of Oregon, and to repeal all acts or parts of acts in conflict here-with," filed in the office of the with, filed in the office of the Secretary of State February 13th, 1893, as originally passed and as amended or attempted to be amended by any subsequent act or ordinance.

The people of Tillamook city do ordain as follows:

ordain as follows:
Section 1. That section 2 of Article IV of an Act entitled "An act to incorporate the city of Tillamook City, in Tillamook County, State of Oregon," filed in the office of the Secretary of State February 13th, 1803, be and the same is hereby amended so as to read as follows: amended so as to read as follows: Section 2. The Common Council

shall have power within the limits of Tillamook City.

1. To make by laws and ordinances not in conflict with the laws of this state or of the United States, and make all necessary provisions for carrying them into effect.

2. To levy taxes, not to exceed ten mills, for general purposes, and for street purposes, not to exceed ten mills upon each dollar, per annum, upon all taxable property within the corporate limits of , illa-mook City, and the street taxes for said City that may be collected by the County Tax Collector and paid over to the County Treasurer of Tillamook County, Oregon, shall be paid over to the Treasurer of Tillamook City for use upon the streets mook City for use upon the streets and other apparatus for lighting and other apparatus for lighting and highways of Tillamook City, which shall be under the jurisdiction of the Common Council, and the citizens and property within said City shall be exempt from the same taxes for County road pur-

poses.
3. To license, tax and regulate auctioneers, hawkers, peddlers, showmen, threatrical and other exhibitions, except such as are conducted for charitable or eleemosynary purposes, billiard and pigeon hole tables, pool tables, bowling alleys. truckmen and expressmens' wagons, livery horses and buggies,

hacks or other means kept for hire.

4. To license, regulate, restrain or prohibit the sale of spirituous liquor, brandy, wine and all fermented and malt liquor, beer and ale, barrooms, drinking shops and tipoling houses.

To regulate, and control the storage of gunpowder, giant pow-der, dynamite, nitro-glycerine, and other explosive and combustible other explosive and combustible materials; the use of lamps and other lights in shops, stables and others places; to prevent, remove or secure any fireplace, stove, stove pipe, chimney, or other apparatus which may be dangerous in causing fires, and to regulate the manner of building restition and correct wells.

building partition and party walls 6. To suppress, restrain and pro-hibit bawdy and assignation house, houses of ill fame and prostitution, gaming and gambling houses, and to define and declare by ordinance what shall constitute the same.

peace, welfare and health of the may designate.

and remove nuisances and to de-clare by ordinance what shall constitute the same, and to make the expense of abating such a lien upon the property where it existed.

10 To provide for lighting the streets and furnishing the city with

12. To define what shall constitute

electric and other lights.

vagrancy, and provide for the sup-port, restraint, punishment and employment of vagrants. 13. To appropriate money for city expenditures, and to provide for the payment of the debts of the city,

14. To establish and regulate the fees and compensation of all officers of the city, except as otherwise

15. To tax, regulate, or prohibit animals of all kinds from running at large within the city limits.

16. To provide for the survey of the blocks and streets, and alleys of the City, and for the naming of the streets. he streets.

To license and regulate such trades and callings, and employ-ments as in the judgment of the Common Council the public good may require to be licensed and regulated as are not prohibited by

To tegulate the use of sidewalks and prevent the extension of building fronts and house fronts within the street line; but they shall have no power to authorize the placing or continuing of any encroachment or obstruction upon any street or sidewalk, except for the the temporary use or occupation thereof during the erection or repair of a building upon the adjaction or removal thereof.

19. To tax, regulate or prohibit laughter houses within the city

20. To regulate restrain and pro-hibit minors from being upon t'ne streets, alleys or public places of the city after certain hours of the

dain as Follows:

21. To prevent and restra in any riot, noise, disturbance or desorder by assembly in an street, house or place in the city.

22. To prohibit the use of profane and obscene language on the streets, or in any public place or assemblage in the city, and to define what shall constitute profane and obscene language, and to punish any person guilty thereof.

23. To establish a fire limit.

24. To establish grades for streets and alleys in said city,

it-ed ick iar ol-the rys

drains and sidewalks

28. To regulate and prohibit the use of guns, pistols and fireams, firecrackers, bombs and detonating

works of every description.

29. To control and regulate wash houses and public laundries, and to provide for their exclusion from the city limits or any part thereof.

30. To determine and prescribe
by ordinance the number and size
of all places of entrance and exit to or all places of entrance and exit to and from all public halls, churches, theatres, schools, and all other buildings used for public gather ings; also to prescribe the manner of hanging doors thereto.

31. To define who are common drunkards; to prohibit the sale or grying of any interiesting there or

giving of any intoxicating liquor or liquors to any such common drunkard, and to fix the penalty

therefor.
3. To license, tax and regulate market houses and places.

33. To regulate, license, tax or prohibit the keeping of stallions and other animals kept for breeding

To control and regulate the manner of constructing awnings and advertizing signs and side walks, and to compel repairs and changes in signs, awnings and sidewalk already constructed at the cost of the owner or owners thereof.

35. To control and regulate the manner of setting out ornamental trees and shade trees! within the streets or public property, or parks

graph, electric-light and telephone lines and telegraph, telephone and electric light poles, and all electric and other apparatus for lighting streets, parks and public buildings of the city and the lectric and other apparatus for lighting streets, parks and public buildings. of the city, and the laying of water, sewer and gas mains and pipes and conduits for electric light. elegraph and telephone wires.

37. To control the manner of constructing and location of street car lines, the manner of operating the same and to fix the rate of fares thereof.
38. To control and regulate the

manner in which public carriages operate and manage their convey-ances, hacks, coaches, wagons, carts, drays, omnibuses or other vehicles; to fix the maximum rate to be charged for the use of the same; to direct the shape and width of the tires of the same, and to tax and license all persons engaged in operating the same.

40. To build culverts, bridges and

sewers. 40 To provide water for the city, both for public and private use and to charge and collect a reasonable price therefor. To purchase, take and hold

real estate when sold for city taxes, or for any in provements ordered

by the common council, and to sell and dispose of the same.

42. To punish persons who leave horses, mules or other domestic animals in the streets or alleys.

43. To prevent cruelty to animals, and the leaving of then exposed unreasonably to severe and inclement weather within the limits of the city.

of the city.
44 To permit, allow and regulate To license and tax the keeping the laying down of the tracks for street cars and other railways upon of dogs within the city.

8. To provide for the general such street or streets as the council

To prevent or regulate public criers ringing of bells, and all advertising noises, steam whistles, the ringing of all bells, and to limit traffic within the limits of the

To provide for the cleaning and sprinkling of the streets and allevs

To prohibit persons from 12. To fix fines, penalties, and roaming at unreasonable hours, and forfeitures for the infractions of all to define what are unreasonable hours, and what constitutes roam-

To provide for the erection and maintenance of the city jail and the government and management of the same To enact any and all such

ordinances, by-laws and regulations not inconsistent with the constitution or laws of this state or of the United States, as shall be needful to the peace, good order, health, cleanliness. ornament, prosperity and general welfare of the city, and

secure the protection of persons and property therein.

Section 2. This ordinance shall go into and be in effect from and after its approval by the qualified electors of Tillamook City at a special election to be held in a received. special election to be held in said city on the 12th day of April, 1912, immediately upon a proclamation declaring the same to have been adopted, if the same be adopted at suid election, being issued by the Mayor of Tillamook City.

ORDINANCE NO. 235.

ORDINANCE NO. 235.

An Ordinance to Amend Sections Numbered 1, 2, 3, 4, 5, 8, 9, 11 and 16 of Article VII of an Act Entitled "An Act to Incorporate the City of Tillamook City, in Tillamook County, State of Oregon, and to Repeal All Acts and Parts of Acts in Conflict Herewith." Filed in the Office of the Secretary of State February 13th, 1893, as Originally Passed and as Amended or Attempted to be Amended by Any Subsequent Act or Ordinance.

The People of Tiliamook City Do Or-dain as Follows:

grade of any street, or any part thereof, and to improve the sidewalks, pavements, streets and parts of streets
within the city limits, making full or
partial improvements thereof, and to
establish a system of sewerage, and to
construct and repair drains and sewers;
and it has full power to determine and
provide for everything necessary and
convenient to the exercise of the autority herein granted, including the the
power to levy and collect special assessments on property specially benefitad
by doing of any of said matters or
things, for paying the costs and experses of the same, or any portion
thereof, as herein provided; provided
that all public highways and roads now
within the corporate limits of said city
become streets and snbject to the supervision and control of the common council.

Section 2: That Section 2 of Auto-

cil.

Section 2: That Section 2 of Article
VII of an Act entitled "An Act to incorporate the City of Tillamook City,
in Tillamook County, State of Oregon,
and to repeal all acts or parts of acts
in conflict herewith", filed in the office
of the Secretary of State February 13th,
18c3, be and the same is hereby amended
so as to read as follows:

Section 2: No improvements, or alterations, or establishment of any
grade, or improvement of any street,
sidewalk, or pavement, or the construction of any sewer mentioned in the pre-

tion of any sewer mentioned in the pre-ceding section to be done at the exceding section to be done at the expense of the property specially benefited thereby, can be undertaken or made without seven daye' notice thereof being first given by one publication in a newspaper published in Tillamook City, or by posting a notice in three public places in said city, except as in this act otherwise provided.

Section 3: That Section 3 of Article VII of an Act entitled "An Act to incorporate the City of Tillamook City, in Tillamook County. State of Oregon.

corporate the City of Tillamook City, in Tillamook County, State of Oregon, and to repeal all acts or parts of acts in conflict herewith", filed in the office of the Secretary of State February 13th, 1893, be and the same is hereby amended so as to read as follows: 1

Section 3: Such notice must be given by the Records by arder of the Corporation.

Section 3: Such notice must be given by the Recorder by order of the Common Council, and must specify with convenient certainty the street, alley, sidewalk, pavement or sewer, or the part thereof proposed to be improved or constructed, or of which the grade is proposed to be established, or altered, and the kind of improvement which is proposed to be made, and the time when the council will hear and determine objections and remonstrances thereto, if any.

Section 4: That Section 4 of Article VII of an Act entitled "An Act to in-corporate the City of Tillamook City,

corporate the City of Tillamook City, in Tillamook County, State of Oregon, and to repeal all acts or parts of acts in conflict herewith", filed in the office of the Secretary of State February 13th, 1893, be and the same is hereby amended so as to read as follows:

Section 4: The council, at the time specified in said notice, or at such other time they may adjourn the hearing, shall hear and determine all objections or remonstrances which may be made by the adjacent property holders or taxpayers, and after said hearing the council shall determine by resolution whether or not the improvement of the council shall determine by resolution whether or not the improvement of the street, alley, sidewalk, or pavement, or the alteration or establishment of the grade, or the construction or repair of the sewer specified in said notice shall be made; provided, said determination shall be made within two weeks of hearing objections to said notice.

Section 5: That Section 5 of Article VII of an Act entitled "An Act to incorporate the City of Tillamook City."

orporate the City of Tillamook City, in Tillamook County, State of Oregon, and to repeal all acts or parts of acts in conflict herewith", filed in the office of the Secretary of State February 13th, 1893, be and the same is hereby amended so as to read ns follows:

Section 5: In all cases where the common council shall adopt a resolution for the improvement, alteration, repair or construction of a street, alley, sidewalk, pavement or sewer, to be done at the expense of the property to be specially benefited thereby, whether in whole or in part, the common council shall, at the same time and in the same tion, repair or construction, and may therein provide that said alteration, improvement, repair or construction be by the Mayor. therein provide that said alteration, improvement, repair or construction be made by the owners of the lots, or other parcels of ground, abutting thereonor adjacent thereto specially benefited thereby within thirty days, under the supervision of the street commissioner, or it may provide that said improvement, alteration, repair or construction may be made by Tillamook City at the expense of the property specially benefited thereby, in which case the said improvement, alteration, repair or construction may be made by contract entered into by the Mayor by and with the consent of the common council, or the same may be done, when ordered by the common council, by the street comthe same may be done, when ordered by the commou council, by the street commissioner, who shall, if so ordered, employ the necessary labor, procure the necessary materials, and cause the said alteration, improvement, repair or construction to be made or done. No contract for such improvement, alteration, repair or construction shall be made without requiring the contractor to enter into a good and sufficient bond for the carrying out of said contract, with sufficient surety thereon to be approved by the Mayor, and such contract may provide that the contractor shall maintain and keep in repair the improveprovide that the contractor sharm tain and keep in repair the improvement or construction made, or done by said contractor under said contract for a contract for the contract f

ment or construction made, or done by said contract for such period, not exceding — years as the common council may determine.

If the common council shall determine that the improvement, alteration, repair or construction ordered as provided herein shall be done by the owners of the lots or other parcels of ground abutting or adjacent to the improvement, falteration, repair or construction ordered and specially benefited thereby, notice of such requirement of the said property owners shall be given by publication in a newspaper published in Tillamook City. Oregon, for a period of not less than one issue, and requiring said improvement, alteration, repair or construction to be made by said property owners within 30 days from the date of the first publication of said notice, or by posting a like notice in three public places in said Tillamook City, requiring sand work to be done within 30 days from the date of the posting of said notices. If said owners of lots, or other parcels of ground, or any of them, shall fail to make such improvements, alterations, or repairs,

and appropriate money for that pur-pose; and to establish and alter the grade of any street, or any part there-of, and to improve the sidewalks, pave-

Section 8: When the cost of the improvement, alteration, or repair has been ascertained, and the proportionate share thereof has been assessed as provided in Section 6 preceding, the recorder shall enter a statement thereof in the docket of the City liens as provided in the next section. Notice of such assessment shall be given by publication in one issue of a newspaper published in Tıllamook City, or by posting such notice in three public places in said City.

said City.
Section 7: That Section 9 of Article Section 7: That Section 9 of Article VII of an Act entitled "An Act to incorporate the City of Tillamook City, in Tilfamook County, State of Oregon, and to repeal all acts or parts of acts in conflict herewith", filed in the office of the Secretary of State February 13th, 1893, be add the same is hereby amended

4. A brief statement of the improvement, alteration, or repair for which such assessment is made. Section 8: That Section 11 of Article VII of an Act entitled "An Act to incorporate the City of Tillamook City, in Tillamook County, State of Oregon, and to repeal all acts or parts of acts in conflict herewith", filed in the office of the Secretary of State February 13th, 1893, be and the same is hereby amended so as to read as follows:

Section 11: If within fifteen days

so as to read as follows:

Section 11: If within fifteen days from the publishing of notice of the assessment of such cost, the sum assessed upon any tract of land, together with the cost of docketing, be not wholly paid to the city treasurer, and a duplicate receipt therefor filed with the recorder, the common council shall thereafter order a warrant for the collection of the same to be issued by the lection of the same to be issued by the recorder and directed to the marshal. Section 9: That Section 16 of Article
VII of an Act entitled "An Act to incorporate the City of Tillamook City, in
Tillamook County, State of Oregon,
and to repeal all acts or parts of acts
in conflict herewith", filed in the office
of the Secretary of State February 13th,
1893 he and the same is hereby a recorded 1893, be and the same is hereby amended so as to read as follows:

Section 16. The person executing such warrant shall immediately issue a certificate of sale to the purchaser for the property sold, stating therein that the same is made subject to redemption, and that a deed will be issued thereon by the then acting marshal at the expiration of the time of redemption as provided herein. Within one year from the date of sale, the owner or his successor in interest, or any person having having a lien by judgment, decree or

by the Mayor.

ORDINANCE NO. 236.
Ordinance to Amend Section 3 of Article XI of an Act Entitled "An Act to Amend an Act Entitled 'An Act to Incorporate the City of Tillamook City, in Tillamook County, State of Oregon, and to Repeal All Acts and Parts of Acts in Conflict Herewith Filed in the Office of the Secretary of State February 13, 1893,' And to Repeal an Act Entitled 'An Act to Amend Subdivision 13 of Section 2 of Article IV of an Act Entitled an Act to Incorporate the City of Tillamook ORDINANCE NO. 236 IV of an Act Entitled an Act to Incorporate the City of Tillamook City, in Tillamook County, State of Oregon, and to Repeal All Acts in Conflict Herewith, Filed in the Office of the Secretary of State February 13, 1893, Approved February 15, 1901, by the Addition Thereto of Chapter VIII, Article XI, Containing Sections 1 to 3 Inclusive, Providing for the Application of the Initative and Referendum Principle to said City Charter, and Authorizing the Said City to Create an Indebtedness for Water Works, Light Plants, and Sewerage Purposes, and to Levy Water Works, Light Plants, and Sewerage Purposes, and to Levy A Tax to Pay the Same, and the Interest Thereon," Filed in the Office of the Secretary of State February 11th, 1903, As Originally Passed and as Amended or Attempted to be Amended by any Subsequent Act or Ordinance. People of Tillamook City Do Ordain as Follows:

Section 1: That Section 3 of Article II of an Act entitled "An Act to incorporate the City of Tillamook City, in Tillamook County, State of Oregon, and to repeal all acts or parts of acts in conflict herewith", filed in the office of the Secretary of State February 13, 1893, as the same is amended by Section

Section 1: That section 3 of Article XI of an Act entitled "An Act to incorporate Tillamook City, in Tillamook County, State of Oregon, and to repeal all acts and parts of acts in conflict herewith, filed in the office of the Secretary of State February 13th, 1893, and to repeal an act entitled "An Act to incorporate the city of Tillamook City, in Tillamook City, in Tillamook City, in Tillamook City, in Tillamook County, State of Oregon, and to repeal all acts or parts of acts in conflict herewith, filed in the office of the Secretary of State February 13, 1893.", filed in the office of the Secretary of State February 13, 1893. 1893", filed in the office of the Secretary of State February 13, 1893. 1893", filed in the office of the Secretary of State February 13, 1893. 1893", filed in the office of the Secretary of State February 13, 1893. 1893", filed in the office of the Secretary of State February 13, 1893. 1893", filed in the office of the Secretary of State February 13, 1893. 1893", filed in the office of the Secretary of State February 13, 1893. 1893", filed in the office of the Secretary of Article III, and Section 1 of Article IV, and Section 1 of Article III, and Section 1 of Article III, and Section 2 of Article III, and Section 1 of Article III, and Section 2 of Article III, and Section 1 of Article III, and Section 2 of Article III, and Section 2 of Article III, and Section 1 of Article III, and Section 2 of Article III, and Section 2 of Article III, and Section 1 of Article III, and Section 2 of Article III, and Section 2 of Article III, and Section 1 of Article III, and Section 2 of Ar

providing for the application of the in-itiative and referendum principle to said city charter, and a thorizing the said city to create an indebtedness for water works, light plants, and sewer-age purposes, and to levy a tax to pay the same, and the interest thereon', filed in the office of the Secretary of State February 11th, 1903, be and the same is hereby amended so as to read as follows:

Tillamook City shall have full power and authority to provide by ordinance for the purchase, erection, construction, maintenance and operation of a complete system of water works, electric or gas light plant or plants, to create a sewer district or districts within said city, to put in and mainwithin said city, to put in and maintain a sewer system or systems or drain for said city, and to make the cost of such drain, or sewer, or any part thereof, a charge or lien upon the abutting or adjacent property within said sewer district, and to compel the connection of closets. cess-pools, and drains with said sewer or sewers, and to however more your the gredit of the drains with said sewer or sewers, and to borrow money upon the credit of the city therefor by issuing bonds, or otherwise; provided, that no indebtedness of the said city other than improvement bonds issued for improvements, the cost whereof shall be charged against the property specially benefited thereby, shall ever be created wich shall in the aggregate exceed the amount of \$150,000.00; provided further, that no ordiance for the purchase, erection, construction, maintethe Secretary of State February 13th, 1893, be adk the same is hereby amended so as to read as follows:

Section 9: The docket of city liens is a book in which must be entered, in pursiance of Sections 6, 7 and 8 of this Article, the following matters in relation to assessments for improvement, alteration or repairs, or construction of streets, alleys, sidewalks, pavements or sewers:

1. A particular designation of the tract of land assessed.

2. The name of the owner, or r puted owner thereof, or the words "Unknown owner", if the name of the owner is unknown.

3. The sum assessed upon such tract of land, and the date thereof.

4. A brief statement of the improvement, alteration, or repair for which such assessment is made. Section 8: That Section 11 of Article VII of an Act entitled "An Act to incorporate the City of Tillamook City, in Tillamook County, State of Oregon, and to repeal all acts or parts of acts in conflict herewith", filed in the office of the Secretary of State February 13th, 1893, be and the same is hereby amended so as to read as follows:

The sum assessed upon such tract of land, and the date thereof.

Section 2: This ordinance shall go into and be in effect from and after its approval by the qualified electors of Tillamook City, at a special election to be held in said city on the 12 day of April, 1912, immediately upon proclamation declaring the same to be adopted, if the same be adopted at said election, being issued by the Mayor of the Secretary of State February 13th, 1893, be and the same is hereby amended so as to read as follows:

ORDINANCE NO. 237

An Ordinance to Amend Section 4 of Article II of an Act Entitled "An Act to Incorporate the City of Tillamook City, in Tillamook County, State of Oregon, and to Repeal All Acts or Parts of Acts in Conflict Herewith," filed in the office of the Secretary of State February 13, 1893, and any Amendments Made, or Attempted to be Made of Said Section by Ordinance or Otherwise, and to Repeal all Ordinances, or Parts of Ordinances, in Conflict Herewith.

The People of Tillamook City Do Ordinana Sellows, ORDINANCE NO. 237

The People of Tillamook City Do Ordain as Follows,

"Section 1: That Section 4 of Article
II of an Act entitled "An Act to incorporate the City of Tillamook City,
in Tillamook County, State of Oregon,
and to repeal all acts or parts of acts
in conflict herewith," filed in the office of the Secretary of State February
13, 1893, be and the same is hereby
amended so as to read as follows:
Section 4: The term of office of the

nces, or parts of ordinances in con-flict herewith, shall be and the same

are hereby repealed.
Section 3: This ordinance shall go into and be in effect upon the approval thereof by a majority of the qualified electors of Tillamook City voting upon such questions at an election to be ordered by the common council whereat the adoption or rejection of said ordi-nance shall be submitted to said electors, and upon the issuing of a proclama-tion by the Mayor declaring the adoption thereof, if the same be adopted at said election.

ORDINANCE NO. 238.

An Ordinance to Amend Section 3 of Article II of an Act Entitled "An Act to Incorporate the City of Tillamook City, in Tillamook County, State of Oregon, and to Repeal All Acts or Parts of Acts in Conflict Herewith", Filed in the Office of the Secretary of State February 13th, 1893, as the Same is Amended by Section 2 of an Act Entitled "An Act to Amend Sections 2, 3, 5 and 6 of Article II, and Section 2 of Arti-Article II, and Section 2 of Article III, and Section 1 of Article IV, and Section 17 of Article IV, and Section 17 of Article X of an Act Entitled, 'An Act to Incorporate the City of Tiliamook City, in Tillamook County, S ate of Oregon, and to Repeal All Acts or Parts of Acts in Conflict Herewith', Filed in the Office of the Secretary of State February 13th, 1893", Filed in the Office of the Secretary of State February 15th, 1901, as Amended or Attempted to be Amended by Any Ordinance or Ordinances, and to Repeal All Ordinances or Acts, or Parts Thereof in Conflict Herewith.

ARTICLE II.

Section 3: There shall also be elected Section 3; There shall also be elected or appointed as hereinafter provided, mayor, recorder, marshal, treasurer, attorney, street commissioner and surveyor, who shall be officers of the municipal corporation. Each member of the common council shall be elected by the qualified electors of the ward of the city which he represents, and the mayor and treasurer shall be elected by the and treasurer shall be elected by the qualified electors of the city. The recorder, marshal, attorney, street commissioner and surveyor shall be appointed by the mayor, and shall hold their office during his pleasure.

Section 2: All amendments, or attempted amendments of the section hereby amended, and all acts or ordinances, or parts thereof, in conflict Section 3: The common council of

nances, or parts thereof, in conflict herewith are hereby repealed. Section 3: This ordinance shall go into and be in effect upon the approval thereof by a majority of the qualified electors of Tillamook City voting upon such question at an election to be or-dered by the common cou cil, whereat the adoption or rejection of said ordi-nance shall be submitted to said elec-tors, and upon the issuing of a proclam-ation by the Mayor declaring the adoption thereof, if the same be adopted at said election.

ORDANINCE NO. 239

ORDANINCE NO. 239

An Ordinance to repeal Article IX of an Act entitled "An Act to incorporate the City of Tillamook City, in Tillamook County, State of Oregon, and to repeal all Acts or parts of Acts in conflict herewith", filed in the effice of the Secretary of State February 13, 1893, and to substitute therefor a new Article IX on Water Commission, Its Powers and Duties; and to repeal an Act entitled "An Act to create a Water Commission for Tillamook City, Oregon, to prescribe its powers and duties and the method of its perpetuation, and declaring an emergency", filed in the office of the Secretary of State February 22, 1905.

The People of Tillamook City Do Ordain as follows:

The People of Tillamook City Do Ordain as follows:
Section 1. That Article IX of an Act entitled "An Act to incorporate the City of Tillamook City, in Tillamook County, State of Oregon, and to repeal all Acts or parts of Acts in conflict herewith" filed in the office of the Secretory of State, February 13, 1893, and the same is hereby repealed, and that there is hereby substituted therefore a new Article IX, on the Water Commission, Its Powers and Duties, which shall read as follows:-ARTICLE IX.
Water Commission; Its Powers and

Water Commission; Its Powers and Duties.
Section 1. There is hereby constituted a board to be known and recognized under the name, style and designation of the Water Commission of Tillamook City, Oregon.
Section 2. Said Commission shall consist of five members, none of whom shall at the same/time be members of the common council of the city, and

the common council of the city, and each of whom shall be a resident of each of whom shall be a resident of and a tax-payer on real property of said city, and shall consist of one member from each of the wards of said city, untill such time as the wards of said city shall be changed, but a change of the boundaries of the wards of sail city during the term of office of a member of said commission shall not effect his tenure of office.

Section 3. As soon as practical

Section 3. As soon as practical after the taking effect of this act, the present Water Commission of Tilla-mook City, Oregon, shall hold a meet-ing and shall select from among their members, one Commissioner from each amended so as to read as follows:

Section 4: The term of office of the members of the common council, mayor and treasurer shall be for one year, or until their successors are elected and qualified.

Section 2: All amendments, or attempted amendments, and all ordinations or parts of ordinances in continuous and one five years from the next annual city election and thereafter. next annual city election, and thereafter there shall be elected, by the qualified electors of such ward, one Commis-sioner, to succeed the retiring Commissioner, for the term of five years. In case any of the present Water Commissioners from any ward decline to serve on the new commission as hereby organized, or in case of any vacancy occurring in the new Commission as hereby organized, by death, resigna-tion, removal from the city, or other wise, the mayor shall appoint a suitable person from the proper ward to fill

such racancy.

Section 4: As soon as practical after the taking effect of this act and the selecting and appointment of such commissioners as directed in the preceeding section, said Commission shall elect one of their members as Presi-dent, and one as Vice-President, and they shall also appoint a Treasurer and Secretary. The President shall preside. over the meetings of the Commission. In his absence the Vice-President shall preside. The term of office of the President and Vice-President shall be for one year. The Secretary and Treasurer shall hold their office during the pleasure of the Commission. The Secretary shall keep record of all the transactions of the Commission and preform such other duties as the Commission may require of him. The Treasurer shall be the custodian of the water funds of the city, and pay out and invest the same as directed by the Commission.

Section 5. Said Commission shall, from and after its organization as herein provided, have the sole and exclusive charge of the construction, management, maintainance, conand operat on of any water system heretofore or herafter authorized by or for Tillamook City; and it shall be the duty and province of said Water Commission to represent and act for Tillamook city with reference to any contract or contracts heretofore made or hereafter made by and on behalf of Tillamook City in relation to any system of water works, or in rela to the acquisition of real or person al property or any right, privilege, or easement in relation to tem; to make any and all contracts tost may become necessary or ex-pedient in reference to the construction, maintenance, repair, extension or operation of such water system. said Water commission in behalf of Tillamook city shall have the right and power to exercise the right of eminent domain, for the purpose of condemning right of way, water rights, and such private property as may be necessary or convenient in carrying on the business of said commission. All rights so obtained and the title to property, both real and personal, which may be