

Election Notice

NOTICE IS HEREBY GIVEN.—That on the 12th day of April, 1912, at the City Hall, in Tillamook City, in the County of Tillamook, State of Oregon, a special election will be held at which there will be submitted to the qualified electors of Tillamook City, Oregon, for their adoption or rejection the following Ordinances providing for amendments of the City Charter of said Tillamook City, to wit:

ORDINANCE NO. 234.

An Ordinance to amend Section 2 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 amended or attempted to be amended by any subsequent act or ordinance.

The people of Tillamook City do 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, 1893, be and the same is hereby amended so as to read as follows:

Section 2. The Common Council shall have power within the limits of Tillamook City, to:

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 Tillamook 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 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 purposes.

3. To license, tax and regulate auctioneers, hawkers, peddlers, showmen, theatrical and other exhibitions, except such as are conducted for charitable, or eleemosynary purposes, billiard and pigeon hole tables, pool tables, bowling alleys, truckmen and expressmen's wagons, livery horses and buggies, hacks or other means kept for hire.

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

5. To regulate, and control the storage of gunpowder, giant powder, dynamite, nitro-glycerine, and other explosive and combustible materials; the use of lamps and other lights in shops, stables and other 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 partition and party walls and fences.

6. To suppress, restrain and prohibit bawdy and assignation houses, houses of ill fame and prostitution, gaming and gambling houses, and to define and declare by ordinance what shall constitute the same.

7. To license and tax the keeping of dogs within the city.

8. To provide for the general peace, welfare and health of the city.

9. To prevent, regulate, prohibit and remove nuisances and to declare 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 electric and other lights.

11. To fix fines, penalties, and forfeitures for the infractions of all ordinances.

12. To define what shall constitute vagrancy, and provide for the support, 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 herein provided.

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.

17. To license and regulate such trades and callings, and employments as in the judgment of the Common Council the public good may require to be licensed and regulated as are not prohibited by law.

18. To regulate 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 temporary use or occupation thereof during the erection or repair of a building upon the adjacent lot, or removal thereof.

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

20. To regulate, restrain and prohibit minors from being upon the streets, alleys or public places of the city after certain hours of the night.

21. To prevent and restrain any riot, noise, disturbance or disorderly 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

drains and sidewalks. 25. To establish fire companies and regulate the same, appropriate money therefor, appoint fire wardens and prescribe their duties.

26. To restrain and prohibit intoxication, fighting and quarreling, or any unlawful or indecent act or practice, and to define what shall constitute the same, and to punish any person guilty thereof.

27. To prohibit the carrying of deadly weapons in a concealed manner, and to punish anyone guilty thereof.

28. To regulate and prohibit the use of guns, pistols and firearms, 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 and from all public halls, churches, theatres, schools, and all other buildings used for public gatherings; also to prescribe the manner of hanging doors thereof.

31. To define who are common drunkards; to prohibit the sale or giving of any intoxicating liquor or liquors to any such common drunkard, and to fix the penalty therefor.

32. 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 purposes.

34. To control and regulate the manner of constructing awnings and advertising 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 of the city.

36. To regulate and control the construction and location of all telegraph, 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 laying of water, sewer and gas mains and pipes and conduits for electric light, telegraph 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 conveyances, 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.

39. 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.

41. To purchase, take and hold real estate when sold for city taxes, or for any improvements 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.

44. To permit, allow and regulate the laying down of the tracks for street cars and other railways upon such street or streets as the council may designate.

45. 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 city.

46. To provide for the cleaning and sprinkling of the streets and alleys.

47. To prohibit persons from roaming at unreasonable hours, and to define what are unreasonable hours, and what constitutes roaming.

48. To provide for the erection and maintenance of the city jail and the government and management of the same.

49. 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 needed for 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 said city on the 12th day of April, 1912, immediately upon proclamation declaring the same to have been adopted, if the same be adopted at said election, being issued by the Mayor of Tillamook City.

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 Tillamook City Do Ordain as Follows:

Section 1: That Section 1 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 1: The common council is authorized and empowered to lay out, establish, vacate, widen, extend and open streets and alleys in said city,

and appropriate money for that purpose; and to establish and alter the 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 of sewerage, and to establish a system of drains and sewers; and to have full power to determine and provide for everything necessary and convenient to the exercise of the authority herein granted, including the power to levy and collect special assessments on property specially benefited by doing of any of said matters or things, for paying the costs and expenses thereof, as herein provided; provided that all public highways and roads now within the corporate limits of said city become streets and subject to the supervision and control of the common council.

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, 1893, be and the same is hereby amended so as to read as follows:

Section 2: No improvements, or alterations, or establishment of any street, grade, or improvement of any street, sidewalk, or pavement, or the construction of any sewer mentioned in the preceding section to be done at the expense of the property specially benefited thereby, can be undertaken or made without seven days' 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, 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 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 other improvement 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 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 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 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, 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 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 resolution, provide for the manner of the making of said improvement, alteration, repair or construction, and may therein provide that said alteration, improvement, repair or construction be made by the owner of the lots, or other parcels of ground, abutting thereon or 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 shall 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 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 improvement or construction made, or done by said contractor under said contract for such period, not exceeding 10 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, alteration, 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 said 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,

or construction within the said 30 days, the common council shall then proceed to make such improvements, alterations, or repairs, or the cost thereof as provided in Sections 6, 7 and 8 of this Article; provided, that all the cost of such improvements, alteration, or repairs, or construction, may be ordered by the common council to be paid in whole or in part thereof out of the general funds of the city.

Section 6: That Section 6 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 6: When the cost of the improvement, alteration, or repair has been ascertained, and the proportionate share thereof has been assessed as provided in Section 5 preceding, the recorder 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 Tillamook City, or by posting such notice in three public places in said City.

Section 7: That Section 7 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 7: That Section 9 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 9: The docket of city liens is a book in which must be entered, in pursuance of Sections 6, 7 and 8 of this Article, the following matters in relation to assessments for improvement, alteration or repair, 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 reputed 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, or construction 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: 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 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, 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 a valid lien of record, or any person having a lien by judgment, decree or mortgage on the property, or any part thereof, separately sold, may redeem the same upon the terms and conditions provided in the next section.

Section 10: 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 12th day of April, 1912, immediately upon proclamation declaring the same to have been adopted, if the same be adopted at said election, being issued by the Mayor.

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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, 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 a valid lien of record, or any person having a lien by judgment, decree or mortgage on the property, or any part thereof, separately sold, may redeem the same upon the terms and conditions provided in the next section.

Section 10: 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 12th day of April, 1912, immediately upon proclamation declaring the same to have been adopted, if the same be adopted at said election, being issued by the Mayor.