

CHAPTER VIII. WATER

Section 91. The Council shall have power to provide, construct, furnish and maintain a complete water system, and have control and charge of the same and do all things necessary to carry into effect the provisions of this chapter.

Section 92. The Council may from time to time prescribe rules and regulations for the management of the water system, both during the process of construction and after the same has been completed.

Section 93. All moneys received by the said City to be used for the water system and all money received for water or in any way arising from the water system or which may properly belong to the water system shall be immediately turned over to the Treasurer of the said City and by him placed in the water fund, and the same shall be paid out in same manner as other funds of the City are paid out.

Section 94. For the purpose of constructing a water system the Council is authorized to issue bonds in a sum not exceeding forty thousand dollars, which bonds shall run not to exceed six years and bear interest not to exceed six per cent per annum. The Council shall have the power to purchase or lease property within the limits of said City, if necessary, to maintain storage reservoirs and tanks; and shall have the power to acquire or lease any necessary property outside the corporate limits of said City for the use of said water system; and may begin and maintain any action or proceeding in the Circuit Court for the purpose of appropriating land to carry out the intent of this act.

CHAPTER IX. SEWER AND SEWERS

Section 95. When the construction or repair of any sewer or drain or sidewalk or improvement of any street, any portion of the cost of which is to be assessed upon the property benefited thereby, is ordered by the Council, the assessment thereon shall be had as is provided by sections 100 to 104 inclusive of this charter; and said liens shall be collected in the manner provided in this chapter for the collection of delinquent assessment liens.

Section 96. Should the Council declare that the cost of any proposed sewer, drain, sidewalk or the improvement of any street or streets shall be paid out of the general fund, such sewer, drain, sidewalk or street improvement may be constructed, laid down or repaired as the ordinance may provide and paid for accordingly.

Section 97. The said City of Vernonia shall have the power and authority to acquire, by purchase or otherwise, own and possess such real property outside the corporate limits of the City as in the judgment of the Council may be necessary to enable it to provide a complete system of sewerage, and it shall have a right to enter upon any land between the termini of any proposed sewer or drain, either inside or outside the corporate limits, for the purpose of examining, locating and surveying the line of such sewer or drain, doing no unnecessary damage thereby, and it may appropriate the use of so much of said land as may be necessary for the construction or laying down or keeping in repair said sewer or drain, not to exceed twenty feet in width, and may make whatever cuts and excavations as may be necessary to lay down or repair said sewer or drain, filling such excavation or cut as soon as practicable after making the same.

Section 98. In the construction of any sewer or drain the City of Vernonia shall have the right to use and divert from its natural course any and all creeks running through the City into said sewer or drain.

The Council has power and is authorized to, whenever it may deem it expedient or necessary to provide a complete system of sewerage for said City, to lay down, construct and repair sewers or drains within or without the corporate limits of said City, and to regulate the manner of such construction; provided, all drains or sewers and repairs thereto outside the corporate limits of said City shall be paid for out of the general fund.

Section 99. Sections 3/88 to 3/96, both inclusive, of Oregon Laws and amendments thereto shall apply to the bonding for any sewer, drain, sidewalk, or improvement of any street or part of street within the corporate limits of said City, as if incorporated herein.

CHAPTER X. IMPROVEMENTS

Section 100. The terms "improvement" and "improvement" as used in this chapter, shall be considered to include all grading or regrading, paving or repaving, plank or replanking, macadamizing or remacadamizing, graveling or regravelling and all manner of bridgework or roadway and all manner of constructing sidewalks, gutters, and curbs within or on the streets or alleys of the City, also the construction or repair of any sewer or drain.

Section 101. The Council shall have power, and is hereby authorized, whenever it may deem expedient to establish or alter the grades, and to improve any street or alley or parts thereof by paving, grading, construction of sewers or otherwise, now or hereafter laid out or established within the corporate limits of the City, which may include not only any street or any part thereof, but any larger determinate area or district including more than one street or parts of streets, to be determined by the Council, to determine the character, kind and extent of such improvement; to levy and collect assessments upon all lots and parts of lots and parcels of land specially benefited, directly or indirectly, by such improvements for the purpose of defraying the whole or any part of the cost and expense thereof, and to determine what lands are especially benefited by such improvement and the amount to which each parcel or tract of land is benefited.

Section 102. Whenever the Council shall deem it expedient or necessary to make any improvement as hereinabove defined, it shall procure plans and specifications for an appropriate improvement and the estimates of the work to be done and the probable cost thereof; and such plans, specifications and estimates shall be filed in the office of the Recorder. If the Council finds such plans, specifications and estimates satisfactory, it shall approve the same, or may amend or change the same as it may deem fit. The Council shall thereupon, by resolution, declare its intention of making said improvements, describing the same and including the surveyor's or engineer's estimate of the probable cost thereof, and must specify with convenient certainty the location of the proposed improvement and district liable to be assessed for the same and the kind of improvement proposed to be made, and that remonstrances may be filed within twenty days from date of publication or posting. The action of the Council in declaring its intention to improve a street, directing publication of notice thereof, providing and adopting plans, specifications and estimates of the surveyor or engineer, may all be done in one and the same act.

Section 103. The resolution of the Council, declaring its purpose to make any improvement, as provided in the foregoing section, shall be kept of record in the office of the Recorder, and shall be published in two consecutive issues of some newspaper published in Columbia County, or posted in three public places within said City for twenty days.

Section 104. Within twenty days from the date of the first publication or posting of the notice required to be published or posted, in the preceding section, the owners of two-thirds or more in area of the property, which may be subject to assessment for such improvement may make and file with the Recorder written remonstrances against the proposed improvement, and thereupon the same shall not be then further proceeded with, and any improvement so defeated by remonstrances shall not again be proposed for six months except upon a petition of the owners of one-half or more in area of the property affected thereby.

Section 105. If no such objection is made, or if any remonstrance so filed with the Recorder within the time designated is not signed by the legal owners of two-thirds in area of the property affected as hereinbefore provided, the Council shall be deemed to have acquired jurisdiction and the Council may thereafter and within six months from the date of the final publication of such notice, provide by ordinance for making said improvement, which shall conform in all essential matters with the plans and specifications previously adopted.

Section 106. Upon the taking effect of the ordinance as provided in Section 105, the Recorder shall, as soon as practicable, give notice by publication in not less than two issues of some newspaper published in Columbia County, Oregon, or in not less than two issues of some daily newspaper of general circulation in Portland, Oregon, inviting proposals for making said improvement. The Council shall have the power to reject any and all bids and to award the contract for said improvement, and to impose such conditions upon the bidders with regard to bonds and securities and guarantees of good faith and responsibility of the bidders, as to insure the faithful completion of the work in strict accordance with the specifications thereon; and to make all rules and regulations concerning the same that may be considered advantageous to the city, such contract to be let to the lowest and best responsible bidder for either the whole of said improvement or for such part thereof as will not materially conflict with the completion of the remaining portion; or the City may have the work performed by day labor under the supervision of the City Engineer or an engineer employed by the City for said purpose. The Council shall have power to fix the time in which every such improvement shall be completed, and it may extend such time should the circumstances warrant. The Council may also provide for the proper inspection and supervision of all work done under the provisions of this chapter.

Section 107. Whenever any improvement is completed in whole or in part to the satisfaction of the engineer, or any other person or persons appointed by the Council to oversee and superintend such work, he or they shall file with the Recorder a certificate of such completion and his or their approval of such work so completed. The Recorder shall thereupon post a notice of such completion in three public places in the city for a period of five days, or publish same in one issue of some newspaper published in Columbia County, Oregon, stating therein that a certificate of the completion of said work has been filed, and stating when the acceptance thereof will be considered by the Council. Thereafter and at any time prior to the date specified in said notice for the hearing of the same, any owner of any interest in, or the agent of any property to be affected by the assessment for the payment of said improvement, may file his objections to the acceptance of said work, and such objections shall be considered and the merits thereof determined by the Council, and the decision of the Council thereon shall be conclusive.

Section 108. Whenever the contract has been let for any improvement, any portion of the cost of which is to be assessed upon the property benefited thereby, the surveyor or engineer shall certify to the Recorder the accuracy of the original estimate of the work to be done, or if it has been found necessary to make any alteration in said estimate, work for any cause whatever, said surveyor or engineer shall file a corrected estimate in detail of such work. The Council shall thereupon apportion the cost thereof upon the lots, parts of lots and parcels of land benefited by the Council to be assessed or indirectly benefited thereby. When the Council has accepted what it may deem a just apportionment of said costs in accordance with the benefit, directly or indirectly, derived by each lot and part of lot or parcel of land within the improvement district adjudged to be benefited, the same shall be a proposed assessment, and the Recorder shall give notice of the same by posting notice thereof in three public places in said City for a period of fifteen days, or by publication in two consecutive issues of some newspaper published in Columbia County, Oregon, which notice shall specify the whole cost of such improvement, the share so apportioned to each lot or parcel of land, with the name of the owners thereof, if known to the Recorder, and stating that any objections to such apportionment, that may be made in writing to the Council and filed with the Recorder

within fifteen days from the date of first publication or posting such notice, will be heard and determined by the Council before the passage of any ordinance assessing the cost of said improvement, and further stating the time at which said matter will come up for hearing before the Council.

Section 109. At the time specified in said notice, or at such subsequent time as the Council may fix, the Council shall consider said proposed assessments and all objections made thereto, and shall consider, ascertain and determine the amount to which each lot or part of lot or parcel of land so assessed is benefited by reason of said improvement, and the amount apportioned by the engineer to any lot or part thereof, or parcel of land such lot or part thereof or parcel of land shall be reduced or increased by the Council that it shall be in just proportion to such benefit as determined by the Council. Should the assessments as determined by the Council result in a material increase in the amount assessed against any lot, part of lot or parcel of land, then the Council shall give notice as provided in the preceding section before final adoption of said assessment. Should there be no material increase the Council shall then declare said assessment by ordinance, and direct the Recorder to enter a statement thereof in the Docket of City Liens, as provided in this chapter.

Section 110. Each lot or parcel thereof or parcel of land shall be deemed to be benefited by the improvement to the full amount of the assessment levied thereon.

Section 111. No such assessment shall be held invalid by reason of failure to enter the name of the owner of any lot or part of lot or parcel of land so assessed, or by a mistake in the name of the owner, or the entry of a name other than the name of the owner in said assessment, or in any acts or proceedings connected therewith, and no delays, mistakes, errors or irregularities in any act or proceedings for the improvement shall prevent or invalidate any final assessment, but the same may be rejected by subsequent and lawful acts or proceedings; and if found by decree of any court to be invalid, the Council may proceed by ordinance to reassess the property directly or indirectly benefited by reason of said improvement.

Section 112. Whenever an assessment has been made against property benefited or any improvement of any character under this chapter or any prior charter or amendments thereof, and the proceedings of any portion thereof, whereby such assessments have been made, shall be declared invalid by any court of competent jurisdiction, because of any defect, jurisdiction or otherwise, or of any irregularity, the City of Vernonia may within one year from the date of the entry of such judgment or decree declaring the same defective, maintain an action in the Circuit Court of the State of Oregon for Columbia County, against the owner or owners of the lot, parts of lots or parcel or parcels of land upon which the costs of such improvement should be charged and imposed under the terms of this Act, and recover the proportion of the costs of such improvement properly chargeable under this Act to each of said lots, parts of lots or parcels of land, including reasonable attorney's fees, in maintaining the same.

Section 113. In any such action instituted, all persons whose property is or would be so liable for the payment of any such proportion of the assessment aforesaid, may be joined as party defendants in one action, and the judgment rendered therein shall be a several judgment against each of said defendants for his proportion of such assessment and costs and disbursements and attorney's fees, and a lien thereon shall be decreed upon the premises liable or assessed for such improvements, and such lien shall be a first lien prior and superior to all others except for taxes and other liens in favor of the City of Vernonia, and the general laws of the State of Oregon, governing actions at law and service of summons shall apply to such action.

Section 114. In any action, suit or proceedings in any court concerning any assessment of property, or levy of taxes, authorized by this charter, or the collection of such tax or proceeding consequent thereon, such assessment, levy, consequent proceedings and all proceedings connected therewith, shall be presumed to be regular, and to have been duly done or taken until the contrary is shown.

Section 115. Neither the City of Vernonia nor any officer thereof or person employed by the City shall be liable for any portion of the cost or expense of any improvement by reason of the delinquency of persons or property assessed for the payment of said work; but the contractors doing such work shall be required to look wholly to the property affected by such improvement, and to the owners thereof except when the Council at the time of awarding the contract for such improvement shall specially assume payment of such indebtedness; provided, however, that the City may direct the payment out of the general fund of the City of the cost of repairs when authorized and done in accordance with and pursuant to this charter. And provided, further, that at the time of the passage of the legislation for a proposed improvement, the Council may, if it deems it expedient, provide that the City shall pay all or a specified portion of the cost of the proposed improvement out of the general fund of the City, the remaining portion to be paid by the property directly or indirectly benefited, as herein provided; but such sum so appropriated shall not exceed in any one year a greater amount than one-tenth of one per cent of the assessed valuation of all property within the corporate limits of said City, as shown by the last assessment of the County Assessor, and if a greater amount is to be expended in any one year for such proposed improvement by the City, it must be done by issuing bonds of the City therefor, as provided in this charter.

Section 116. The Docket of City Liens is a book in which must be entered, in pursuance of Section 109, the following matters in relation to assessment for an improvement:

- 1. The number or letter of lot, part of lot or parcel of land assessed, and the number or letter of the block in which it is situated.
2. The name of the owner thereof, or that the owner is unknown.
3. The sum assessed upon such lot, part thereof, or parcel of land, and the date of the entry.

Section 117. The Docket of City Liens is a public writing, and the original or certified copies of any matter authorized to be entered therein are entitled to the force and effect thereof, and from the date of entry therein of any assessment upon a lot or part thereof, or parcel of land, the sum so entered is to be deemed a tax or levy and a lien thereon, which lien shall have priority over all other liens or incumbrances thereon whatever.

Section 118. A sum of money assessed for an improvement cannot be collected until by order of the Council notice thereof is given by the Recorder by publication in three consecutive issues of a newspaper published in Columbia County, Oregon, or by posting in three or more public places within said City of Vernonia for twenty days. Such notice must substantially contain the matter required to be entered in the Docket of City Liens concerning such assessment.

Section 119. If, within ten days from the time any assessment is due the sum assessed upon any lot, part of lot, or parcel of land is not wholly paid to the Treasurer, and a duplicate receipt therefor filed with the Recorder, the Council may thereafter order a warrant for the collection of the sum to be issued by the Recorder, directed to the Marshal or other person authorized to collect taxes due the City.

Section 120. Such warrant must require the person to whom directed to forthwith levy upon the lot, part of lot, or parcel of land on which the assessment is unpaid, and sell the same in the manner provided by law, and to return the proceeds of said sale to the Treasurer, and the warrant to the Recorder, with his doings endorsed thereon, together with the receipt of the Treasurer for the proceeds of such sale as paid to him.

Section 121. Such warrant shall have the force and effect of an execution against real property, and shall be executed in like manner, except as in this charter otherwise provided.

Section 122. The person executing a warrant shall immediately make a certificate of sale for the property sold thereon to the purchaser, stating therein that the sale is made subject to redemption as provided in this charter within three years from the date of such sale by the owner or successor, or in interest, or any person having a lien by judgment, decree, or mortgage, or any part thereof, separately sold, who may redeem the same upon the terms and conditions provided in the next section.

Section 123. Redemption is made by the payment of the purchase money and ten per cent additional, together with the interest upon the purchase money from the date of sale to the time of payment at legal rate, and the amount of any tax or assessment which the purchaser may have paid upon the property.

A redemption of the property from the effect of the sale for the assessment, if made by the owner, or his successor in interest, the estate in the property is thereby restored to such owner or his successor in interest, as the case may be, but if made by a lien creditor, the amount paid for the redemption is thereafter deemed a part of the judgment, decree or mortgage, as the case may be, and shall bear like interest and may be enforced and collected as a part thereof.

Section 124. A sale of real property under the provisions of this charter conveys to the purchaser, subject to redemption, as herein provided, all the estate or interest therein of the owner, whether known or unknown, together with all the rights and appurtenances thereunto belonging.

Section 125. That all sales of real property for the nonpayment of assessments shall be made in said City at the Council chamber door, and notice of such sale shall be published in two consecutive issues of some newspaper published in the City, the first publication to be at least twenty days before the date of sale, and the Council may authorize the Recorder to bid upon said real property for the City to the amount of such tax or assessment and expenses of sale, and no more; and if there be no higher bidder therefor, the same shall be struck off to said City, and it shall be a purchaser thereof upon the same terms as other purchasers, and hold and dispose of the same for its benefit. When real property is sold for delinquent taxes, or assessments, the person selling the same must immediately execute to the purchaser a certificate of sale of the property sold to such purchaser, setting forth therein a description of the property sold, the amount it was sold for, the year in which the tax or assessment is levied, the name of the purchaser, and that the sale is made subject to redemption within three years of the date of the certificate. The owner or his successor in interest, or any person having a lien by judgment, decree or mortgage, on any part thereof, sold separately, may redeem the same. After three years from the date of such certificate the Marshal shall, if no redemption has been made, execute to the purchaser, his heirs and assigns, a deed of conveyance, reciting and stating a description of the property sold at the time of the sale, and that no redemption has been made, and such deed thereafter executed shall operate to convey a legal and equitable title in fee simple to the purchaser named in the deed, and upon the delivery of such deed, all the proceedings required by law in relation to the levy, assessment and collection of taxes or assessments and the sale of property, shall be presumed regular and to have been done in pursuance of law, and such deed shall be prima facie evidence of title in the grantee; and such presumption and such prima facie evidence shall not be disputed or avoided except by proof of either:

- a. Fraud in the assessment or collection of the tax or assessment.
b. Payment of the tax before sale, or redemption after sale.
c. That the payment or redemption was prevented by the fraud of the purchaser.
d. That the property was sold for taxes, for which the owner of the

property at the time of the sale was not liable, and that no part of the tax was levied or assessed upon the property sold.

Section 126. When any assessment upon any lot, part of lot, or parcel of land becomes delinquent, any person having a lien thereon by judgment, decree or mortgage may at any time before sale of such lot or part thereof, pay the same, and such payment discharges the property from the effect of the assessment, and the amount of such delinquent taxes and all accruing costs and charges, if any, when so paid, is thereafter to be deemed a part of such lien creditor's judgment, decree or mortgage, as the case may be, and shall bear interest and may be enforced and collected as a part thereof.

Section 127. If, upon the completion of any improvements it is found that the sum assessed thereon is insufficient to defray the cost thereof, and the amount charged to any lot, part of lot, or parcel of land is less than the amount accruing thereon, the Council must ascertain the deficit and declare the same by ordinance, and when so declared the Recorder must enter the amount of the deficit in the Docket of City Liens in the column reserved for that purpose in original entry, with the date thereof, and such deficit shall thereafter be a lien upon such lot, part of lot, or parcel of land in the same manner and with like effect as in the case of the sum originally assessed, and shall also be payable and may be collected in like manner and with like effect as in the case of such sum so assessed.

Section 128. If, upon the completion of any improvement, it is found that the sum assessed thereon upon any lot, part of lot, or parcel of land is more than sufficient to defray the cost thereof, the Council must ascertain and declare the surplus in a like manner as in the case of a deficit, and when so declared it must be entered as in the case of a deficit in the Docket of City Liens, and thereafter the person who paid such surplus, or his legal representatives, is entitled to repayment of the same by warrant on the Treasurer, payable out of the fund raised for such improvement.

Section 129. Any money paid or collected upon the assessments for any improvement shall be kept as a separate fund, and no wise used for any other purpose whatsoever.

Section 130. If the Council declares that a proposed improvement shall be made at the cost of the property within the district created, thereafter the proposed improvement is to be made as herein provided, but it is declared that the cost of the same shall be paid out of the general fund, such improvement may be made as the ordinance may provide, and paid accordingly.

Section 131. Whenever any lot or part of lot, or parcel of land sold under the provisions of this charter shall bring more than the assessment thereon, with costs and charges of collecting, the surplus must be paid to the Treasurer, and the person executing the warrant must take a separate receipt for such surplus and file it with the Recorder on the return of the warrant. At any time thereafter the owner or his legal representative is entitled to a warrant upon the Treasurer for such surplus; that whenever any lot, part of lot, or parcel of land sold under the provisions of this chapter shall bring less than the assessment thereon, the Council shall supply the deficiency out of the general fund, if in the opinion of the Council such improvement is necessary.

Section 132. The deed to the purchaser must express the true consideration thereof, which is the amount paid by the purchaser, and the return of the person executing the warrant must specify the amount for which such lot or part thereof was sold, and the name of the purchaser.

Section 133. All general or special taxes levied, as provided and authorized in this act, and all assessments for the improvements shall bear interest at the rate of ten per cent per annum from the time it is delinquent until paid.

CHAPTER XI. DELINQUENT TAXES-COLLECTION

Section 134. The Council as soon as the time for paying annual state and county taxes shall have expired must thereafter order the Recorder to deliver a tax roll showing taxes remaining unpaid to the Marshal and to issue and annex thereto a warrant directed to the Marshal, commanding him to proceed forthwith to collect the delinquent taxes upon such roll in the manner provided by law, and to pay the same to the Treasurer, together with the costs of collection, and to return the warrant with his doings thereon, and the receipt of the Treasurer for all moneys collected thereby, and paid to the Treasurer to the Recorder.

Section 135. Such warrant, for the purpose of collecting such delinquent taxes, shall be deemed an execution against property, and shall have the force and effect thereof against any person, firm or corporation against whom such taxes are levied or charged on the tax roll, and shall be executed and returned in like manner, except as in this charter otherwise provided.

Section 136. If no personal property be found whereon to levy the warrant, or if that levied on is not sufficient to satisfy the same, it must be levied upon any real property of the person or firm or corporation against whom the tax is levied or charged, or sufficient thereof to satisfy such warrant, including fees of officers and all expenses of sale and executing the warrant.

Section 137. In case of a delinquent tax levied on real property in the name of an unknown owner, the warrant shall be executed by levying upon each lot or part thereof of such property for the tax levied thereon, and selling it separately.

CHAPTER XII. MISCELLANEOUS

Section 138. All existing ordinances of the City of Vernonia in force when this Act takes effect and not inconsistent therewith shall be and remain in full force after this Act takes effect and thereafter, until repealed by the Council; all actions and proceedings pending and all unfinished business of whatever description when this Act takes effect shall thereafter be proceeded with according to the provisions of this Act or any town ordinance applicable thereto, and continued in force by this Act; no suit, action or proceeding now pending in any court shall abate by reason of this Act, and no proceeding for the collection of taxes and sale of property shall be affected by this Act; but the Marshal or other proper officer shall proceed to enforce the same as though this Act had not been passed; all persons in office when this Act takes effect shall continue to hold their respective offices for the term of which they may have been elected or appointed, except as otherwise provided in this Act, and shall continue to receive such compensation for their services as appertains to the office at the time they were respectively elected or appointed thereto; and all rights vested or liabilities incurred when the Act takes effect shall not thereby be lost, impaired or destroyed.

Section 139. All City contracts, the probable cost of which will exceed one hundred dollars, shall be let to the lowest responsible bidder, after proper notice.

Section 140. All contracts and obligations entered into by the City in the amount of one hundred dollars or any greater sum shall be signed by the Mayor and attested by the Recorder.

Section 141. The City Council may prescribe the terms and forms of conveyance upon sales of property, real or personal, belonging to the City, and any conveyance made in the form thus adopted, shall be held valid, and to extinguish all right, title and interest of the City in and to the property so conveyed.

Section 142. The Council is fully empowered to appoint and provide a competent Marshal who shall be the ex-officio street superintendent of said City, who shall at all times carry out and enforce the provisions of this charter relative to the repair and maintenance of sidewalks, and to report at each meeting of the Council the necessity for the reconstruction of any sidewalk or sidewalks within the City. And the City of Vernonia shall in no event be liable for any damages to any person by reason of any defect in any sidewalk, crosswalk, street, alley, bridge, public grounds, public building, or ditch, unless said City shall have been negligent in its appointment of such Marshal and ex-officio street superintendent or the Council has refused to act upon any report of the Marshal in relation to any such defect, within a reasonable time, and in no case shall more than one hundred dollars be recovered from said City for any accident or injury.

Section 143. All contracts of the City of Vernonia now in existence shall become the contracts of the City of Vernonia under this charter, and be, and hereby are ratified, and all proceedings for any character of improvements commenced by the City Council prior to the adoption of this act shall be the proceedings of the City Council of the City of Vernonia as incorporated under this act, and such proceedings are hereby approved and ratified.

Section 144. This act shall take effect immediately upon its ratification by a majority of all the votes cast in the City of Vernonia at the special election held therefor; and the Mayor of the City of Vernonia shall immediately by proclamation in a weekly newspaper published in Columbia County, Oregon, in one issue thereof proclaim that this act will be and is in effect from the date of said election.

RESOLVED FURTHER, That this resolution for proposed charter amendments submitted to the voters by the Council be tied with the Recorder for submission to the legal voters of the City of Vernonia for their rejection or approval to be voted upon at a special election to be held as herein provided.

RESOLVED FURTHER, That the Council deems it advisable and does hereby and herein call and make necessary provision for the holding of a special election which shall be and hereby is called to be held on the 7th day of November, 1922, between the legal voting hours on said date, at the same time as the general state election for county and state offices is held, and the election precincts and election officers shall be the same for this special election as the precincts and officers for the general election.

RESOLVED FURTHER, That for the hereinabove proposed charter amendments the following ballot title be and the same hereby is adopted, to-wit:

CHARTER AMENDMENTS SUBMITTED TO THE VOTERS BY THE COUNCIL. AN ACT

To amend the charter of the City of Vernonia filed in the office of the Secretary of State February 18th, 1891, as amended by an act approved by the Governor February 15, 1901, and to amend all subsequent amendments thereto by enacting a new charter providing a more efficient instrument for the government of said City, and authorizing a \$40,000 bonds for the purpose of constructing a City water system.

100 Ye.
101 No.
BE IT FURTHER RESOLVED, That the Recorder be and he hereby is instructed to publish this resolution, together with the ballot title and number in full, in Vernonia Eagle, a newspaper published in the City of Vernonia at least once, not less than ten nor more than twenty days immediately preceding the date of said special election.

Passed by the Council this 16th day of October, 1922, by the following vote:

YEAS: C. A. Mills, Louis Stiebert, R. M. Hall, F. E. Malmsten.
NAYS: None.
Submitted to the Mayor October 16, 1922.
Approved by the Mayor October 16, 1922.

Attest:
BEN S. OWENS, Recorder.
CHAS. D. WHITE, Mayor.