

ORDINANCE NO. 2340

AN ORDINANCE PROVIDING FOR THE DATE AND MANNER OF HOLDING A SPECIAL ELECTION IN THE CITY OF ALBANY, OREGON, ON THE 16TH DAY OF MAY, 1952, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE SAID CITY FOR THEIR ADOPTION OR REJECTION A PROPOSED AMENDMENT TO THE CHARTER OF THE SAID CITY AMENDING CHAPTER XVI.

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

Section 1. That in a manner provided by law and in this ordinance and for the purpose set forth herein, a special election shall be held in the City of Albany, Oregon on the 16th day of May, 1952, commencing at the hour of 8:00 o'clock a.m. of the said 16th day of May, 1952.

Section 2. The following are hereby designated as the voting places of the said election:

FIRST WARD: Precinct No. 1, Maple school
Precinct No. 2, Maple school
Precinct No. 10, Girl Scout cabin, 14th Avenue near Takena
Precinct No. 11, Episcopal church, Queen Avenue and Umatilla
Precinct No. 12, Damon Motel, Washington and highway 99

SECOND WARD: Precinct No. 3, Courthouse
Precinct No. 4, Courthouse
Precinct No. 5, Veterans' Memorial Hall, Fifth Avenue and Lyon
Precinct No. 6, Albany High school

THIRD WARD: Precinct No. 7, Madison School
Precinct No. 8, Evangelical United Brethern Church, First Avenue and Pine Street
Precinct No. 9, Waverly School
Precinct No. 13, Albany Cottage Court, 13th Avenue and Main Street

Section 3. That the Judges and Clerks of the special election to supervise the election in each ward and within the precinct voting places of the City of Albany shall be the same clerks and judges designated by the county court of Linn County to act as judges and clerks for the regular primary election in the 13 voting precincts within the City of Albany, Oregon.

Section 4. The judges and clerks shall qualify by subscribing to an oath in the manner and form provided by law and in case any of such officers shall fail to attend, then those present shall elect another to act in his place.

Section 5. The City Recorder shall cause notice of said special election to be given by publication thereof in the Albany Democrat-Herald, a newspaper of general circulation, published in the said City of Albany, Oregon, once a week for two successive weeks; first publication to be within thirty days next preceding the date of the special election, said notice shall state the time, voting places and a statement of the substance of the proposed charter amendment.

Section 6. The City Recorder, in addition to the notice required by Section 5 shall cause to be posted in ten conspicuous places within each of the three wards comprising the City of Albany, at least ten days before the date of the special election, notices of the special election in the following form:

"SPECIAL ELECTION NOTICE"

Notice is hereby given that on May 16, 1952, at the _____ in the _____ ward in the City of Albany, Oregon, a special election will be held concerning a measure for the amendment to the Charter of the City of Albany as follows:

"AN ACT TO amend the Charter of the City of Albany, Oregon by amending Chapter XVI to authorize the Mayor and the Council of the City of Albany to construct an interceptor sewer, pumping plants, including primary and secondary treatment and such necessary connecting sewers, main sewers and storm sewers all in an amount not to exceed the aggregate sum of \$675,000.00 the proceeds of which shall be used to pay the cost of the improvements first mentioned."

which election will be held at 8:00 o'clock in the morning and will continue until 8:00 o'clock in the afternoon.

Dated this 14th day of April, 1952.

E. F. FORTMILLER, City Recorder.

Section 7. At the said special election a proposed amendment to the Charter of the City of Albany shall be submitted to the legal voters for their adoption or rejection as hereinafter set forth in Section 9.

Section 8. The Recorder shall cause to be printed, in pamphlet form, a true copy of the title and text of the said measure to be voted upon, together with the number and form in which the same will appear on the official special election ballot and shall mail one of each of said pamphlets to each registered voter in the said City not later than five days before the date of the special election and preceding the copy of the said measure as hereinafter set forth there shall be a statement that the same will be voted upon at a special election to be held on the 16th day of May, 1952, between the hours of 8:00 o'clock a.m. and 8:00 o'clock p.m.

Section 9. The ballot title of the proposed Charter Amendment submitted to the voters shall be as follows:

CHARTER AMENDMENT SUBMITTED TO THE PEOPLE BY THE COUNCIL OF THE CITY OF ALBANY.

AN ACT to amend the Charter of the City of Albany, Oregon, by amending Chapter XVI to authorize the Mayor and the Council of the City of Albany to issue and sell general obligations bonds of the City, to provide funds to construct an interceptor sewer, pumping plants, including primary and secondary treatment and such necessary connecting sewers, main sewers and storm sewers all in an amount not to exceed the aggregate sum of \$675,000.00 the proceeds of which shall be used to pay the cost of the improvements first mentioned.

(Mark X Between the Number and Answer Voted for)

SHALL THE ABOVE BE ADOPTED?

102 Yes

103 No

Section 10. The proposed Charter Amendment submitted to the voters shall be as follows and the same shall be printed in the voters pamphlet as follows:

AN ACT to amend Chapter XVI of the Charter of the City of Albany to read as follows:

"CHAPTER XVI

Section 1. That the City of Albany is required to divert the flow of sewage from the Willamette River and into and through a sewage treatment plant. That Ordinance No. 1960, as amended, provides for the levying and payment of a sewer rental charge. That the funds so received have been maintained to defray the cost of the interceptor sewer, sewage treatment plant and the maintenance thereof.

Section 2. That such interceptor sewer, pumping stations, connecting sewers, main sewers, storm sewers and sewage treatment plant both for primary and secondary treatment, shall be constructed within and without the City of Albany, Oregon. The estimated cost of the project as reported by the engineer is \$801,167.50. The funds derived from the sewer rental charges now total \$80,000.00. The sewer rental charges to be collected after the construction of the sewage treatment plant shall be used first to pay for the maintenance of such plant and pumping stations, and the remainder shall be applied to the payment of the interest and the payment of principal of the bonds proposed herein.

Section 3. That for the purpose of providing funds for the construction of such interceptor sewer, pumping stations, connecting sewers, main sewers, storm sewers and sewage treatment plant and to pay the engineering, legal and construction costs, the council of the City of Albany, Oregon, is hereby authorized and empowered to execute and sell the general obligation bonds of the city in an amount not to exceed the aggregate sum of \$675,000.00. Such bonds shall be issued from time to time in the manner and in the form as provided by law. The Council shall, at the beginning of each budget year, provide and budget for the maintenance, cost of such plant, pumping stations and interceptor sewer from the rental charge and the sum estimated as available thereafter, from the said sewer rental funds, shall be applied upon the payment of interest and the principal of these bonds as due. The Council is hereby authorized to levy sufficient taxes to pay the balance of the interest thereon and the principal as and when the same becomes due and payable."

Section 11. In as much as the sewage disposal system must of necessity be constructed at the earliest practical date and that it is necessary to accumulate funds through the issuance of bonds to provide for such construction and that it is essential for the health, peace and safety of the People of the City of Albany, Oregon, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed by Council 4-14-1954

Approved 4-14-1954

W. Bain
Mayor

ATTEST: C. J. [Signature]
City Recorder