

CITY OF LAKESIDE

AN ORDINANCE PROVIDING FOR AN ELECTION FOR THE PURPOSE OF ELECTING A MAYOR AND COUNCILMEN, AND PROVIDING THE PROCEDURE THEREFOR.

THE CITY OF LAKESIDE ORDAINS AS FOLLOWS:

Section 1. An election shall be held within the City of Lakeside, Coos County, Oregon on the 2nd day of November, 1976. At said election a mayor and four councilmen shall be elected.

Section 2. The ballots for said election shall be in substantially the following form:

OFFICIAL BALLOT

City of Lakeside, Oregon

Election for Mayor and Councilmen

MAYOR: (VOTE FOR ONE by marking "√" or "X" in the box opposite the name of candidate voted for)

- 101 Jack Harmon
- 102 Helen JoAnn Hille
- 103 Werner D. "Van" Van Schoyck
- 104 \_\_\_\_\_

COUNCILMEN: (VOTE FOR FOUR (4) by marking "√" or "X" in the box opposite the name of candidate voted for)

- 201 Donald Jack Bibbey
- 202 Mr R "Mickey" Moffitt
- 203 King A. Phelps
- 204 Linda Marie Sherych
- 205 L. Bernard Tracy
- 206 Stanley E. Warthen
- 207 Olen E. "Gene" Zeigler
- 208 \_\_\_\_\_
- 209 \_\_\_\_\_
- 210 \_\_\_\_\_
- 211 \_\_\_\_\_

JRF  
scb

Section 3. The polling place for said election shall be at the Lakeside Rural Fire Department Hall located on 9th Street within said City. Said polling place shall remain open between the hours of 8:00 o'clock A.M. and 8:00 o'clock P.M. on said election day.

Section 4. The election board shall consist of those persons appointed and acting as the City precinct election board pursuant to ORS 246.310 on the date of said election.

Section 5. The Election Officer of said City shall prepare the sample and official ballots for said election. Said Election Officer shall make arrangements for said election, and if any member of the Board of Election shall be unwilling or unable to serve as such, the Council shall appoint a qualified substitute.

Section 6. The Recorder shall cause notice of the City Election to be posted in three conspicuous places within said District for a period of not less than 10 days prior to the date of holding said City Election.

Section 7. The Clerk of Coos County, Oregon is hereby designated as the Election Officer for the City and authorized to make such notice publications as are required by law for elections under her jurisdiction.

Section 8. The Council finds that an emergency exists which, in order to meet the County Clerk's deadline election schedule, requires that this ordinance shall take effect immediately upon its passage by the Council and it being signed by the Mayor.

The foregoing ordinance was duly passed by the City Council of the City of Lakeside on this 16th day of September, 1976

AYE Baker, Jacobson, Zindell & Friend

NAY none

ABSENT - VanSchoyck

ATTEST:

S. E. Herman  
Recorder, S. E. Herman

J. Robert Friend  
Mayor, J. Robert Friend

(2) A notice and certificate of election called to approve the issuance of bonds shall include:

(a) The purpose for which the bonds are to be used;

(b) The amount and the term of the bonds;

(c) The kind of bonds proposed to be issued; and

(d) If the bond election is authorized by ORS 450.900, the additional notice requirements in ORS 450.905.

(3) The election officer shall cause the notice referred to in this section to be published in the next available issue of the newspaper designated under ORS 259.100. [1971 c.647 s.7; 1975 c.647 s.4]

**259.100 Publication of election notice and facsimile of sample ballot.** (1) Notice shall be published once in a newspaper of general circulation in the district. However, if there is a newspaper of general circulation that is published in the district, the notice shall be published in such newspaper. If the district is located in more than one county, the notice shall be published in such a newspaper published in the county in which the greater portion of the value of all taxable property in the district is located. The district election authority shall designate such newspaper and shall notify the election officer of the designation in the notice provided for in ORS 259.080 and 259.090.

(2) The election officer also may cause notice of the election to be published by radio and television stations broadcasting in the district as provided by ORS 193.310 and 193.320.

(3) The information required in the notices provided for in ORS 259.080 and 259.090 may be delivered to the election officer in one notice and may be published in one notice.

(4) Not later than the fourth day nor sooner than the 15th day before the election, the election officer shall cause to be published a facsimile, except as to size, of the sample ballot, a list of the polling places and the hours the polls are to be open. The information shall be published once in a newspaper designated by the election authority under subsection (1) of this section at the current published local display advertising rate. [1971 c.647 s.8; 1975 c.647 s.5]

**259.110 Notice by mail in lieu of or in addition to newspaper publication.** In lieu of or in addition to publication of notice

as provided by ORS 259.090 and 259.100, if it is expedient to do so the district election authority may cause notice to be given by mail to all qualified voters of the district. Mailed notice shall be deposited, postage prepaid, in the United States mails and shall be considered to have been given when so deposited. Mailed notice of a district election shall be made not more than 15 days nor less than 10 days prior to the date of the election. Proof of deposit in the mails shall be by affidavit of the district election authority or officer who deposited the notice in the mails. The affidavit shall state the time and place the notice was so deposited. [1971 c.647 s.9]

## CONDUCT OF ELECTIONS

**259.120 Establishment of election precincts.** (1) The election officer shall establish one or more election precincts for a district election.

(2) Election precincts for regular district elections, and for any special district election held on the same date as any other election shall be the election precincts or combinations of precincts established by the county clerk under ORS 246.410.

(3) Election precincts for other special elections shall be either or both of the following:

(a) Election precincts or combinations of election precincts established by the county clerk under ORS 246.410.

(b) Election precincts other than as provided in paragraph (a) of this subsection. [1971 c.647 s.10; 1973 c.796 s.8]

**259.130 Designation of polling places.** The election officer shall, in the manner provided by ORS 246.420, designate one polling place for each election precinct established for a district election. [1971 c.647 s.11]

**259.140 Designation of election boards.** (1) The election officer shall designate election boards for a district election. Election boards shall be either or both of the following:

(a) Election boards appointed by the county clerk under ORS 246.310.

(b) Election boards other than as provided in paragraph (a) of this subsection.

(2) Each election board clerk for a district election shall be compensated at the rate provided for election board clerks under ORS 246.330. [1971 c.647 s.12]

**259.150 Duties of election officer, generally.** In sufficient time before a district election, the election officer shall:

(1) Cause to be prepared a sufficient number of official and sample ballots for each election precinct for the district election.

(2) Cause to be placed on the ballot the matters to be submitted to the qualified voters of the district at the election, including the names of candidates for election as members of the district board who are nominated as provided by law.

(3) Determine the form of the ballot; however, the form shall be as nearly as practicable the same as the form of ballots used in general elections held throughout the state.

(4) Cause to be prepared for each election precinct lists containing, in alphabetical order, the names and residence addresses of qualified voters residing in the election precinct, appropriate for use as a poll book, and such other materials as in the judgment of the election officer may be necessary to enable the election board to determine which persons are entitled to vote in the district election in the election precinct.

(5) Secure and cause to be delivered or furnished to each election board the equipment, supplies, materials and other facilities necessary for the conduct of the district election.

[1971 c.647 s.13; 1975 c.647 s.6]

**259.160 Authority of election officer to obtain advice and assistance.** In performing his functions under this chapter, the election officer may request the advice and assistance of the district authority or the officers of the district. Upon receipt of such request, a district election authority or the officer of a district shall furnish such advice and assistance to the maximum extent practicable.

[1971 c.647 s.21]

**259.170 Election officer of districts located in more than one county.** If a district is located in more than one county, the county clerk of the county in which the greater portion of the value of all taxable property in the district is located shall be the election officer responsible for conducting a district election. The county clerk of any other county in which the district is located shall cooperate with and assist such an election officer in the conduct of the district election.

[1971 c.647 s.22; 1973 c.796 s.9]

**259.180 Preparation of ballot titles.** The district election authority, with the advice and assistance of the district attorney or county counsel for the county of the election officer or an attorney employed by the district election authority, shall prepare a ballot title for each measure or question submitted to the qualified voters of the district at the district election. Except as provided by ORS 310.385 and 310.395, the ballot title shall consist of a caption not exceeding six words in length by which the measure or question is commonly referred to or spoken of, followed by a concise, impartial statement not exceeding 75 words in length of the chief purpose of the measure or question. The ballot title shall appear on the official and sample ballots for the district election, together with voting squares within which a qualified voter may indicate his answer "yes" or "no" to the measure or question.

[1971 c.647 s.14; 1975 c.647 s.7]

**259.190 Hours of polling places.** In a district election the polls shall be open for voting during the hours fixed as provided under ORS 250.345.

[1971 c.647 s.15]

**259.200 Processing of ballots; certification of results.** (1) In a district election, the ballots shall be cast and the votes counted and tallied in as nearly as is practicable the same manner as in general elections held throughout the state. Within 10 days after the date of the election the election officer shall prepare abstracts of the votes and shall cause copies of the abstracts to be delivered to the appropriate district election authority or authorities. Within five days after receiving the copies of the abstracts the district election authority shall determine therefrom the result of the election and declare the result.

(2) The district election authority shall also canvass the votes for members of the district board and cause the election officer to issue certificates of election.

[1971 c.647 s.16; 1975 c.647 s.8]

**259.210 Procedure for resolving tie votes.** When a tie exists between two or more candidates by reason of their having equal and the highest number of votes for the same district office, the district election officer shall give notice to such candidates to attend at his office either in person or by attorney at a time fixed by the election officer. At the meeting the candidates shall proceed publicly to decide by lot which of

them shall be declared elected. The election officer shall make and deliver to the candidate thus declared elected a certificate of his election as provided by ORS 259.200. [1971 c.647 s.17]

**259.220 Utilization of notices and facilities when two or more elections held on same day; expenses of such elections.** (1) When the county clerk is the election officer for a district election, if two or more elections are held on the same day in the same election precinct or precincts, the clerk shall make provisions as in his judgment are practical and necessary to utilize the same election notices, election boards, polling places, official and sample ballots, poll books, equipment, supplies and materials necessary for the conduct of the elections. This section applies when two or more district elections are held on the same day and in the same election precinct or precincts or when one or more such elections are held on the same day as a primary, general or special election held throughout the state.

(2) Subject to ORS 259.230, if two or more district elections are held on the same day and the election precinct or precincts for the districts are the same, or if one or more district elections are held on the same day as a primary, general or special election held throughout the state, and the conduct of the elections is combined as provided by subsection (1) of this section:

(a) The expenses of the election incurred for the benefit of one district only shall be paid by the district for whose benefit the expense was incurred; and

(b) The expenses of the district elections incurred for the benefit of two or more districts shall be equitably apportioned by the county clerk among the districts for whose benefit the expense was incurred. [1971 c.647 s.23]

**259.230 Expenses borne by district.** Except as otherwise provided by ORS 198.775, 261.210 and 607.025, the expenses incurred for a district election shall be borne by that district. [1971 c.647 s.143; 1975 c.647 s.9]

**259.240 Regular election dates; terms of board members; organizational meeting.** (1) (a) The regular district election shall be held by each district for the purpose of electing members of the district board to succeed a member whose term expires the following July 1 and to elect members to fill any vacancy which then may exist. Except

as provided for districts defined in ORS 330.005 or organized under ORS chapter 341, the election shall be held in each odd-numbered year on the date specified in paragraph (b) of this subsection. Districts defined in ORS 330.005 or organized under ORS chapter 341 shall hold the election annually on the date specified in paragraph (b) of this subsection.

(b) Except for districts subject to ORS 331.120, 331.465, subsection (2) of ORS 334.045 and subsection (2) of ORS 341.333, the regular district election shall be held by each district on the third Tuesday in April.

(2) The first regular district election in a district shall be held on the first regular district election date next following the year in which the first members of the district board were elected or appointed.

(3) The term of a board member elected at the regular election held in a district shall commence on the first day of July next following the election.

(4) Each district board shall hold a regular organizational meeting following the date for the regular election of board members and not later than the last day of July following such date. [1973 c.798 s.5; 1974 s.s. c.45 s.1; 1975 c.647 s.10]

**259.250 Terms of board members of certain existing districts.** (1) In the case of a district in existence on July 22, 1973, which holds its regular district elections annually, the term of each incumbent member of every such district board hereby is extended or shortened as necessary so that it expires on the first day of July of the year in which the term of his successor would have commenced if chapter 796, Oregon Laws 1973, had not been enacted.

(2) A district in existence on July 22, 1973, which holds its regular district elections biennially shall hold such elections in the even-numbered years. The term of each member of a district board of such district is hereby shortened so that it expires on the first day of July of the even-numbered year in which such incumbent member's position would have been on the ballot if chapter 796, Oregon Laws 1973, had not been enacted.

(3) To carry out the purpose of the amendment to ORS 341.333 enacted by section 54, chapter 796, Oregon Laws 1973, in a community college district in existence on July 22, 1973, the terms of the members of the district board shall be changed as provided by this subsection so that the terms of two members shall expire each year,