

Chapter	Section	Current Text	LOC Model Charter	Halsey Charter	Lebanon Charter	Brownsville Charter	Albany Charter
I Name, Boundaries, Powers and General Provisions	1. Name and Boundaries.	<p>The City of Sweet Home, Linn County, Oregon shall, upon the taking effect of this charter, continue to be a municipal corporation under the name of the City of Sweet Home.</p> <p>The city includes all territory within its boundaries as they now exist or are legally modified. The city will maintain as a public record an accurate and current description of the boundaries.</p>	<p><u>Section 1.1. Titles.</u> This charter may be referred to as the 20__ (municipality) Charter.</p> <p><u>Section 1.2. Names.</u> The City of _____, Oregon, continues as a municipal corporation with the name City of _____.</p> <p><u>Section 1.3. Boundaries.</u> The city includes all territory within its boundaries as they now exist or are legally modified. The city will maintain as a public record an accurate and current description of the boundaries.</p>	<p>Section 1.1 Title of Enactment. This enactment may be referred to as the 1996 Halsey Charter.</p> <p>Section 1.2 Name of City. The city of Halsey, Linn County, Oregon, shall continue to be a municipal corporation with the name "City of Halsey."</p> <p>Section 1.3 Boundaries. The city includes all territory within its boundaries as they now exist or hereafter are modified pursuant to state law. The custodian of the city's records shall keep an accurate, current description of the boundaries and make a copy of it available for public inspection in the city during regular city office hours.</p>	<p>Section 1. Title of Enactment. This enactment may be referred to as the City of Lebanon Charter of 2004.</p> <p>Section 2. Name of City. The Municipality of Lebanon, Linn County, State of Oregon, shall continue to be a municipal corporation with the name City of Lebanon.</p> <p>Section 3. Boundaries. The City shall include all territory encompassed by its boundaries as they now exist or hereafter are modified by voters, by the Council, or by any other agency with legal power to modify them. The Recorder shall keep at City Hall at least two certified copies of this Charter in each of which he/she shall maintain an accurate, up-to-date map designating the boundaries of the city.</p>	<p>Section 1. Title. This revision of the Brownsville Charter of 1952 may be referred to as "the Brownsville Charter of 1981."</p> <p>Section 2. Name of City. The City of Brownsville, Linn County, Oregon, continues under this Charter to be a municipal corporation, with the name "City of Brownsville."</p> <p>Section 3. Boundaries. The City includes all territory encompassed by its boundaries as they exist when this revision of the Charter is adopted or as they are subsequently modified in accordance with state law. The repository of city records shall include at least two copies of this Charter, each containing an accurate, up-to-date description of the boundaries. The copies and description shall be available for public inspection during regular office hours.</p>	<p>Section 1 Title of Enactment. This enactment may be referred to as the Albany Charter of 1956. (Ord. 5741, 6-23-2010)</p> <p>Section 2 Name of City. The City of Albany, Linn and Benton Counties, Oregon, shall continue to be a municipal corporation with the name "City of Albany." (Ord. 5741, 6-23-2010)</p> <p>Section 3 Boundaries. (on file in the Office of the City Recorder per footnote)</p>
I Name, Boundaries, Powers and General Provisions	2. Powers of the City.	<p>Subject only to limitations provided in this charter, the city shall have all rights, powers, privileges and immunities now or hereafter granted either expressly or impliedly to municipalities by the constitution, statutes (*) and common law of the state, as fully as though each of such rights, powers, privileges and immunities were specifically stated in this charter.</p> <p>The enumeration of or reference to particular rights, powers, privileges and immunities in this charter shall not be construed to be exclusive. This charter shall be liberally construed to the end that the city may have all necessary powers for the conduct of its municipal affairs, as contemplated by the municipal home rule provision of the constitution and laws of the state.</p>	<p><u>Section 2.1. Powers.</u> The city has all powers that the constitutions, statutes, and common law of the United States and Oregon expressly or impliedly grant or allow the city, as fully as though this charter specifically enumerated each of those powers.</p> <p><u>Section 2.2. Construction.</u> The charter will be liberally construed so that the city may exercise fully all powers possible under this charter and under United State and Oregon law. The powers of the city under this charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the general power granted in this article. This Charter's interpretation shall be examined in its entirety.</p> <p><u>Section 2.3 Distribution.</u> The Oregon Construction reserves initiative and referendum powers as to all municipal legislation to city voters. This charter vests all other city powers in the council except as the charter otherwise provides. The council has legislative, administrative, and quasi-judicial authority. The council exercises legislative authority by ordinance, administrative authority by resolution, and quasi-judicial authority by order. The council may not delegate its authority to adopt ordinances.</p>	<p>Section 2.1 Powers of the City. The city shall have all powers within the constitutions, statutes, and common law of the United States and of this state expressly or impliedly grant or allow municipalities as fully as though this charter specifically enumerated those powers.</p> <p>Section 2.2 Construction of Powers. In this charter, no specification of a power is exclusive or restricts authority that the city would have if the power were not specified. The charter shall be liberally construed, so that the city may exercise fully all its powers possible under this charter and under United States and Oregon law. All powers are continuing unless a specific grant of power clearly indicates to the contrary.</p> <p>Section 2.3 Distribution of Powers. Except as this charter prescribes otherwise and as the Oregon Constitution reserves municipal legislative power to the voters of the city, all powers of the city are vested in the council.</p>	<p>Section 4. Powers of the City. The City shall have all powers which the Constitutions, statutes, and common law of the United States of America and of the State of Oregon expressly or impliedly grant or allow municipalities as fully as though this Charter specifically enumerated each of those powers.</p> <p>Section 5. Construction of Charter. In this Charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the City would have if the particular power were not mentioned. The Charter shall be liberally construed to the end that the City may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that a city may assume pursuant to state laws or the municipal home rule provisions of the state constitution.</p> <p>Section 6. Where Powers Vested. Except as this Charter provides otherwise, all powers of the city are vested in the council.</p> <p>Section 7. Council. The council is composed of a mayor and six councilors elected from the city at large.</p> <p>Section 8. Councilors. The councilors shall be elected for four years. Three councilors shall be elected at each biennial general election. Each councilor shall hold office until his or her successor is elected and qualified.</p> <p>Section 9. Mayor. The mayor shall be elected for four years and shall hold office until his or her successor is elected and qualified.</p> <p>Section 24. Votes. The person receiving the greatest number of the votes cast for any of the candidates for the office of mayor at the election at which the office is filled is elected to the office of mayor. The three persons receiving the greatest number of votes cast for any of the candidates for the office of councilor at the election at which the office is filled are elected to the office of councilor. In the event of a tie vote, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the council.</p>	<p>Section 4 Powers of the City. The City shall have all powers which the constitution, statutes and common law of the United States and of this state expressly or impliedly grant or allow municipalities as fully as though this charter specifically enumerated each of these powers. (Ord. 5741, 6-23-2010)</p> <p>Section 5 Construction of Charter. In this charter no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the City would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the City may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to state law and to the municipal home rule provisions of the state constitution. (Ord. 5741, 6-23-2010)</p> <p>Section 6 Where Powers Vested. Except as this charter provides otherwise, all powers of the City shall be vested in the council. (Ord. 5741, 6-23-2010)</p> <p>Section 7 Council. The council shall be composed of a mayor and six (6) councilors. The mayor shall be elected from the City at large. The councilors shall be elected two (2) from each ward. The City shall be divided into three (3) wards bounded and designated by ordinance. (Ord. 5741, 6-23-2010)</p> <p>Section 8 Councilors. The councilor receiving the highest number of votes in each ward at the election at which this charter is adopted shall serve for four (4) years. The councilor receiving the next highest number of votes in each ward shall hold office for two (2) years. At each subsequent biennial general election, one councilor shall be elected from each ward for a term of four (4) years. (Ord. 5741, 6-23-2010)</p> <p>Section 9 Mayor. At each biennial general election, a mayor shall be elected for a term of two (2) years. (Ord. 5741, 6-23-2010)</p> <p>Section 30 Tie Votes. In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the council. (Ord. 5741, 6-23-2010)</p>	
II Form of Government	3. Council and Mayor.	<p>Except as otherwise provided in this charter, all powers of the city shall be vested in a council of seven members nominated and elected from the city at large. At each biennial general election, four councilors shall be elected. The three receiving the highest number of votes shall each hold office for four years, and the one receiving the number of votes next to the three highest shall hold office for two years. Tie votes shall be determined by lot.</p> <p>At its first meeting of the new term after each biennial general election, the council shall elect from its membership a chairperson who shall be mayor for a term of two years.</p> <p>The mayor and councilors in office at the time of adoption of this charter shall continue in office until the expiration of their respective terms, with powers and duties as provided in this charter.</p>	<p><u>Section 3.1. General Powers and Duties.</u> All powers of the city shall be vested in the city council, except as otherwise provided by law or this charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.</p> <p><u>Section 3.2. Council.</u> The council consists of a mayor and six councilors nominated and elected from the city at large.</p> <p><u>Section 3.5. Rules.</u> The council must by resolution adopt rules to govern its meetings.</p> <p><u>Section 3.6. Meetings.</u> The council must meet at least once a month at a time and place designated by its rules and may meet at other times in accordance with the rules and laws of the state of Oregon.</p> <p>Section 3.9. Record. A record of council meetings must be kept in a manner prescribed by the council rules and the laws of the state of Oregon.</p> <p>Section 7.1. Councilors. The term of a councilor in office when this charter is adopted is the term for which the councilor was elected. At each general election after the adoption, three councilors will be elected for four-year terms.</p> <p>Section 7.2. Mayor. The term of the mayor in office when this charter is adopted continues until the beginning of the first odd-numbered year after adoption. At every other general election after the adoption, a mayor will be elected for a four-year term.</p>	<p>Section 3.1 Council. The council consists of six councilors elected from the city at large. In case of one or more vacancies in the council, the council consists of members whose offices are not vacant.</p> <p>Section 3.2 Councilors. The term of office of a councilor in office when this charter is adopted in the term of office for which the councilor: 3.2.1 has been elected or appointed before adoption of the charter; or 3.2.2 is elected or appointed after the adoption of this Charter.</p> <p>At each general election after the adoption of the Charter, three councilors shall be elected, each for a four-year term.</p> <p>Section 3.3 Mayor. The term of office of the mayor in office when this charter is adopted continues through 1996. At the general election that year, and at each subsequent general election, a mayor shall be elected for a two-year term.</p>	<p>Section 6. Where Powers Vested. Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.</p> <p>Section 7. Council. The Council shall be composed of a Mayor elected from the City at large, and six Councilors nominated and elected by precinct.</p> <p>Section 8. Members of the City Council. The Mayor and Councilors in office at the time this Charter is adopted shall continue in office, each until the end of his/her term of office as fixed by the Charter of the City in effect at the time this Charter is adopted. At each biennial general election after this Charter takes effect, three Councilors shall be elected, each for a term of four years.</p> <p>Section 9. Mayor. At each biennial general election a Mayor shall be elected for a term of two years.</p> <p>Section 28. Tie Votes. In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots.</p>	<p>Section 6. Where Powers Vested. Except as this Charter provides otherwise, all powers of the city are vested in the council.</p> <p>Section 7. Council. The council is composed of a mayor and six councilors elected from the city at large.</p> <p>Section 8. Councilors. The councilors shall be elected for four years. Three councilors shall be elected at each biennial general election. Each councilor shall hold office until his or her successor is elected and qualified.</p> <p>Section 9. Mayor. The mayor shall be elected for four years and shall hold office until his or her successor is elected and qualified.</p> <p>Section 24. Votes. The person receiving the greatest number of the votes cast for any of the candidates for the office of mayor at the election at which the office is filled is elected to the office of mayor. The three persons receiving the greatest number of votes cast for any of the candidates for the office of councilor at the election at which the office is filled are elected to the office of councilor. In the event of a tie vote, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the council.</p>	<p>Section 6 Where Powers Vested. Except as this charter provides otherwise, all powers of the City shall be vested in the council. (Ord. 5741, 6-23-2010)</p> <p>Section 7 Council. The council shall be composed of a mayor and six (6) councilors. The mayor shall be elected from the City at large. The councilors shall be elected two (2) from each ward. The City shall be divided into three (3) wards bounded and designated by ordinance. (Ord. 5741, 6-23-2010)</p> <p>Section 8 Councilors. The councilor receiving the highest number of votes in each ward at the election at which this charter is adopted shall serve for four (4) years. The councilor receiving the next highest number of votes in each ward shall hold office for two (2) years. At each subsequent biennial general election, one councilor shall be elected from each ward for a term of four (4) years. (Ord. 5741, 6-23-2010)</p> <p>Section 9 Mayor. At each biennial general election, a mayor shall be elected for a term of two (2) years. (Ord. 5741, 6-23-2010)</p> <p>Section 30 Tie Votes. In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the council. (Ord. 5741, 6-23-2010)</p>
II Form of Government	4. City Attorney (*), Manager and Municipal Judge.	<p>The council shall appoint and keep in office a city attorney, city manager who shall also serve as the city recorder, and a municipal judge, who shall hold office subject to the discretion of the council and may be removed by the council with or without cause.</p>	<p><u>Section 8.1. City Manager.</u></p> <p>a) The office of city manager is established as the administrative head of the city government. The city manager is responsible to the mayor and council for the proper administration of all city business. The city manager will assist the mayor and council in the development of city policies and carry out policies established by ordinances and resolutions.</p> <p>b) A majority of the council must appoint and may remove the manager. The appointment must be made without regard to political considerations and solely on the basis of education and experience in competencies and practices of local government management.</p> <p>c) The manager need not reside in the city.</p> <p>d) The manager may be appointed for a definite or an indefinite term and may be removed at any time by a majority of the council. The council must fill the office by appointment as soon as practicable after the vacancy occurs.</p> <p>***NOTE TO COMMITTEE: There are many additional City Manager provisions in the Model Charter, but the majority of what is comparable is addressed under our current Chapter VI Section 20.</p> <p><u>Section 8.2. City Attorney.</u> The office of city attorney is established as the chief legal officer of the city government. A majority of the council must appoint and may remove the attorney. The attorney may appoint, supervise, and may remove any employees who work in and for the city attorney's office.</p>	<p>Section 5.2 Municipal Judge. The council may appoint a municipal judge who shall be the judicial officer of the city, who shall hold, at a place and times that the council specifies, a court known as the Municipal Court for the city of Halsey, Linn County, Oregon.</p>	<p>Section 10. Other Officers. Additional officers of the City shall be a City Recorder, a City Attorney, a City Administrator, and in the discretion of the Council, a Municipal Judge and whatever other officers the Council deems necessary. The Municipal Judge, the City Attorney, and the City Administrator shall be appointed by the Council and be responsible to it and the other additional officers shall be appointed by the City Administrator and be responsible to him/her. The Council, as needs dictate, may appoint one or more pro tem Municipal Judges to serve such term as the Council provides.</p>	<p>Section 19. Judges, Powers, Procedure.</p> <p>1. The city council may appoint a municipal judge for a term and at a salary it specifies. Once appointed, a municipal judge may not be removed from office prior to the expiration of the term set by the council except, after hearing, for incompetency, corruption, malfeasance or delinquency in offices or other sufficient cause stated by ordinance. The municipal judge shall hold court within the city and shall transact judicial business at times specified by the council. All areas within the city are to be within the territorial jurisdiction of the court.</p> <p>2. The municipal judge shall exercise jurisdiction of all offenses defined and made punishable by ordinances of the city and of all actions brought to enforce forfeitures or penalties defined or authorized by ordinances of the city. The municipal judge has the authority and jurisdiction of a justice of the peace for the County of Linn within the limits of the City of Brownsville in both civil and criminal matters, and, when exercising such jurisdiction or any authority shall be subject to all the general laws of the state preserving the duties of a justice of the peace and the mode of performing the same and shall receive the same compensation therefor. The municipal judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the city, to commit any such person to imprisonment or admit the person to bail pending trial, to issue subpoenas to compel witnesses to appear and testify on the trial of any cause before the court, to enforce obedience to the subpoenas, to issue process necessary to carry into effect the judgement of the court, and to punish witnesses and others for contempt of court.</p>	<p>Section 10 Manager and Municipal Judge. The offices of city manager and municipal judge are hereby created. The council shall fill each of these offices by appointment. (Ord. 5741, 6-23-2010)</p>

						<p>3. When not governed by ordinances or this Charter, all proceedings in the municipal court for the violation of a city ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.</p> <p>4. Notwithstanding any other provision of this Charter, the council may provide for the transfer of the powers and duties of the municipal court to the appropriate district or justice of the peace court of the State of Oregon.</p> <p>Section 20. City Administrator.</p> <p>1. City Administrator.</p> <p>A. The City Council may appoint a City Administrator and fix his or her compensation and conditions of employment.</p>	
						<p>B. If the office of the City Administrator becomes vacant, the mayor may appoint a city administrator pro tem. The pro tem administrator shall have all the functions of the city administrator. The term of office of a pro tem administrator ends when a city administrator takes office.</p> <p>C. The city administrator shall be the administrative head of the city and shall be chosen without political consideration and solely on the basis of executive and administrative qualifications.</p> <p>D. The city administrator and such other officers as the council designates may sit with the council but have no vote therein. The city administrator may take part in the discussion of all matters coming before the council.</p> <p>Section 21. Duties of City Administrator.</p> <p>4. The city administrator may be removed by the council with or without cause at any time.</p>	
II Form of Government	5. Other City Officers and Employees.	The city manager shall appoint a treasurer, a chief of police and such other officers and employees of the city as the council deems necessary, and may remove any of them at any time with or without cause. The council may by resolution require any officer to fill and perform the duties of two or more offices.	<p>Section 8.1. City Manager.</p> <p>E) The manager must:</p> <p>4) Appoint, supervise, and remove city employees;</p> <p>5) Organize city departments and administrative structure;...</p>	Section 3.5 Appointive Offices. By an ordinance approved by four councilors, the council may create, modify, abolish, and combine appointive city offices, except that the office of City Recorder and Municipal Judge may not be combined or held by the same person.	<p>Section 10. Other Officers.</p> <p>Additional officers of the City shall be a City Recorder, a City Attorney, a City Administrator, and in the discretion of the Council, a Municipal Judge and whatever other officers the Council deems necessary. The Municipal Judge, the City Attorney, and the City Administrator shall be appointed by the Council and be responsible to it and the other additional officers shall be appointed by the City Administrator and be responsible to him/her. The Council, as needs dictate, may appoint one or more pro tem Municipal Judges to serve such term as the Council provides.</p>	<p>Section 10. Other Officers.</p> <p>Additional officers of the city may be appointed and removed by the council as it deems necessary.</p>	Section 11 Other Officers and Employees. The title of appointive officers of the City of Albany shall be as designated by the council. Any requirement that an appointive officer shall fill two (2) or more appointive offices may be effected only by the council. (Ord. 5741, 6-23-2010; amended by vote of the electors November 8, 1966.)
II Form of Government	6. Salaries.	The council shall fix the compensation of all city officers and employees.	Section 9.1. Compensation. The council must authorize the compensation of city officers and employees as part of its approval of the annual city budget.	Section 3.6 Salaries. The compensation for the services of each city officer and employee shall be the amount fixed by the council and shall be in accordance with state wage laws.	<p>Section 11. Salaries.</p> <p>The compensation for the services of each City officer and employee classification shall fall within the salary range fixed by the Council for that particular position.</p>	<p>Section 11. Salaries.</p> <p>The compensation of councilors, the mayor, other officers and employees shall be fixed by the council. However, no increase in the compensation of councilors or the mayor shall take effect until the first day of the odd-numbered year following the first biennial general election after the increase is ordered.</p>	Section 12 Salaries. The compensation for the services of each city officer and employees shall be the amount fixed by the council. (Ord. 5741, 6-23-2010)
II Form of Government	7. Bonds of Officers, Employees and Contractor.	If ordinances require, every person appointed to an office or place of public employment in the city or entering into a contract with the city shall give the city a bond for the faithful performance of his/her duties. Nothing in this section, however, shall detract from the effect of Section 20.	N/A	N/A	<p>Section 20. Mayor.</p> <p>The Mayor shall appoint those committee members provided by City ordinance or the rules of the Council. He/she shall sign all approved records of the proceedings of the Council. He/she shall have no veto power and shall sign all ordinances passed by the Council. After the Council approves a bond of a City officer or a bond for a license, contract, or proposal, the Mayor shall endorse the bond.</p> <p>Section 21. City Administrator.</p> <p>The following provisions shall apply to the office of the City Administrator:</p> <p>(a) Qualifications. The City Administrator shall be the administrative head of the government of the City. He/she shall be chosen by the Council without regard to political considerations and solely with reference to his/her executive and administrative qualifications. He/she need not be a resident of the City or of the State at the time of his/her appointment but within six months thereafter, unless said requirement is modified by the City Council, shall become and during his/her tenure remain a resident of the city. Before taking office, he/she shall give a bond in such amount and with such surety as may be approved by the Council. The premiums on such bond shall be paid by the City.</p>	N/A	N/A
III Elections	8. Regulations of Elections.	Except as this charter provides otherwise and as the council provides otherwise by ordinance relating to elections, the general law of the state shall apply to the conduct of all city elections, recounts of the returns therefrom, and contest thereof. Any qualified elector who has resided in the city at least one year may be nominated for the council or for mayor.	<p>Section 7.3. State Law. City elections must conform to state law except as this charter or ordinances provide otherwise. All elections for city offices must be nonpartisan.</p> <p>Section 7.4. Qualifications.</p> <p>a) The mayor and each councilor must be a qualified elector under state law and reside within the city for at least one year immediately before election or appointment to office.</p> <p>b) No person may be a candidate at a single election for more than one city office.</p> <p>c) Neither the mayor nor a councilor may be employed by the city.</p> <p>d) The council is the final judge of the election and qualifications of its members.</p> <p>Section 7.5. Nominations. The council must adopt an ordinance prescribing the manner for a person to be nominated to run for mayor or a city councilor position.</p>	<p>Section 3.7 Qualifications of Officers. No person shall be eligible for an elective office of the city unless at the time of his or her election the person is a qualified elector within the meaning of the state constitution and has resided in the city during the twelve months immediately preceding the election. The council shall be the final judge of the qualification of its own members, subject, however, to review by a court of competent jurisdiction.</p> <p>Section 6.1 State Law. Except as this charter or a city ordinance prescribes to the contrary, a city election shall conform to state law applicable to the election.</p> <p>Section 6.2 Nominations. Any qualified elector may be qualified to be a candidate for elective office if the elector has resided in the city for 12 months immediately preceding the election to office. The name of such an elector shall be printed on the ballot whenever a written acceptance of nomination and a fee or a nominating petition as prescribed by general ordinance is timely filed with the city in advance of the election. If a nomination petition is used it shall be signed by not fewer than 10 nor more than 20 electors. The nomination petition for a successful candidate for election shall be preserved by the custodian of city records until the expiration of the term of office for which the candidate is elected.</p>	<p>Section 12. Qualifications of Elected Officers.</p> <p>No person shall be eligible for an elective office of the City unless at the time of that person's election or appointment that person is a qualified elector within the meaning of the Constitution of the State of Oregon; has resided in the City continuously during the six months immediately preceding the election or appointment. No person who is an employee of the City of Lebanon, nor is a spouse or immediate family member of a city staff member or seated elected officer, shall be eligible to serve as a member of the City Council. The Council shall be final judge of the qualifications and election of its own members subject, however, to review by a Court of competent jurisdiction.</p> <p>Section 24. Regular Elections.</p> <p>Regular City elections shall be held at the same times and places as biennial general State of Oregon elections, and shall be conducted in accordance with applicable State of Oregon election laws.</p> <p>Section 26. Regulation of Elections.</p> <p>The general laws of the State of Oregon shall apply to the conduct of all City elections, recounts of the returns therefrom, and contest thereof, except in those cases where the Council has the power to provide otherwise either through this Charter or by ordinance, and has so exercised this power either in the Charter or by ordinance.</p>	<p>Section 12. Qualifications of Officers.</p> <p>No person is eligible for an elective office of this city unless at the time of the officer's election, the officer is a qualified elector within the meaning of the state constitution, is a resident of the city, and has been a resident of the city during the 12 months immediately preceding the election. No person shall hold an elective office of the city if the person is an employee of the city. The council is the final judge of the qualifications and election of its own members.</p> <p>Section 22. Notice.</p> <p>The officer in charge of city elections shall give 10 days public notice of each city election. The notice shall state the officers to be elected, the measures to be submitted at the election, and the time and place for the election.</p> <p>Section 23. Regulation of Elections.</p> <p>Except as this Charter provides otherwise and as the council provides otherwise by ordinance relating to elections, the general laws of the state shall apply to all nominations for an elective city office, the conduct of city elections, recounts of the returns therefrom and contests therefrom.</p>	Section 13 Qualifications of Officers. No person shall be eligible for an elective office of the City unless at the time of election the person is a qualified elector within the meaning of the state constitution and has resided within the city limits during the twelve (12) months immediately preceding the election, and in the ward the person represents for a period of ninety (90) days. The council shall be final judge of the qualifications and election of its own members, subject, however, to review by a court of competent jurisdiction. (Ord. 5741, 6-23-2010)  Section 25 Regular Elections. Regular City elections shall be held at the same times and places as the biennial general state elections in accordance with applicable state election laws. (Ord. 5741, 6-23-2010)  Section 26 Notice of Regular Elections. The City Clerk, pursuant to directions from the council, shall give at least ten (10) days notice of each regular City election by posting notice thereof at a conspicuous place in the City Hall and by publication in a newspaper of general circulation published in the City. The notice shall state the officers to be elected, the ballot title of each measure to be voted upon, and the time and place of the election. (Ord. 5741, 6-23-2010)

					<p>In all elections, the State of Oregon laws governing the canvassing, filing and certification of returns shall apply. The results of each election including a statement of the total number of votes cast, the votes cast for each person and for and against each proposition, the name of each person elected to office, the office to which he/she has been elected, and a reference to each measure enacted or approved shall be recorded in the journal of the proceedings of the Council not later than 45 days after all regular or special election.</p> <p>Section 31. Nominations. Any person qualified, as provided in Section 12, hereof, may be nominated for an elective City position. The nominating procedure shall be in accordance with applicable State of Oregon election laws and, except for Mayor, shall be by precinct of residency as hereinafter set forth and said precincts, which will be three in number, are defined and designated in area as follows: Pioneer Precinct (Ward #2), which will include all of that area within the City limits which lies more or less northerly of Oak Street to the northernmost boundary of the city limits, except for that portion that lies southerly of Sherman Street and east of Main Street. The Sarniam Precinct (Ward #3), which will include all of that area within the City limits, which lies more or less easterly of Main Street and southerly of Sherman Street to the southern and easternmost boundaries of the City limits. Oak Creek Precinct (Ward #1), which will include all of that area within the City limits, which lies more or less southerly of Oak Street and more or less westerly of Main Street to the southerly and westerly boundaries of the city limits. The City Council may, by ordinance, adjust the boundaries of these precincts to provide a reasonable equity of population.</p>	<p>Section 28 Regulation of Elections. Except as this charter provided otherwise and as the council provides otherwise by ordinances relating to elections, the general laws of the state shall apply to the conduct of all City elections, recounts of the returns therefrom and contests thereof. (Ord. 5741, 6-23-2010)</p> <p>Section 29 Canvass of Returns. In all elections held in conjunction with state and county elections, the state laws governing the filing of returns by the county clerk shall apply. In each special City election the returns therefrom shall be filed with the City Clerk on or before noon of the day following and not later than five (5) days after the election, the council shall meet and canvass the returns. The results of all elections shall be made a matter of record in the journal of the proceedings of the council. It shall contain a statement of the total number of votes cast at each election, the votes cast for each person elected to office, the office to which each has been elected and a reference to each measure enacted or approved. Immediately after the canvass is completed, the City Clerk shall make and sign a certificate of election of each person elected and deliver the certificate to him within one (1) day after the canvass. A certificate so made and delivered shall be prima facie evidence of the truth of the statements contained in it. (Ord. 5741, 6-23-2010)</p>	
				<p>Voters, duly registered and residing within the City limits of Lebanon, shall be allowed to vote at large for Mayor. Those voters shall be allowed to vote by precinct of residence for those nominated to represent that precinct.</p> <p>Section 32. Election of Nominees. The mayoral candidate with the most votes shall win the position of mayor. The candidate in each precinct with the most votes shall win a position on the City Council. In the event that there are no candidates from a precinct, the vacancy shall be filled upon the seating of the members elected in a regular or special election and in accordance with Section 34.</p>			
III Elections	9. Special Elections.	The council may by resolution or ordinance order a special election and provide the time, manner and means for holding it. At least 10 days notice shall be given of each special election.	N/A	N/A	Section 25. Special Elections. Special elections shall be held as provided by the Council and shall be conducted in accordance with applicable State of Oregon election laws.	N/A	
III Elections	10. Commencement of Terms of Office.	The term of office of each person elected to office at a regular city election shall commence on the first Monday of January following the election. In the case of an election to fill an existing vacancy in office, the person elected shall enter upon his/her office immediately.	Section 7.1. Councilors. The term of a councilor in office when this charter is adopted is the term for which the councilor was elected. At each general election after the adoption, three councilors will be elected for four-year terms. Section 7.2. Mayor. The term of the mayor in office when this charter is adopted continues until the beginning of the first odd-numbered year after adoption. At every other general election after the adoption, a mayor will be elected for a four-year term.	Section 3.4 Term of Office. The term of an elective officer who is elected at a general election begins at the first council meeting of the calendar year immediately after the election and continues until the successor to the office assumes the office.	Section 29. Commencement of Terms of Office. The term of office of a person elected at a regular City election shall commence at the first City Council meeting after the first of the calendar year immediately following the election. Until such time as the Mayor-elect or Councilor-elect is sworn into office, the incumbent Mayor or Councilor shall continue in office.	Section 27. Terms. The term of office of a person elected at a regular city election commences on the first Monday in January following the election.	Section 31 Commencement of Terms of Office. The term of office of a person elected at a regular City election shall commence the first day of the year immediately following the election. (Ord. 5741, 6-23-2010)
III Elections	11. Oath of Office.	Each officer, before entering upon the duties of his/her office, shall take an oath that he/she will support the constitution and laws of the United States and the state, and that he/she will faithfully perform the duties of his/her office.	Section 7.7. Oath. The mayor and each councilor must swear or affirm to faithfully perform the duties of the office and support the constitutions and laws of the United States and Oregon.	Section 6.3 Oath of Office. Before assuming city office, an officer shall take an oath of office or shall affirm that he or she will faithfully perform the duties of the office and support the constitution and laws of the United States and the State of Oregon.	Section 30. Oath of Office. Before entering upon the duties of his/her office, each officer shall take an oath or shall affirm that he/she will support the Constitutions and laws of the United States of America and of the State of Oregon and will faithfully perform the duties of his/her office.	Section 26. Oath or Affirmation of Office. Before entering upon the duties of their offices, all elected officers, the city administrator, municipal judge and all department heads shall take an oath or shall affirm as follows: "I, _____, do solemnly swear that I will support the constitution and laws of the United States and of Oregon, that I will, to the best of my ability, faithfully perform the duties of _____ during my continuance therein, so help me God." If the person affirms, instead of the last clause of the oath, there shall be stated: "And this I do affirm under the pains and penalties of perjury."	Section 32 Oath of Office. Before entering upon the duties of the office, each officer shall take an oath or shall affirm support of the constitutions and laws of the United States and of Oregon and shall commit to faithfully perform the duties of the office. (Ord. 5741, 6-23-2010)

<b>Name</b>	<b>Population</b>	<b>Form of Government</b>	<b>Last Revision</b>
Sweet Home	10,206	Manager/Council	2015
Halsey	951	Manager/Council (Manager is not by Charter)	1996
Lebanon	19,726	Manager/Council	2004
Brownsville	1,849	Manager/Council	1981
Albany	57,053	Manager/Council	2010

Chapter	Section	Current Text	Staff Comments	Comment 1
I Name, Boundaries, Powers and General Provisions	1. Name and Boundaries.	<p>The City of Sweet Home, Linn County, Oregon shall, upon the taking effect of this charter, continue to be a municipal corporation under the name of the City of Sweet Home.</p> <p>The city includes all territory within its boundaries as they now exist or are legally modified. The city will maintain as a public record an accurate and current description of the boundaries.</p>		
I Name, Boundaries, Powers and General Provisions	2. Powers of the City.	<p>Subject only to limitations provided in this charter, the city shall have all rights, powers, privileges and immunities now or hereafter granted either expressly or impliedly to municipalities by the constitution, statues (*) and common law of the state, as fully as though each of such rights, powers, privileges and immunities were specifically stated in this charter.</p> <p>The enumeration of or reference to particular rights, powers, privileges and immunities in this charter shall not be construed to be exclusive. This charter shall be liberally construed to the end that the city may have all necessary powers for the conduct of its municipal affairs, as contemplated by the municipal home rule provision of the constitution and laws of the state.</p>	Just need to fix the typo--statues do not grant powers, but statutes might.	

Chapter	Section	Current Text	Staff Comments	Comment 1
II Form of Government	3. Council and Mayor.	<p>Except as otherwise provided in this charter, all powers of the city shall be vested in a council of seven members nominated and elected from the city at large. At each biennial general election, four councilors shall be elected. The three receiving the highest number of votes shall each hold office for four years, and the one receiving the number of votes next to the three highest shall hold office for two years. Tie votes shall be determined by lot.</p> <p>At its first meeting of the new term after each biennial general election, the council shall elect from its membership a chairperson who shall be mayor for a term of two years.</p> <p>The mayor and councilors in office at the time of adoption of this charter shall continue in office until the expiration of their respective terms, with powers and duties as provided in this charter.</p>	This section is currently pending a potential change through a Charter amendment election to be held 5/20/2025.	<p>At each biennial general election, <del>four</del> <b>three</b> councilors shall be elected.</p> <p>Can a sitting Council member with two years left in their term run for Mayor and upon losing the Mayor vote, retain their Council seat for the remaining two years?</p> <p>If a Council member with two remaining years on their term wins the Mayor seat, will the vacant Council seat be filled by appointment by the new Council? Or filled by the highest vote getter that did not finish in the top three? What if only three candidates ran for the three Council seats up for election?</p>
II Form of Government	4. <i>City Attorney</i> , Manager and Municipal Judge.	The council shall appoint and keep in office a city attorney, city manager who shall also serve as the city recorder, and a municipal judge, who shall hold office subject to the discretion of the council and may be removed by the council with or without cause.	The formatting of <i>City Attorney</i> in italics should be made consistent.	The council shall appoint and keep in office a city attorney, city manager who shall also serve as the city recorder, and a municipal judge, <del>who</del> <b>each of whom</b> shall hold office subject to the discretion of the council and may be removed by the council with or without cause.
II Form of Government	5. Other City Officers and Employees.	The city manager shall appoint a treasurer, a chief of police and such other officers and employees of the city as the council deems necessary, and may remove any of them at any time with or without cause. The council may by resolution require any officer to fill and perform the duties of two or more offices.		Does Sweet Home have a treasurer? <b>Staff response:</b> Yes, the Finance Director fills the role of Treasurer.
II Form of Government	6. Salaries.	The council shall fix the compensation of all city officers and employees.		
II Form of Government	7. Bonds of Officers, Employees and Contractor.	If ordinances require, every person appointed to an office or place of public employment in the city or entering into a contract with the city shall give the city a bond for the faithful performance of his/her duties. Nothing in this section, however, shall detract from the effect of Section 20.		

Chapter	Section	Current Text	Staff Comments	Comment 1
III Elections	8. Regulations of Elections.	Except as this charter provides otherwise and as the council provides otherwise by ordinance relating to elections, the general law of the state shall apply to the conduct of all city elections, recounts of the returns therefrom, and contest thereof. Any qualified elector who has resided in the city at least one year may be nominated for the council or for mayor.		
III Elections	9. Special Elections.	The council may by resolution or ordinance order a special election and provide the time, manner and means for holding it. At least 10 days notice shall be given of each special election.		
III Elections	10. Commencement of Terms of Office.	The term of office of each person elected to office at a regular city election shall commence on the first Monday of January following the election. In the case of an election to fill an existing vacancy in office, the person elected shall enter upon his/her office immediately.	Staff recommends realigning this to coincide with the final Council meeting of the ending terms of outgoing councilors to ensure continuity and accountability in attending potential emergency meetings, or at least to the first of the year.	Chapter 3 Section 10 and Chapter 4 Section 13 are contradictory in nature, and the latter nullifies the former language (section 10 providing for an election to fill vacancy, and section 13 dictating that vacancies are filled by appointment)... This provision (Section 13) would seem to invalidate City Council Rule 18 which provides for election or appointment. Some housekeeping seems to be in order here.  <b>Staff Note:</b> The Charter will supersede Council Rules and the Rules are outside the purview of the committee, so committee discussion should be limited to resolving the potential conflict within the Charter. So noted for future rules discussions though!
III Elections	11. Oath of Office.	Each officer, before entering upon the duties of his/her office, shall take an oath that he/she will support the constitution and laws of the United States and the state, and that he/she will faithfully perform the duties of his/her office.		