

ORDINANCE NO. 2

AN ORDINANCE CREATING THE OFFICE AND  
DEFINING THE DUTIES OF CITY RECORDER  
AND PROVIDING FOR THE PROCEDURE IN  
THE RECORDER'S COURT.

The City of Garibaldi does ordain as follows:

Section 1. The council shall appoint and keep in office at its pleasure a city recorder, which office is hereby created. The recorder may, in addition to the offices to which he is appointed under this ordinance, be appointed to other city offices by the council.

Section 2. The title of the city recorder whether acting as recorder or clerk shall be "the recorder of the city of Garibaldi."

Section 3. It shall be the duty generally of the recorder to act as the municipal judge of the city and clerk of the council. In his capacity as clerk it shall be his duty to attend all council meetings and to keep and preserve accurate and complete records and accounts of the official actions of the council and of himself. For such purposes he shall keep a book, to be known as the journal of proceedings, in which shall be entered a true, accurate, and correct transcript of all the proceedings of the council. He shall keep and preserve on file in his office all original ordinances passed by the council.

Section 4. The recorder shall also keep an accurate and correct record of all warrants issued, the name of the fund on which same were drawn, and a list of all warrants paid or redeemed and the date, number, amount, and interest paid on each warrant in such a manner as to make possible the preparation of a comprehensive statement or recapitulation showing the financial condition of the city at any time. It shall also be his duty to keep and preserve an accurate record of all licenses issued by him, together with name of licensee, the date and duration of the license, and the subject matter covered thereby, and to do and perform any and all other acts or duties that may be prescribed by the law or by the council.

Section 5. Before assuming the duties of his office, the recorder shall post with the mayor a surety bond in the sum of \$1000 in favor of the city of Garibaldi executed by himself as principal and one or more qualified sureties, with qualifications of sureties of bail on arrest, or by a surety company authorized to do business as a surety company in the state of Oregon by the state insurance commissioner, and continue the same in full force and effect during his incumbency.

Section 6. The recorder shall be the municipal judge of the city and shall be judge of the municipal court and shall have jurisdiction over all offenses against the city for violation of any ordinance thereof. All processes issued by him shall run in the name of the city of Garibaldi, and shall be dated the day they are issued, signed by the recorder, and directed to the chief of police or any city police officer, or in case of the inability of the said officer or officers to act thereon, then to the sheriff or any deputy sheriff of Tillamook County.

Section 7. The form of a warrant for arrest shall be substantially as follows:

State of Oregon )  
County of Tillamook ) ss.  
City of Garibaldi )

To the chief of police of the city of Garibaldi,  
or \_\_\_\_\_:

Whereas, \_\_\_\_\_ has this day complained in writing, under oath, to the undersigned, recorder of the city of Garibaldi, that on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_, in said city, one \_\_\_\_\_ did violate Ordinance No. \_\_\_\_\_ in said city, by \_\_\_\_\_ (enter substance of complaint) \_\_\_\_\_,

Therefore, in the name of the city of Garibaldi, you are hereby commended to forthwith apprehend the said \_\_\_\_\_, and bring him before me to be dealt with according to law.

Given under my hand and seal of the city of Garibaldi, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Section 8. All proceedings in the recorder's court for the violation of city ordinances shall be governed by the laws of the state of Oregon for similar proceedings in justices of the peace courts. All fines, costs and disbursements imposed in criminal prosecutions shall be paid to the recorder, who shall forthwith deposit same with the city treasurer and receive from said city treasurer duplicate receipts therefor. One copy thereof shall be filed in the office of the recorder.

Section 9. The recorder shall make a report of cases in the municipal court to the council at the first regular meeting in each month for the period covered by the preceding month.

Passed by the Common Council this \_\_\_\_\_ day of \_\_\_\_\_ 194\_\_\_\_.  
Approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Attest:

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Mayor