

ORDINANCE NO. 35

AN ORDINANCE ORDERING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE CITY OF GARIBALDI, OREGON AT A SPECIAL ELECTION TO BE HELD ON THE 1st day OF JUNE, 1951 THE FOLLOWING PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF GARIBALDI REFERRED TO THE ELECTORS OF SAID CITY BY THE COMMON COUNCIL FOR THEIR APPROVAL OR REJECTION AND DECLARING AN EMERGENCY.

The People of Garibaldi do ordain as follows:

Section 1. That a special election shall be held in the City of Garibaldi on the 1st day of June, 1951 at which special election there shall be submitted to the Electors of said City for their approval or rejection the following proposed amendment to the Charter of the City of Garibaldi, Oregon, to-wit:

Proposed by Resolution of the Common Council and referred to the Electors:

CHARTER AMENDMENT

AN ACT TO AMEND THE EXISTING CHARTER OF THE CITY OF GARIBALDI BY ADDING A NEW CHAPTER THERETO WHICH AUTHORITY SHALL BE IN ADDITION TO THE EXISTING CHAPTERS: AUTHORIZING THE COMMON COUNCIL TO OWN, PURCHASE, CONSTRUCT, EQUIP, OPERATE AND MAINTAIN WITHIN AND WITHOUT THE CITY LIMITS OF GARIBALDI, A WATER SYSTEM, EQUIPMENT AND APPURTENANCES NECESSARY, USEFUL OR CONVENIENT FOR A COMPLETE WATER SYSTEM: TO ACQUIRE ANY PROPERTY, RIGHTS OF WAY OR EASEMENTS, INCLUDING WATER RIGHTS; TO ESTABLISH JUST AND EQUITABLE WATER RATES AND CONNECTION CHARGES FOR THE USE OF WATER FROM THE WATER SYSTEM; TO ACCEPT AND APPLY ANY GOVERNMENT AID AVAILABLE; TO LEVY AN AD VALOREM TAX SUFFICIENT TO EQUIP, MAINTAIN AND OPERATE SAID WATER SYSTEM AND PROVIDING THAT ANY TAX LEVIED PURSUANT TO THIS CHARTER AMENDMENT BE IN ADDITION TO ALL OTHER TAXES.

The People of Garibaldi do ordain as follows:

Be it enacted by the Electors of the City of Garibaldi, Oregon that the Charter of the City of Garibaldi, Oregon be ~~amended~~ by adding thereto a new Chapter numbered XI to read as follows:

Section 1. The Common Council of the City of Garibaldi is hereby authorized to purchase, construct, equip, operate and

maintain within and without the city limits of Garibaldi a water system, equipment and appurtenances necessary, useful or convenient for a complete water system; to acquire any property, rights of way or easements, including water right; to establish just and equitable water rates and connection charges for the use of water from the water system.

Section 2. Common Council is hereby authorized to levy any ad valorem tax necessary to equip, maintain and operate said water system.

Section 3. Any tax levied pursuant to this charter amendment shall be additional to all other taxes.

Section 4. The City Recorder of the City of Garibaldi, Oregon is hereby ordered and directed to give notice of said special election as provided by Ordinance #4 of the City of Garibaldi.

Mrs. Lewis Brown, Mrs. Anita Tilden, Mrs. T. J. St. Onge and Mrs. E.W. Erickson are appointed as Judges of said election and Mrs. H. H. Lewis is appointed Clerk thereof.

Dated this 14th day of May, 1951.

Passed and unanimously adopted by the council of the city of Garibaldi this 14th day of May, 1951, with all members of the council, upon roll call, voting therefor.

ATTEST
Approved by the Mayor;
May 14th, 1951.

B. J. Spencer
Mayor of the City of Garibaldi, Oregon

ATTEST: Al Smith

Recorder of the City of Garibaldi,
Oregon

NOTICE OF SPECIAL ELECTION

Notice is hereby given, that on June 4, 1951 in the City of Garibaldi, Tillamook County, Oregon from 8 a.m. Pacific Daylight Saving Time until 8 p.m. Pacific Daylight Saving Time a special election will be held at which the following charter amendment will be submitted to the voters.

AN ACT TO AMEND THE EXISTING CHARTER OF THE CITY OF GARIBALDI BY ADDING A NEW CHAPTER THERETO WHICH AUTHORITY SHALL BE IN ADDITION TO THE EXISTING CHAPTERS; AUTHORIZING THE COMMON COUNCIL TO OWN, PURCHASE, CONSTRUCT, EQUIP, OPERATE AND MAINTAIN WITHIN AND WITHOUT THE CITY LIMITS OF GARIBALDI, A WATER SYSTEM, EQUIPMENT AND APPURTENANCES NECESSARY, USEFUL OR CONVENIENT FOR A COMPLETE WATER SYSTEM; TO ACQUIRE ANY PROPERTY, RIGHTS OF WAY OR EASEMENTS, INCLUDING WATER RIGHTS; TO ESTABLISH JUST AND EQUITABLE WATER RATES AND CONNECTION CHARGES FOR THE USE OF WATER FROM THE WATER SYSTEM; TO ACCEPT AND APPLY ANY GOVERNMENT AID AVAILABLE; TO LEVY AN AD VALOREM TAX SUFFICIENT TO EQUIP, MAINTAIN AND OPERATE SAID WATER SYSTEM AND PROVIDING THAT ANY TAX LEVIED PURSUANT TO THIS CHARTER AMENDMENT BE IN ADDITION TO ALL OTHER TAXES.

Be it enacted by the legal voters of Garibaldi, Oregon that the charter of said city be amended by adding thereto a new chapter numbered 11 to read as follows:

Section 1. The Common Council of the City of Garibaldi is hereby authorized to purchase, construct, equip, operate and maintain within and without the city limits of Garibaldi a water system, equipment and appurtenances necessary, useful or convenient for a complete water system; to acquire any property, rights of way or easements, including water right; to establish just and equitable water rates and connection charges for the use of water from the water system.

Section 2. Common Council is hereby authorized to levy any ad valorem tax necessary to equip, maintain and operate said water system.

Section 3. Any tax levied pursuant to this charter amendment shall be additional to all other taxes.

THEREFORE, It is Hereby Resolved by the Mayor and Common Council of the City of Garibaldi, Oregon, that the foregoing charter amendment be submitted to the legal voters of said city for their approval or rejection at a special election which is hereby ordered to be held in said city on the ~~1st~~ day of ~~June~~, A. D. 1951, between the hours of 8:00 A.M. Pacific Daylight Saving Time and 8:00 P.M.

Daylight Saving Time, and the voting place is hereby designated to be the City Hall, Garibaldi, Oregon. The City Recorder is ordered to give notice of such election as provided by Ordinance No. 4 of the City of Garibaldi.

The polling place for the election will be the City Hall, in the City of Garibaldi, Oregon.

WITNESS my hand and seal of the City of Garibaldi, Oregon this 15th day of May, 1951.



City Recorder

POSTED May 15th, 1951.

CITY OF GARIBALDI
GARIBALDI, OREGON

STATEMENT

Of Tally Sheets of the Special Election Held at Garibaldi, in the County of Tillamook, State of Oregon; On the First Day of June, in the year 1981; showing the numbers of each Measure, and the total votes received by each number in the said City.

Ballot Title	No.		Total Vote Received
Charter Amendment Authorizing the City of Garibaldi to Own and Operate a Municipal Water System.	500	Yes	79
	501	No	101

We the undersigned, hereby certify that at the above Election and Polling Place each of the foregoing Measures received the number of votes set opposite the numbers Yes and No of each Measure.

Eli Ereckson, Chairman.

Ora Lewis, Judge.

Alma M. Onge, Clerk.

Amie H. Tiller, Clerk.

Mary Brown, Clerk.

CITY OF GARIBALDI
GARIBALDI, OREGON
June 5th, 1951.

I, B.J. Spencer, Mayor of the City of Garibaldi,
"DO PROCLAIM; That the votes cast at the Special City
Election, held on Friday June 1st, 1951; for purpose of
voting for or against the Charter Amendment; Authorizing
the City of Garibaldi to own and operate a Municipal Water
System; Was canvassed by the City Council at an adjourned
meeting, Monday June 4th, 1951 and the vote cast is as follows.

No.		Title	Votes Received	
500	Yes	Charter Amendment Authorizing the City of Garibaldi to own and operate a Municipal Water System.	For	79
501	No		Against	101

I, further more "PROCLAIM" that since the majority of
votes cast at the said election were against the Charter
Amendment; That the Charter Amendment did not carry.

/s/ B.J. Spencer.
Mayor.

Attest. *B.J. Groth.*
B.J. Groth.
City Recorder.

SPECIAL ELECTRON AND NOT PAGES

100

100