

ORDINANCE NO. 2129

AN ORDINANCE PROVIDING FOR THE DATE AND MANNER OF HOLDING A SPECIAL ELECTION IN THE CITY OF ALBANY, OREGON, ON THE 21st DAY OF DECEMBER, 1951, 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 CHARTER 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 21st day of December, 1951, commencing at the hour of 9:00 o'clock a.m. of the said day, Pacific Standard Time.

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

FIRST WARD: Maple School  
SECOND WARD: Albany High School  
THIRD WARD: Madison School

Section 3. That the Judges and Clerks of the special election to supervise the election at each of the within wards of the City of Albany shall be as follows:

FIRST WARD:

Judge 1. Mrs. Howard Rowlee	Clerk 1. Mrs. H. J. Opsal
2. Mrs. Irene Hancock	2. Mrs. Mary Elizabeth Weber
	3. Mrs. Geo. Hughes

SECOND WARD:

Judge 1. Mrs. G. C. McClellan	Clerk 1. Mrs. L. Bassett
2. Mrs. May Arnold	2. Mrs. O. R. Wiseman
	3. Miss Lillie Brenner

THIRD WARD:

Judge 1. Mrs. Gladys P. Moench	Clerk 1. Mrs. Jennie C. Cook
2. Mrs. Minnie O. Chance	2. Mrs. Anne A. Lake
	3. Mrs. Henrietta Magers

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, 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 December 21, 1951, at the  
(Location) 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 \$750,000.00, the proceeds of which shall be used to pay the cost of the improvements first mentioned.'

which election will be held at 9:00 o'clock in the morning and will continue until 3:00 o'clock in the afternoon Pacific Standard Time of the said day.

(continued)

Dated this 5th day of December, 1951.

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 to 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 21st day of December, 1951, between the hours of 8:00 o'clock a.m. and 8:00 o'clock p.m. Pacific Standard Time.

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 obligation 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 \$750,000.00, 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 \$805,000.00. The funds derived from the sewer rental charges now total \$70,000.00. 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 repayment 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 \$750,000.00. 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. Inasmuch 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

(continued)

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 11-28-1907

Approved by the Mayor 11-28-1907

Attest:

E. J. [Signature]  
Recorder

[Signature]  
Mayor