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ORDINANCE NO. 4170

AN ORDINANCE PROVIDING FOR THE CALLING OF A SPECIAL ELECTION IN THE CITY OF ALBANY, OREGON, on November 7, 1978, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF ALBANY, OREGON, THE QUESTION OF ESTABLISHING NEW TAX BASE FOR THE PURPOSE OF APPLYING THE LIMITATION OF TAXATION SET FORTH IN SECTION 11, ARTICLE XI, OREGON CONSTITUTION AND DECLARING AN EMERGENCY.

Recitals:

1. WHEREAS, it appears to the City Council of the City of Albany, Oregon, that a new tax base must be established, as authorized by sub-section (2) section 11, Article XI, Oregon Constitution, in order to permit a proper operation of the city affairs within the limitations contained in section 11, Article XI, Oregon Constitution, and

2. WHEREAS, it is necessary to submit the question of establishing a new tax base to the legal voters for the City of Albany, Oregon, now, therefore,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: SPECIAL ELECTION CALLED.

The proposition set forth in Section two (2) of this Ordinance shall be submitted in the manner prescribed in this Ordinance to the legal voters of the City of Albany, Oregon, at a special election to be held on the 7th day of November, 1978.

This is a state-wide general election being held in the State of Oregon and in the City of Albany, as a part thereof, on the 7th day of November, 1978, and this special election is called to be held concurrently therewith.

Section 2: PROPOSITION TO BE VOTED.

At the election there shall be submitted to the legal voters of the City of Albany, for their approval or rejection, the following proposition:

"Shall the tax base for the City of Albany, Linn County Oregon, be established as \$1,900,000.00 for the purpose of applying the limitation on taxation set forth in section 11, Article XI, Oregon Constitution. The tax base now in effect is \$552,498.11 and the new tax base, if approved, shall first apply to the levy for the fiscal year next following this election."

Section 3: DESIGNATION OF POLLING PLACES, POLL BOOKS AND JUDGES.

The regular polling places designated by the County Court of Linn County, Oregon in each voting precinct in the City of Albany, are hereby designated as the polling places for the special city election; the poll books adopted by the County Court of Linn County, Oregon, as

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the poll books for the state-wide general election for the voting precincts in the City of Albany hereby are adopted as the poll books for the special city election; and the judges and clerks of election appointed by the County Court of Linn County, Oregon, to serve at the state-wide general election hereby are designated as the judges and clerks of and for the special city election.

Section 4: HOURS OF ELECTION.

The polls for the special city election shall be open in each of the voting precincts at the same hours, and shall be kept open until the same hours, as the polls are open and closed for the state-wide general election that will be held on the same day.

Section 5: NOTICE OF ELECTION.

Notice of the election shall be given by publication twice in a newspaper of general circulation in the City of Albany, Oregon, not more than twenty (20) nor less than ten (10) days before the election. Notices of the election shall be posted for not less than twenty (20) days before the election in three (3) public places within the City. The notice in the newspaper and those posted in three (3) public places shall be in substantially the following manner:

"NOTICE OF SPECIAL ELECTION"

On the 7th day of November, 1978, the City of Albany, Linn County, Oregon, from 8:00 a.m., until 8:00 p.m., a special election will be held at which the following measure will be submitted to the voters for their approval:

<p>ESTABLISHING NEW TAX BASE OF \$1,900,000.00 for Albany, Linn County, Oregon. Shall the tax base for the City of Albany, Linn County, Oregon, be established as \$1,900,000.00 for the purpose of applying the limitations on taxation set forth in section 11, Article XI, Oregon Constitution. The tax base now in effect is \$552,498.11 and the new base, if approved, shall first apply to the levy for the fiscal year next following this election.</p>	<p>YES</p> <p>NO</p>
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The City and County precincts within the City of Albany, Linn County, Oregon shall have uniform boundaries, and the same election boards. The polling places in the City for the special city election shall be at the same places as provided by the County of Linn for the state-wide general election to be held on the same day, November 7, 1978, and to such places as the election boards may legally adjourn. The City Council, by Ordinance, has appointed

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the identical officers appointed by the County Court of Linn County, Oregon for the state-wide general election, as the judges and clerks of the special City election to serve in each of the polling places in the respective precincts to which they are appointed by the County Court of Linn County,

WITNESS MY HAND AND SEAL of the City of Albany, this \_\_\_\_ day of October, 1978.

\_\_\_\_\_  
Recorder

The recorder shall advertise and post or cause to be posted the notices required by this section. The notices of election required to be given by this ordinance shall constitute the only notice necessary and all ordinances or resolutions in conflict herewith shall not apply to the notices required to be given of this election.

Section 6: BALLOT FORM.

The following is the number and form in which the question shall be printed on the official ballot:

\_\_\_\_\_  
"VOTE YES OR NO. MARK AN "X" IN THE SQUARE FOR THE ANSWER VOTED FOR.

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Referred to the people by the City Council  
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ESTABLISHING NEW TAX BASE OF \$1,900,000.00 for the City of Albany, Linn County, Oregon; Shall the tax base for the City of Albany, Linn County, Oregon be established as \$1,900,000.00 for the purpose of applying the limitation on taxation set forth in section 11, Article XI, Oregon Constitution. The tax base now in effect is \$552,498.11 and the new tax base, if approved, shall first apply to the levy for the fiscal year next following the election.

YES

NO

\_\_\_\_\_  
Section 7: EMERGENCY CLAUSE

WHEREAS, it is in the betterment of the public health, interest, safety and general welfare of the citizens of the City of Albany, that this matter be disposed of at the earliest possible moment, therefore,

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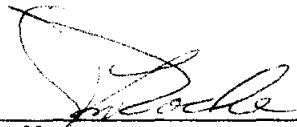
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an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

Passed by the Council: August 9, 1978

Approved by the Mayor: August 9, 1978

Effective Date: August 9, 1978



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Mayor

ATTEST:



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City Recorder