

ORDINANCE NO. 1355

AN ORDINANCE ADDING SECTION 2.05.020 TO THE CANBY MUNICIPAL CODE TO AUTHORIZE SUBMISSION OF EXPLANATORY STATEMENTS BY THE CITY OF CANBY FOR INCLUSION IN THE CLACKAMAS COUNTY VOTERS PAMPHLET FOR MATTERS SUBMITTED TO THE VOTERS RELATING TO MUNICIPAL LEGISLATION UNDER THE REFERENDUM OR INITIATIVE POWERS BY PETITION.

WHEREAS, the initiative and referendum powers are reserved to the people by the terms of Article IV, Section 1 of the Oregon Constitution as to both state and municipal legislation; and

WHEREAS, Article IV, subsection 1(5) provides that municipalities such as the City of Canby may provide for the manner of exercising the initiative and referendum powers as to municipal legislation; and

WHEREAS, under the terms of OAR 165-022-0040, The City must pass an ordinance if it wishes to prepare explanatory statements on matters that are initiated or referred to the voters by petition;

WHEREAS, the City Council believes it is in the public interest for the City to exercise its Constitutional authority to provide for the manner of exercising the initiative and referendum powers as to municipal legislation and to comply with the aforementioned administrative rule and to therefore, when directed by the City Council, authorize the City Attorney to prepare explanatory statements for matters referred or initiated by petition in order that the City is assured of its ability to explain municipal legislation to the voters of the City of Canby; now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Section 2.10.020 is added to the Canby Municipal Code, to read:

2.10.020 Authorization to Submit Explanatory Statements Relating to Municipal Legislation Referred or Initiated by Petition

- A. When directed by the City Council, the City Attorney is required to prepare an impartial explanatory statement for the Clackamas County Voters Pamphlet for matters relating to municipal legislation referred or initiated by petition.*

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, April 18, 2012 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, May 2, 2012 commencing at the hour of 7:30 P.M. in the Council Meeting Chambers located at 155 NW 2nd Avenue in Canby, Oregon.




Kimberly Scheafer, MMC
City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 2nd day of May 2012 by the following vote:


YEAS 6

NAYS 0



Randy Carson
Mayor

ATTEST:



Kimberly Scheafer, MMC
City Recorder