

Amendments to the Charter of the City of Portland and Resolution No. 21480

To Be Submitted to the Voters of Said City at the General Municipal Election To Be Held

TUESDAY, NOVEMBER 8, 1938

RESOLUTION SUBMITTING QUESTION TO THE VOTERS:

RESOLUTION NO. 21480

BE IT RESOLVED BY THE COUNCIL of the City of Portland, Oregon, that there is hereby submitted to the legal voters of the City of Portland, Oregon, for their approval or disapproval at the general election to be held in said city on Tuesday, the 8th day of November, 1938, the question whether the City of Portland, Oregon, shall avail itself of the provisions of Chapters 441 and 442, Oregon Laws 1937, and the United States Housing Act of 1937, and take the necessary action for setting up a Housing Authority as a body corporate in this city, and each voter who votes thereon shall vote "Yes" or "No" in answer to the following question:

"Shall the Mayor and City Council of the City of Portland, Oregon, take the necessary steps to put into operation a Housing Authority in said city under the provisions and authority of Chapters 441 and 442, Oregon Laws 1937, and the United States Housing Act of 1937?"

— Yes, I vote in favor of the establishment of such Housing Authority.

— No, I vote against the establishment of such Housing Authority.

The ballot title for the foregoing question is as follows:

RESOLUTION PROVIDING VOTERS SHALL ANSWER FOLLOWING QUESTION:

"Shall the Mayor and City Council of the City of Portland, Oregon, take the necessary steps to put into operation a Housing Authority in said city, under the provisions and authority of Chapters 441 and 442, Oregon Laws 1937, and the United States Housing Act of 1937?"

500 Yes, I vote in favor of the establishment of such Housing Authority.

501 No, I vote against the establishment of such Housing Authority.

The Council of the City of Portland by Resolution No. 21480 adopted on the 6th day of July 1938, submitted the foregoing question to the legal voters of the City of Portland, Oregon, to be voted upon at the General Municipal Election to be held in said City on the 8th day of November, 1938, and the foregoing resolution and ballot title are published pursuant to the laws and ordinances in such cases made and provided.

Dated this 26th day of September, 1938.

Date of first publication September 27th, 1938.

Date of last publication September 28th, 1938.

EDWIN W. JONES,

Auditor of the City of Portland.

CHARTER AMENDMENT SUBMITTED TO THE VOTERS BY THE COUNCIL.

AN ACT

To amend an Act of the Legislative Assembly of the State of Oregon entitled, "An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefor and to repeal all acts or parts of acts in conflict therewith," filed in the office of the Secretary of State January 23, 1903, as subsequently amended by said Legislative Assembly and by the people of the City of Portland from time to time, and as revised, codified and arranged by Ordinance No. 29350, passed August 19, 1914, amended June 6, 1928, by adding thereto a new section to be numbered section 347, giving the Council certain powers to prevent impurities and deleterious matter from entering the waters of the Willamette River, Columbia Slough, Columbia River or other waters in and adjacent to the City of Portland, from the City sewers and from certain other places, and authorizing the constructing, equipping and maintaining of a sewage disposal system or systems, and to fix and collect therefor sewer user service charges, subject to certain restrictions.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORTLAND, OREGON:

Section 1. The Act of the Legislative Assembly of the State of Oregon entitled, "An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefor and to repeal all acts or parts of acts in conflict therewith," filed in the office of the Secretary of State January 23, 1903, as subsequently amended by said Legislative Assembly and by the people of the City of Portland from time to time, and as revised, codified and arranged by Ordinance No. 29350, passed August 19, 1914, amended June 6, 1928, be and the same hereby is amended by adding thereto a new section to be numbered section 347, which section shall read as follows:

Section 347. DECLARATION OF PURPOSE: GRANT OF POWER: SEWAGE DISPOSAL OR SEWAGE PURIFICATION SYSTEM AUTHORIZED:

For the purpose of preventing, reducing and correcting the pollution of the waters of the Willamette River, the Columbia Slough, the Columbia River, and other waters in and adjacent to the City of Portland, the Council is granted power and authority:

1. To construct, equip, operate and maintain a sewage disposal or sewage purification system within and/or without the corporate limits, including intercepting sewer mains, diversions, pumping or ejector stations, treatment and/or disposal plant or plants with appurtenances for the treatment and/or disposal of sewage, and so designed that it will be possible to extend and amplify to any degree of treatment without unnecessary financial loss in revisions and additions.

2. To dispose of by-products of sewage reduction, purification or treatment, and the effluent from sewage disposal plants, either by sale of by-products, chlorination and removal of effluent, or in such other manner as the Council may from time to time determine.

3. To acquire by grant, purchase and/or condemnation, lands, rights of way, easements or privileges therefor, either within or without the corporate limits.

4. To construct a sewage disposal, sewage purification or sewage treatment system in units leading to an ultimate system.

5. To determine the class or kind of materials to be used in construction of a sewage disposal, sewage purification or sewage treatment system, including the intercepting sewers and all appurtenant devices and structures.

6. To require from the City Engineer plans and specifications and estimates of costs for a sewage disposal, sewage purification or sewage treatment system showing the location of facilities, type of construction, type of equipment, cost estimates, division of units, duration of construction, program of construction, sewer user service charges; but the declaration of engineering and construction policies shall be tentative only and the final determination shall be at the discretion of the Council.

7. To enter into contracts for the construction of a sewage disposal, sewage purification or sewage treatment system.

8. To employ and compensate technical, consulting or scientific engineering services in connection with a sewage disposal, sewage purification or sewage treatment system.

9. To enact such ordinance or ordinances from time to time as may be needed to give full effect to the grant of power conferred by this section.

10. To finance the cost of the construction, equipment and maintenance of a sewage disposal, sewage purification or sewage treatment system

from funds accruing from a sewer user service charge, or the sale of salvaged products, or both, or from funds acquired from grants from any Federal or other agency, or both.

11. To determine, fix and collect a sewer user service charge when and if necessary.

12. To provide the mode and manner of collecting the sewer user service charge, and if such sewer user service charges so established be not paid when due to provide for penalties, interest and cost.

13. To create a Board of Equalization and define its powers and authority, which Board shall be established for the purpose of adjusting the sewer user service charges.

14. To provide as authorized by Chapter 289 Oregon Laws 1933, that if the sewer user service charges established by the Council be not paid when due the amount or amounts thereof, together with such penalties and interest and costs as may be provided by ordinance, may be recovered in an action at law; or, may be certified to the assessor of Multnomah County, and be by him assessed against the premises serviced and shall thereupon be collected and paid over in the same manner as other taxes are certified, assessed, collected and paid over.

15. To determine the time the sewer user service charge shall continue or cease for the purpose of providing funds with which to construct, equip, operate and maintain a sewage disposal, sewage purification or sewage treatment system.

16. To provide that the funds collected from the sewer user service charges shall be placed in a separate fund designated "Sewage Disposal Fund," disbursements therefrom to be made on warrants signed by the Auditor and Commissioner of Public Works, and to provide that all net profits from the sale of salvaged products shall be converted into the same fund, reducing to such extent any levy made as a user charge.

17. To receive and accept grants and/or loans from the Federal Government and/or its agencies for planning and carrying out the construction and installation of such sewage disposal.

18. It is ordained that the amount of the sewer user service charge shall not exceed 33 1/3 per cent of the current water charge as annually fixed by the Council for the Bureau of Water Works, except that the sewer user service charge for a dwelling during the months of June, July, August and September in any year shall be based upon not to exceed 33 1/3 per cent of the monthly average of the water charged for the previous four months, or if there has not been a four months' water charge prior to June, then not to exceed 33 1/3 per cent of the average water charge for the previous months less than the said four months shall be the basis of the sewer user service charge. Where there has been no water charge for one month prior to June in any year, the sewer user service charge shall be not to exceed 33 1/3 per cent of the minimum water charge for that particular residence. All sewer user service charges shall be collected by the Bureau of Water Works coincident with its collection of water charges.

19. It is ordained that for industries, industrial plants, utilities and other business enterprises, where the use of water is for the production of the water delivered thereto does not flow into a city sewer or any sewer connecting with a city sewer, a sewer user service charge shall be made and paid upon the basis of water used or the sewer user service charge shall be computed on the basis of the flow of water metered at the place where the water enters the sewer. Where water from private wells is used and permitted to flow into a city serving sewer, a sewer user service charge shall be made and paid based upon the flow of water metered at the place of discharge of the water.

20. It is ordained that where there is a sewer within one hundred (100) feet of any property put to a use which requires sewage facilities and not connected therewith, the sewer user service charge shall be assessed against such property the same as though connected.

21. It is ordained that the foregoing enumeration of particular powers granted to the Council by this section shall not be construed to impair any general grant of power elsewhere contained in the charter of the City of Portland, or such general grant of power of the same class or classes as those so enumerated.

22. It is ordained that as an aid to the purification of the waters of the Willamette River, the Council is granted power and authority to enact legislation prohibiting industries, industrial plants or utilities or other enterprises, ships, vessels, or other river craft from placing or draining deleterious matter into the waters of the Willamette River within the confines of the City, and to require all such to connect their properties with the sewage disposal system when physically possible; if physically impossible, then to compel all such to construct a sewage or waste disposal system as may be prescribed and required by ordinance.

23. Nothing herein contained shall be construed to repeal, modify or abrogate the power of the Council under the charter, or charter-ordinances, relating to the construction of sewers, the cost of which is paid by special assessment upon properties benefited thereby, nor prohibit in such cases, property owners bonding the cost of said sewers and the issuance of bonds by the City incident thereto, nor to repeal, modify or abrogate any power and authority now vested in the Council to issue bonds or other evidences of indebtedness for the purpose of constructing, equipping, or maintaining sewage disposal systems.

24. It is ordained in order that funds may be secured to carry out the purposes of this act, the Council is granted the power and authority to establish and put into effect and collect as of December 1st, 1938, a schedule of sewer user service charges and all persons or property using the present constructed sewage system of the city shall be required to pay the sewer user service charge notwithstanding the fact that the present serving sewers were constructed and paid for by such persons or property under the special assessment provisions of the charter or in case of sale of salvaged products, the Council is granted authority to fix the terms and conditions for the sale of such salvaged products and to provide for the placing of the net profits therefrom in the special fund provided for.

25. It is ordained that in the event new sewers are constructed under the special assessment provisions of the charter, and connected with and served by a sewage disposal, sewage purification or sewage treatment system or relating to the construction of sewers, charge, notwithstanding such special assessment, shall be paid, and so paid until such time as the sewer user service charge is discontinued.

26. It is ordained that the Bureau of Water Works shall be compensated for services rendered in collecting the sewer user service charges in such amount as shall be determined by the Council.

27. Costs of operation and maintenance of any unit of the sewage disposal system shall be paid from the sewage disposal fund.

28. It is ordained that at any time during the planning or construction of a sewage disposal, sewage purification or sewage treatment system if sufficient funds are not in the Sewage Disposal Fund, the Council is granted authority to borrow funds from the General Fund not in excess of \$25,000.00 for a period not exceeding one year, and the General Fund shall be reimbursed, with interest not exceeding six per cent, as funds are received from the Sewage Disposal Fund; provided, that at no time shall the amount herein authorized to be

loaned from the General Fund to the Sewage Disposal Fund exceed the sum of \$25,000.00.

29. It is ordained that in the event property is hereafter annexed to the corporate limits, the Council has power and authority to require sewers in such territory to be connected with the sewage disposal system, or a unit thereof, and to exact and collect a sewer user service charge.

30. It is ordained that all property adjacent to the City of Portland, or in the future deemed to be polluting the waters of the Willamette River, Columbia Slough or Columbia River shall be granted the right to use the sewage disposal facilities provided by the City of Portland upon such terms and under such conditions as may be determined by the Council; provided, however, that no such service shall be extended to property without the corporate limits of the City of Portland at a rate lower than that established for service to property within the said corporate limits.

The ballot title for the foregoing measure is as follows:

CHARTER AMENDMENT SUBMITTED TO THE VOTERS BY THE COUNCIL. SEWAGE DISPOSAL ACT.

An Act amending the charter by adding thereto a new section numbered 347, providing it is the purpose of the people to establish, maintain and extend within and without the city limits a sanitary sewage disposal system to correct and prevent waterway pollution; authorizing engineering and technical service, providing for the assessment, collection and enforcement of service charge based upon water charge, creating Board of Equalization, authorizing allocation of revenue and disposal of by-products and residue to said fund; creating Sewage Disposal Fund, authorizing acquisition of lands, rights of way, easements and other privileges, authorizing receipts of grants or loans from specified sources, continuing assessment authority for sewer construction and authorizing certain legislation to carry out the purposes of the Act.

Shall the charter be so amended?

502 Yes, I vote for the amendment.

503 No, I vote against the amendment.

The Council of the City of Portland by Resolution No. 21509 adopted on the 1st day of September, 1938, submitted the foregoing measure to the legal voters of the City of Portland, Oregon, to be voted upon at the General Municipal Election to be held in said City on the 8th day of November, 1938, and the foregoing measure and ballot title are published pursuant to the laws and ordinances in such cases made and provided.

Dated this 26th day of September, 1938.

Date of first publication September 27th, 1938.

Date of last publication September 28th, 1938.

EDWIN W. JONES,

Auditor of the City of Portland.

CHARTER AMENDMENT SUBMITTED TO THE VOTERS BY THE COUNCIL.

AN ACT

To amend an Act of the Legislative Assembly of the State of Oregon entitled, "An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefor and to repeal all acts or parts of acts in conflict therewith," filed in the office of the Secretary of State January 23, 1903, as subsequently amended by said Legislative Assembly and by the people of the City of Portland from time to time and as revised, codified and arranged by Ordinance No. 29350, passed August 19, 1914, amended June 6, 1928, by adding thereto a new section to be numbered section 190-1b, and declaring that it is the intent of the people, during the next ensuing 10-year period to establish a system of public recreational areas by acquiring land for parks, playgrounds and playfields and improving and equipping the same, and providing that the land may be purchased from private owners or it may be acquired through the exchange of publicly owned property for private property as authorized by Chapter 138, Oregon Laws 1935, and directing the Council to levy, for a period of ten years, a special tax of four-tenths of one mill and directing the proceeds thereof to be kept in the public recreational areas fund and to be used for said recreational purpose as provided in the act.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORTLAND, OREGON:

Section 1. That an Act of the Legislative Assembly of the State of Oregon entitled, "An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefor and to repeal all acts or parts of acts in conflict therewith," filed in the office of the Secretary of State January 23, 1903, and as subsequently amended by the Legislature and by the people of the City of Portland from time to time and as revised, codified and arranged by Ordinance No. 29350, passed August 19, 1914, amended June 6, 1928, be and the same hereby is amended by adding thereto or inserting therein a new section to be numbered 190-1b, which new section shall read as follows:

Section 190-1b. DECLARATION OF PURPOSES: PUBLIC RECREATIONAL AREAS TO BE ACQUIRED, IMPROVED AND EQUIPPED:

It, hereby, is declared that it is the purpose of the people that during the ensuing period of ten years there shall be established, in the City of Portland, a system of public recreational areas consisting of neighborhood parks, playgrounds, and playfields and the acquiring, improving and equipping thereof in the localities within the City boundaries where in the judgment of the City Council they are most needed to meet the requirements of the people.

The Council, hereby, is granted authority to acquire land therefor, and to improve and equip the same. The land required for the purpose of carrying out the intent of this act may be acquired, by the Council, either by purchase from private owners or by exchanging with private owners any of the real property now, or hereafter owned by the city, and not needed for public use, as authorized by Chapter 138, Oregon Laws 1935, and the exchange of properties shall be made in conformity with said law. The Council may enact any further or additional legislation required to carry out the purposes of this act.

The Council, hereby, is authorized and directed, each year hereafter for a period of ten years, to levy a special tax of four-tenths of one mill on each dollar of valuation on all property in the City of Portland not exempt from taxation, and provide that the proceeds from such special tax levy shall be credited to a public recreational areas fund; provided, that when property now or hereafter owned by the City and not needed for public use, is hereafter used, or exchanged, for private properties to be used for said public recreational areas, such an amount of money required to pay the reasonable value of said land so owned, shall be taken from said public recreational areas fund and credited to the assessment collection fund established by section 234a of the charter.

The Council, hereby, is granted authority to lease land with an option to purchase same, if financially advantageous in carrying out the intent of this act. The special tax of four-tenths of one mill authorized by this

act shall not be computed as a part of the revenues raised by taxation which is subject to the tax limitation of the Constitution, or the charter, and the said tax herein provided for shall be in addition to all other taxes which may be levied according to law.

The Council, hereby, is granted authority to fix the order of the establishment of said recreational projects and to determine the number of projects of the public recreational system that shall be acquired, improved or equipped in any one year of said 10-year period.

The Council, hereby, is authorized to accept from any Federal agency a grant of funds which may be used either in the purchase of land, for the payment of the cost of the improving, equipping or the maintaining of any of the projects of the public recreational system provided for herein.

The ballot title for the foregoing measure is as follows:

CHARTER AMENDMENT SUBMITTED TO THE VOTERS BY THE COUNCIL. NEIGHBORHOOD PARKS, PLAYGROUNDS AND PLAYFIELDS ACT.

An Act to amend the charter by adding thereto a new section numbered section 190-1b, providing it is the purpose of the people to authorize the Council during the ensuing ten years to establish neighborhood parks, playgrounds and playfields in the City by purchasing and exchanging real property, and equipping the same, and during said period levying a special tax each year of four-tenths of one mill for said purposes.

Shall the charter be so amended?

504 Yes, I vote for the amendment.

505 No, I vote against the amendment.

The Council of the City of Portland by Resolution No. 21512 adopted on the 7th day of September, 1938, submitted the foregoing measure to the legal voters of the City of Portland, Oregon, to be voted upon at the General Municipal Election to be held in said City on the 8th day of November, 1938, and the foregoing measure and ballot title are published pursuant to the laws and ordinances in such cases made and provided.

Dated this 26th day of September, 1938.

Date of first publication September 27th, 1938.

Date of last publication September 28th, 1938.

EDWIN W. JONES,

Auditor of the City of Portland.

CHARTER AMENDMENT SUBMITTED TO THE VOTERS BY THE COUNCIL.

AN ACT

To amend an Act of the Legislative Assembly of the State of Oregon entitled, "An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefor and to repeal all acts or parts of acts in conflict therewith," filed in the office of the Secretary of State January 23, 1903, as subsequently amended by said Legislative Assembly, and by the people of the City of Portland from time to time, and as revised, codified and arranged by Ordinance No. 29350, passed August 19, 1914, amended June 6, 1928, by amending Section 102 thereof to allow the Civil Service Board to set up additional qualifications not now set forth in the charter which shall be met by applicants as a condition to taking civil service examinations, and establish age limit for appointment to the Bureau of Fire.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORTLAND, OREGON:

Section 1. That an Act of the Legislative Assembly of the State of Oregon entitled, "An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefor and to repeal all acts or parts of acts in conflict therewith," filed in the office of the Secretary of State January 23, 1903, as subsequently amended by said Legislative Assembly and by the people of the City of Portland from time to time, and as revised, codified and arranged by Ordinance No. 29350, passed August 19, 1914, amended June 6, 1928, be amended by amending Section 102 to read as follows:

Section 102. EXAMINATIONS—ENTRANCE AGE OF MEMBERS OF THE BUREAU OF POLICE AND FIRE.

The Board shall, from time to time, hold public competitive examinations to ascertain the fitness of applicants for all offices, places and employment in the classified civil service. Said entrance examinations shall be confined to citizens of the United States who can read and write the English language and shall be open to all such citizens who possess such qualifications as may, by rule, be prescribed by the Board. Notice of the time, place and general scope of every examination shall be given by the Board by publication in the City Official Newspaper once each week for two successive weeks and by posting such notice in a conspicuous place in the office of the Board not less than two weeks preceding the examination. Such examinations shall be practical in their character, and shall relate only to those matters which may fairly test the relative fitness of the persons examined to discharge the duties of the positions for which they are applicants and shall include, when appropriate, tests of health and physical qualifications and of manual, clerical or professional skill. No question in any examination shall relate to political or religious opinions, affiliations or services. The Board shall control all examinations and shall designate the persons who shall act as examiners at any examination. When a person in the official service of the City is designated by the Board, he shall, without being entitled to extra compensation therefor, act as such examiner. Any Commissioner may act as an examiner. All patrolmen shall be between the ages of twenty-one (21) and thirty (30) years on the date of their appointment. All hosemen shall be between the ages of twenty-one (21) and twenty-six (26) years on the date of their appointment.

The ballot title for the foregoing measure is as follows:

CHARTER AMENDMENT SUBMITTED TO THE VOTERS BY THE COUNCIL. CIVIL SERVICE QUALIFICATIONS ACT.

An Act amending the charter by amending Section 102, providing it is the purpose of the people to remove limitations and allow Civil Service Board to set up additional qualifications as a condition to taking civil service examinations and establishing age limit for appointment to the Bureau of Fire.

Shall the charter be so amended?

506 Yes, I vote for the amendment.

507 No, I vote against the amendment.

The Council of the City of Portland by Resolution No. 21513 adopted on the 8th day of September, 1938, submitted the foregoing measure to the legal voters of the City of Portland, Oregon, to be voted upon at the General Municipal Election to be held in said City on the 8th day of November, 1938, and the foregoing measure and ballot title are published pursuant to the laws and ordinances in such cases made and provided.

Dated this 26th day of September, 1938.

Date of first publication September 27th, 1938.

Date of last publication September 28th, 1938.

EDWIN W. JONES,

Auditor of the City of Portland.