ORDINANCE NO. 1974

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, AMENDING THE MILWAUKIE MUNICIPAL CODE BY ADDING SECTION 1.04.100 – AUTHORIZATION TO SUBMIT EXPLANATORY STATEMENTS RELATING TO MUNICIPAL LEGISLATION REFERRED OR INITIATED BY PETITION.

WHEREAS, the initiative and referendum power 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 Milwaukie may provide for the manner of exercising the initiative and referendum powers as to the 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; and

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 Manager, City Attorney, or City Recorder 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 Milwaukie.

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. The Milwaukie Municipal Code is hereby amended by adding Section 1.04.100 to state:

Section 1.04.100 – Authorization to Submit Explanatory Statements Relating to Municipal Legislation Referred or Initiated by Petition.

When directed by the City Council, the City Manager, City Attorney, or City Recorder is authorized to prepare explanatory statement(s) for the Clackamas County Voters' Pamphlet for matters relating to municipal legislation referred or initiated by petition.

Section 2: This ordinance shall be effective 30 days after its passage by the Council.

Read the first time on 10/16/07, and moved to second reading by 4-0 vote of the City Council.

Read the second time and adopted by the City Council on 10/16/07.

Signed by the Mayor on 10/16/07

Jim Bernard, Mayor

ATTEST:

Pat DuVal

Pat DuVal, City Recorder

APPROVED AS TO FORM:
Jordan Schrader Ramis PC

City Attorney