

ORDINANCE NO. 44

FILED  
AUG 4 1976

BEFORE THE BOARD OF COMMISSIONERS FOR LINCOLN COUNTY

STATE OF OREGON

AN ORDINANCE PROVIDING FOR THE PLACEMENT OF QUESTIONS ON BALLOTS OF REGULARLY SCHEDULED ELECTIONS FOR THE PURPOSE OF SEEKING COMMUNITY OPINIONS ON QUESTIONS BY VOTE OF THE ELECTORATE.

THE BOARD OF COMMISSIONERS FOR LINCOLN COUNTY, OREGON

DOES ORDAIN AS FOLLOWS:

Section 1. PURPOSE: The purpose of this ordinance is to provide a method by which the Board of County Commissioners can submit to the electorate questions which are matters deemed by the Board of County Commissioners to be of community interest for the purpose of determining from the vote the electorate's feelings on the questions thus put to a vote. The result would merely be advisory.

Section 2. DEFINITIONS:

A. "Board of Commissioners" means the Lincoln County Board of County Commissioners.

B. "Matters of County Concern" means those issues deemed by a majority of the Board of Commissioners to be of significant interest to the people of Lincoln County.

C. "Straw Vote" means an unofficial vote to test the strength of opposing views to determine group opinion on matters of county concern.

D. "Ballot" means an election ballot of a regularly scheduled election.

Section 3. SCOPE: Any matters of county concern may, in the discretion of a majority of the Board of Commissioners, be put on the ballot for a straw vote.

Section 4. WHO MAY SUBMIT QUESTIONS: Any person, agency of government, public interest group, corporation or individual may submit a question concerning a matter of county concern to the Board of Commissioners for their consideration.

\*(Alternate) WHO MAY SUBMIT QUESTIONS: Questions may be submitted either by the Board of Commissioners on their own recommendation, or by any other person, agency of government, public interest group, corporation or individual. Ultimate authority in determining whether a question will be placed on the ballot will in either case be decided by a majority of the Board of Commissioners.

Section 5. TIME PERIOD FOR SUBMISSION OF QUESTIONS: Any questions concerning a matter of county concern submitted to the Board of Commissioners for

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their consideration, as to whether the question should be placed upon the ballot for a straw vote, shall be submitted not less than 90 calendar days prior to the date scheduled for the next regularly scheduled election.

Section 6. FORM OF THE QUESTION: Any question concerning a matter of county concern submitted to the Board of Commissioners for their consideration by an entity as set out in Section 4, shall bear a title summarizing the question and the name and signature of a responsible individual representing the entity, as well as an address where the entity can be notified as to the Board of Commissioners' decision as to whether the question submitted will appear on the ballot.

Section 7. BOARD OF COMMISSIONERS - PROCEDURE:

A. Upon receipt of a question concerning matters of county concern, the Board of Commissioners shall give notice to the entity, as defined in Section 4, at the address submitted to the Board of Commissioners, as required in Section 6, within ten (10) calendar days of receipt thereof, as to its decision whether a majority of the Board of Commissioners have agreed to place the question submitted on the ballot.

B. Once a majority of the Board of Commissioners determine that a question submitted is a matter of county concern and decides thereby to place it upon the ballot, the Board of Commissioners shall submit a finished copy of said question(s) to the Lincoln County Clerk not less than 60 calendar days prior to the date of the next regularly scheduled election so as to enable said Clerk sufficient time to provide for its inclusion.

C. Two members of the Board of Commissioners must agree to place the question submitted on the ballot.

Section 8. EXPENSES IN PLACING QUESTIONS CONCERNING MATTER OF COUNTY INTEREST ON THE BALLOT:

A. Any expenses incurred as a result of placing a question on the ballot, except in the case of a question submitted by a majority of the Board of Commissioners where the costs shall be paid for out of the general fund, shall be borne by the entity as defined in Section 4.

B. Except in the case of the Board of Commissioners, any entity submitting a question shall post with the Board of Commissioners a performance bond within five (5) calendar days of the submission of said question, said bond

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to be in the amount of \$500.00 to insure payment of expenses incurred. Failure to post said bond within the stated time period will result in the question being withdrawn from further consideration.

C. The Board of Commissioners shall submit to the entity submitting the question to the Board of Commissioners for its consideration, a cost estimate not later than 80 days prior to the date of the next regularly scheduled election.

D. If the entity submitting the question so desires, it may withdraw the question so submitted not later than 65 calendar days prior to the date of the next regularly scheduled election. Withdrawal of a question properly submitted must be by the responsible individual representing the entity that submitted the question. The withdrawal must be in writing to the Board of Commissioners.

Section 9. MISCELLANEOUS: It is hereby specified that questions submitted to the Board of Commissioners be made a part of the public record.

If the Board of Commissioners determines that a question submitted shall not be placed on the ballot, it shall enter the reasons therefor and keep the same as part of the public record.

Section 10. AUTHORITY FOR ENACTMENT: This ordinance is enacted pursuant to the authority vested in the counties of the State of Oregon by Oregon Revised Statutes Chapter 203.

Section 11. EFFECTIVE DATE: This ordinance shall be in full force and effect from and after 30 days from the date of its enactment by the Board of Commissioners.

Enactment Date: August 4th, 1976  
LINCOLN COUNTY, OREGON

Albert R. Strand  
Albert R. Strand, Chairman

Andy Zedwies  
Andy Zedwies, Commissioner

Jack W. Postle  
Jack W. Postle, Commissioner