BEFORE THE BOARD OF COMMISSIONERS

FOR LINCOLN COUNTY, OREGON

ORDINANCE # 469

Relating to the mode of selection of elected county commissioners; amending the Lincoln County Code (LCC) by adding a new section to Chapter 8 of the LCC "Election of County Commissioners" and creating new provisions; and referring this Ordinance to the voters of Lincoln County at the November 5, 2013 general election.

WHEREAS under Oregon Law, ORS Chapter 249, the default mode of designation of most county elected officials is as nonpartisan offices, ORS 249.002(7). County Commissioners in general law counties are not included in this nonpartisan office designation and are the only County elected officials selected in partisan elections; and

WHERAS the Board of Commissioners, after public notice, held hearings on February 13 and February 20, 2013 to consider converting the partisan positions of the Board of Commissioners to nonpartisan. The feedback from within and outside these proceedings favored such a change; and

WHEREAS Lincoln County is a general law county exercising broad powers over matters of county concern as well as receiving specific grants of authority made by the legislature. ORS 203.035(1) and (2). One of the enumerated powers of the Board of Commissioners is the ability to change the mode of selection of elective county officers. That authority, however, cannot be exercised unless and until an ordinance changing the mode of selection of officers has been submitted to and approved by the electors of the county at a **primary** election, **general** election or **November** election in **odd numbered years**. (Emphasis added). ORS 203.035(3); and

WHEREAS the Board of Commissioners believes the voters of Lincoln County should be able to decide whether or not the offices of the Lincoln County Board of Commissioners should be nonpartisan. Therefore, this Ordinance will be referred to the voters for the November 5, 2013 election in Lincoln County. If approved, it will establish that filling Board of Commissioner offices will be on a nonpartisan basis beginning January 1, 2014.

Now, therefore, the Lincoln County Board of Commissioners Ordains as follows:

Office of Lincoln County Legal Counsel
225 West Olive Street, Room 110
Newport, Oregon 97365
(541) 265-4108

SECTION 1. Section 2 of this Ordinance is added to and made a part of LCC Chapter 8, as indicated.

SECTION 2.

ELECTION OF COUNTY COMMISSIONERS

8.205 Purpose

The purpose of LCC 8.205 through 8.210 is to establish the mode of selection of the elected Board of Commissioners.

8.210 Method of Selecting the Elected Board of Commissioners

The offices of Lincoln County Board of Commissioners shall be nonpartisan within the meaning of ORS Chapter 249 and any other state election laws and other applicable laws utilizing this designation of these offices.

SECTION 3. This Ordinance shall be referred to the voters of Lincoln County at an election to be held on Tuesday, November 5, 2013. If approved by a majority of the voters at that election, this Ordinance shall become effective on January 1, 2014.

DATED this 14th day of August, 2013.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Bill Hall, Chair

Terry N. Thompson, Commissioner

Doug Hunt, Commissioner

ATTESTED TO:

Kim Herring, Recorder

APPROVED AS TO FORM:

Wayne Belmont, County Counsel

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