

**WASHINGTON COUNTY
OREGON**

CHARTER

**ADOPTED
AMENDED**

**NOVEMBER 8, 1962
NOVEMBER 8, 1966**

To The Citizens of
Washington County, Oregon

We, the undersigned Committee appointed under authority of O.R.S. 203.710 to 203.790, to prepare and submit to the voters of Washington County, Oregon, a proposed Home Rule Charter, submit herewith our report in the form of a proposed Charter for Washington County, Oregon.

We have attempted to draft a Charter that will make available to the citizens of Washington County the privilege of self determination in matters of County Concern to the full extent permissible under the Constitution and laws of the State with the least possible inconvenience or confusion in the process of changing from the present status as an agency of the State to a Home Rule County. Furthermore, we have attempted to develop a system of Charter Government which will improve efficiency and increase responsiveness to the voters.

We wish to express our appreciation for the assistance and cooperation of all county officials and other interested citizens who have assisted in this compilation, and we especially wish to acknowledge the able assistance of Dr. Hyrum Plass, who served as Consultant to the Committee.

Respectfully Submitted,

J. W. Barney
J. W. Barney, Chairman

Winifred B. Stanley
Winifred B. Stanley, Vice-Ch.

Fred A. Anderson
Fred A. Anderson

Carrell F. Bradley
Carrell F. Bradley

Henry G. Hagg
Henry G. Hagg

Don A. Ellis
Don A. Ellis

Doris W. Burlingham
Doris W. Burlingham

Brock Dixon
Brock Dixon

Hugh McGilvra
Hugh McGilvra

PREAMBLE

We, the people of Washington County, Oregon, in recognition of the dual role of the county as an agency of the state and as a unit of local government, and in order to avail ourselves of self determination in county affairs to the full extent permissible under the constitution and laws of the state, by this charter confer upon the county the following powers, subject it to the following restrictions and prescribe for it the following procedures and governmental structures:

Chapter I

PRELIMINARIES

Section 10. NAME. The name of the county as it operates under this charter shall continue to be Washington County.

Section 11. NATURE AND LEGAL CAPACITY. From the time that this charter takes effect the county shall continue to be an agency of the state and a body politic and corporate.

Section 12. BOUNDARIES. The boundaries of the county as it operates under this charter shall be the boundaries now or hereafter prescribed for the county by the laws of the state.

Section 13. COUNTY SEAT. The seat of government of the county as it operates under this charter shall continue to be in the city of Hillsboro.

Chapter II

POWERS

Section 20. GENERAL GRANT OF POWERS. The county shall have authority over matters of county concern, to the full extent granted or allowed by the constitution and laws of the State of Oregon, as fully as if each power comprised in that general authority were specifically granted by this charter. Such power shall include, but shall not be limited to:

(a) Levying and collecting of taxes for general county purposes; and for special purposes when authorized by the legal voters affected by such taxes;

(b) Issuing bonds for general county purposes when authorized by the legal voters of the county and issuing bonds for service districts or areas operated by the county when authorized by the legal voters of such service districts or areas;

(c) Creating county service districts or areas by the vote of the people in the area affected with the procedure for calling and holding the election to be established by ordinance enacted by the board of county commissioners;

(1) Creating county special service districts by resolution and order when by petition bearing signatures of 60% or more of property owners representing 60% or more of the assessed valuation of property within the proposed district; in the event assessments are to be made on a front foot basis, in addition to the above, the petitioners must also represent more than 60% of the total front footage."

(d) Creating local improvement districts by ordinance enacted by the board in conformity with state statutes governing assessments for local improvements;

(e) Prescribing by ordinance for assessment for benefits from local improvements upon property benefited thereby, and prescribing by ordinance for bonding improvement assessments and for sale of improvement bonds, all in conformity with applicable state statutes;

(f) Enacting and enforcing planning and zoning ordinances and regulations in any part or all of the county outside cities;

(g) Enacting and enforcing building, plumbing and electrical codes and regulations applicable to all construction in any part or all of the county outside cities. The board of county commissioners is empowered to incorporate by reference any standard published code of technical regulations as adopted by the state or as otherwise established;

(h) Enacting and enforcing traffic regulations in any part or all of the county outside cities provided that such regulations not be inconsistent with the laws of the state.

Section 21. CONSTRUCTION OF POWERS. The failure to mention a particular power or to enumerate similar powers in this charter shall not be construed to exclude such powers or to restrict the authority that the county would have if the particular power were not mentioned or the similar powers not enumerated. The charter shall be liberally construed, to the end that, within the limits imposed by the charter and by the constitution and laws of the state, the county shall have all powers necessary and convenient for the conduct of its affairs including all powers that counties may assume under the constitution and laws of the state concerning county home rule.

Section 22. VESTED POWERS. All powers, both legislative and administrative, of the county shall be vested in the board of county commissioners as prescribed by this charter subject to the initiative and referendum powers reserved to the voters of the county. All legislative powers not exercised by the voters shall be exercised by the board of county commissioners and executed as provided for by this charter, or if this charter makes no provision, as provided by ordinance or resolution of the board of county commissioners. The administrative powers shall be exercised by the board of county commissioners or by persons under its authority.

Section 23. COUNTY POWERS INSIDE INCORPORATED CITIES. It is expressly declared that city governments within Washington County are empowered by charter and by the constitution and laws of the state to provide all services and regulatory measures necessary to the general welfare of the people within the city, and it is not the intention of this charter to provide that county government be permitted to take away or encroach upon any power vested in the cities under the constitution and laws of the state. Nothing in this section is intended to prevent county government from entering into contractual arrangements for the performance of special services within any city in Washington County.

Chapter III

PRIMARY ORGANIZATION:

BOARD OF COUNTY COMMISSIONERS AND THE COUNTY ADMINISTRATIVE OFFICER

Section 30. COMPOSITION, TERMS, QUALIFICATIONS, VACANCIES AND COMPENSATION.

(a) The board of county commissioners shall consist of five county commissioners, one of whom shall be designated chairman of the board.

(b) Members of the board shall be elected by district and at large as provided for in Chapter VIII of the charter for four year terms with three members chosen in the same year as the presidential election and two members chosen in the alternate biennial election year.

(c) No person shall be eligible to be nominated and elected to the office of county commissioner unless he shall be a resident of the district from which nominated and elected and a qualified voter of the county. The office of any member of the board of county commissioners shall become vacant when he ceases to be a resident of the county or of the district from which elected, or when he ceases to be a qualified voter of the county, or for any other cause as provided by this charter or by the constitution and laws of the state.

(d) Upon any vacancy in the board of county commissioners by reason of circumstance as stated in subsection (c) above or by reason of death, resignation or incapacity to act the board shall appoint a qualified person to fill the vacancy until the next general election when the position shall be filled by election for the remainder of the term. The person appointed to fill the vacancy shall be of the same political party, and a resident of same district as was his predecessor at the time of his election.

(e) Members of the board of county commissioners shall be compensated on the basis of twenty-five dollars (\$25.00) for each official meeting attended, with the total compensation not to exceed one hundred and fifty dollars (\$150.00) in each calendar month. The board shall have the power to alter the amount of compensation received for each meeting but they shall not have power to alter the maximum compensation for each calendar month.

Section 31. POWERS OF THE COMMISSION. The board of county commissioners shall be the policy determining body of the county. Except as otherwise provided by the constitution of the State of Oregon or by this charter the board of county commissioners may exercise all the powers granted to the county by this charter and by the constitution and laws of the state.

Section 32. ORGANIZATION: BOARD CHAIRMAN, OFFICERS AND CLERKS. At the annual organizational meeting of the board of county commissioners which shall be held on the first Wed-

nesday after the first Monday in January of each year, the board shall elect from among its members a chairman and a vice-chairman to serve as such at its pleasure.

Section 33. PROCEDURE: RULES, MEETINGS, VOTING AND JOURNAL.

(a) The board of county commissioners shall adopt and publish rules for the government of its meetings. The board shall provide for a journal of its proceedings and assure the public availability of the journal.

(b) Attendance of three of five commissioners shall be necessary to transact business. Approval of at least three commissioners in attendance is required for any action.

(c) Rules may be established to provide for the means of compelling attendance of commissioners at prescribed regular meetings.

(d) Notice stating the time and place of all meetings and containing an agenda of all scheduled actions to be considered must be posted at least 96 hours prior to the hour of the meeting in a conspicuous place in the county court house with copies available to interested persons. Notice of special meetings shall be mailed or delivered to each commissioner or to his residence at least 96 hours before the hour of the meeting.

(e) Actions of the board at special meetings on matters not included in the notice of the meeting shall not be effective until approved at a regular meeting or at a special meeting for which the action was included in the notice. At regular meetings actions need not be limited to the posted agenda.

(f) The board of county commissioners shall meet with such regularity as is necessary to transact county business and fulfill its obligations to the public. Meetings shall be held regularly and publicly in the county court house with regular meetings scheduled for at least one evening and one day during business hours each month. Regular meetings shall be scheduled by board action. Changes in the schedule of regular meetings must be made at least 20 days before the date of such rescheduled meetings.

(g) Meetings of the board other than those regularly scheduled may be called by the chairman or any two commissioners upon proper notice.

Section 34. THE ADMINISTRATIVE OFFICER: APPOINTMENT AND REMOVAL, QUALIFICATIONS, RELATION TO THE BOARD OF COUNTY COMMISSIONERS. The board of county commissioners shall appoint an administrative officer for the county for an indefinite term and fix his compensation. He shall be appointed solely on the basis of his executive and administrative qualifications and need not be a resident of the county or the state prior to his appointment. However, after the time of his appointment he may reside outside the county only by express permission of the board. The board of county commissioners may remove the administrative officer from office at its pleasure.

Section 35. THE ADMINISTRATIVE OFFICER: RESPONSIBILITIES AND DUTIES. The administrative officer shall administer those county affairs placed in his charge by the board of county commissioners, and shall be responsible to the board for the manner of his administration.

Chapter IV

ADMINISTRATION

Section 40. GENERAL PROVISIONS. All functions required of the county by the constitution and laws of the State of Oregon and permitted by this charter shall be the responsibility of the board of county commissioners. Functions shall be distributed among such departments, offices and agencies as may be established by the board or by this charter. The departments, offices and agencies shall exercise their functions under the direction and the supervision of the board of county commissioners under whatever structure of administrative responsibility the Board may establish except as provided to the contrary by state law. Mention of departments, offices and agencies in this charter shall not restrict the board of county commissioners from the discontinuance, consolidation and establishment of the administrative structure as may be deemed advisable.

Section 41. ADMINISTRATIVE DEPARTMENTS. For the purpose of carrying out the policies of the county and administering its affairs the following administrative departments, offices and agencies shall be established:

(a) The Department of Administrative Management. The department of administrative management shall be responsible for all services and functions relating to budgetary planning and control; the planning, evaluation and supervision of internal management, organization and work methods; purchasing; the custody and maintenance of buildings and grounds and other county property; the provision of central services such as personnel and equipment pools and data processing facilities. The department shall provide the board of county commissioners current and cumulative monthly reports on county operations and budgets.

(b) The Department of Finance. The department of finance shall be responsible for the management of county finances including but not limited to the custody of all county funds, trusteeship of all trust funds, custody of funds of special districts as assigned presently or hereafter by the laws of the state to it or to the county treasurer and the disbursement of all funds entrusted to its care when properly authorized except where specifically assigned by the board to the department of records and elections. The department shall in addition function in the installation and supervision of the accounting system, the pre-audit of expenditures, the maintenance and supervision of the inventory of county assets, the service and management of the county debt, the administration of revolving funds, the investment of county funds and the administration of pension and insurance plans.

(c) The Department of Revenue and Taxation. The department of revenue and taxation shall be responsible for the appraisal and assessment of property for tax purposes, the preparation of tax rolls, the issuance of tax statements and the collection of taxes lawfully levied, all in conformity with the constitution and laws of the state. The department shall be responsible for collecting fees and charges and the issuance of licenses not assigned to other departments.

(d) The Department of Records and Elections. The department of records and elections shall perform all functions required of the county clerk and recorder of conveyances by the constitution and laws of the state and not otherwise assigned in this charter. The administrator of this department shall act as ex-officio county clerk, clerk of the courts, recorder of conveyances and registrar of elections. The department shall be responsible for the maintenance of the journal of the board of county commissioners, the book of ordinances and resolutions and the county code. Under the direction of the board of county commissioners, the department shall develop a program of record management and storage. Specific statutory reference to the function of the county clerk shall not prevent the transfer of duties assigned to that office to any other department established by this charter or by action of the board of county commissioners.

(e) The Department of Public Works. The department of public works shall be responsible for the construction and maintenance of all county roads and bridges and for such other public works as the county may develop. All functions assigned to the county engineer under the laws of the state and by the board of county commissioners shall be performed by the department and for this purpose the board shall maintain on the staff of the department at least one registered civil engineer licensed under the laws of the State of Oregon.

(f) The Office of County Surveyor. The office of county surveyor shall perform all functions relating to the conduct and maintenance of all surveys and accompanying maps and plats and all duties imposed upon the office by the laws of the state and for this purpose the board of county commissioners shall employ on the staff of the office at least one registered land surveyor licensed under the laws of the State of Oregon.

(g) The Department of Public Safety. The department of public safety shall be under the administration of the county sheriff and shall be responsible for the enforcement of the laws of the state and the county, shall render service to the courts and shall have custody of county prisoners.

(h) The Department of Health. The department of health shall be responsible for the administration of public health and sanitation as specified by the laws of the state and as assigned by the board of county commissioners. The board of county commissioners shall establish a county board of health consist-

ing of five members with not more than three members professional in the fields of medicine and health. Board members shall serve for a period of two years and shall be eligible for reappointment at the discretion of the board of county commissioners.

Section 42. BOARDS AND COMMISSIONS. The board of county commissioners shall establish such appointive boards and commissioners as are prescribed by the laws of the state or as the board finds necessary for the proper administration of county affairs.

Section 43. ELECTIVE ADMINISTRATIVE OFFICERS.

(a) To qualify for an elective administrative office of the county a person shall be a legal voter of the state and a resident of the county in which elected for a minimum of two years immediately preceding the beginning of his term in office.

(b) Upon vacancy in an elective administrative office by reason of change of residence or status as a legal voter of the state or the county or by reason of death, resignation, or incapacity to act, the board of county commissioners shall appoint a qualified person to fill the vacancy until the next general election when the position shall be filled by election for the remainder of the term. The person appointed shall be of the same political party as was the last prior incumbent at the time of election.

(c) The elective requirement for specific administrative officers are fixed by this charter and can be altered only by amendment of the charter.

(d) The county sheriff shall be an elected administrative officer and shall fulfill the qualifications set forth in this charter and the constitution and laws of the state. He shall have charge of the department of public safety. His term of office shall be four years.

Section 44. ADMINISTRATIVE OFFICERS AND EMPLOYEES: LOCATION AND FUNCTION. Except as this charter provides to the contrary, each administrative department of the county shall include such offices and positions as the board of county commissioners may establish. All non-elective administrative officers and employees of the county shall be appointed by the board. The function of elective and non-elective administrative officers and employees shall be those prescribed by the board of county commissioners.

Section 45. CHANGES IN ADMINISTRATIVE DEPARTMENTS. The board of county commissioners may from time to time establish additional administrative departments, combine any two or more administrative departments into a single such department, separate departments thus combined, abolish any administrative department and prescribe the duties and functions of any administrative department. A function of a county officer or agency prescribed by the laws of the state but not allocated to any county officer or agency by this charter shall be allocated to such department of the county as the board of county commissioners may determine.

Chapter V

BASIC PROCEDURES

“Section 50. ORDINANCES.

(a) The enacting clause for all ordinances enacted by the board of county commissioners shall be: ‘The Board of County Commissioners of Washington County, Oregon, ordains: . . .’ The enacting clause for an ordinance referred to or initiated by the voters of the county shall be: ‘The People of Washington County, Oregon, ordain: . . .’

(b) A proposed ordinance shall be filed in the office of the department of records and elections and public notice given of its pendency by inclusion in the posted agenda for the regular or properly called special meeting of the board of county commissioners at which the proposed ordinance will be introduced. Upon its introduction, copies of the proposed ordinance shall be available to members of the board and to all persons who so desire. At the meeting at which it is introduced, the proposed ordinance shall be publicly read. At each of the next two regularly scheduled meetings, it shall be read a second and third time. By unanimous consent of the board, the proposed ordinance may be read by title only.

Immediately after the third reading of the proposed ordinance, the agenda shall provide for a public hearing. After the public hearing is concluded, the board shall either schedule a fourth reading and second public hearing or it shall dispose of the proposed ordinance by adopting or rejecting it. After each public hearing of the ordinance at a regular meeting of the board, the board shall either schedule an additional public hearing or it shall dispose of the proposed ordinance by adopting or rejecting it.

The adoption of any amendment affecting the substance of the proposed ordinance shall require an additional public reading and hearing of the ordinance as amended prior to enactment. No ordinance shall be enacted prior to the fourteenth day after its introduction and all ordinances must be enacted in a regular meeting of the board by a roll call vote.

(c) An ordinance enacted by the board of county commissioners in the exercise of its police powers and for the purpose of meeting an emergency may take effect immediately upon being enacted when an emergency is specified in the title and described in a section of the ordinance. Any other ordinance adopted by the board shall take effect on the ninetieth day after being enacted.

(d) Upon enactment of an ordinance by the board, the chairman of the board and the person who serves as recording secretary of the board at the session at which the board finally approves the ordinance, shall sign the ordinance and indicate the date of its enactment. If a motion to adopt a proposed ordinance fails to achieve a majority of three, the ordinance shall be considered as rejected. A proposed ordinance that has been rejected, tabled, or postponed indefinitely by the board shall not be eligible for reconsideration by the board unless the pro-

cedure prescribed in subsection (b) of this Section shall be re-initiated and followed.

(e) No provision of this charter shall abrogate the right of the citizens of Washington County to exercise the initiative and referendum with respect to any ordinance. If a proper referral petition containing the appropriate number of valid signatures is filed within ninety days after the adoption of any ordinance by the board of commissioners, the ordinance shall become inoperative and the effective date shall be suspended. An ordinance referred by action of the voters shall become effective when approved by a majority of the voters.

(f) The number of votes cast in Washington County for Justice of the Supreme Court at the regular election last preceding the filing of any petition for the referendum or the initiative shall be the basis on which the number of legal voters necessary to sign such petition shall be counted. The number of legal voters required to order the referendum shall be five per cent and the number required to initiate any ordinance shall be eight per cent. This subsection of this section of the Charter shall be deemed to be automatically amended to comply with any change in the state constitution or Oregon law with which it may conflict in the future.

(g) An ordinance initiated by the people shall be completed and filed with the Director of Elections at least ninety days prior to the date of the election."

Section 51. AMENDING OF THE CHARTER.

(a) Any amendment, revision or repeal of the charter which the board of county commissioners intends to propose, shall be filed with the department of records and elections, and public notice of its pendency given by inclusion in the posted agenda for the regular or properly called special meeting of the Board of County Commissioners at which the proposed amendment, revision or repeal will be introduced. Upon introduction copies of the proposed amendment, revision or proposal to repeal shall be available to the members of the board and to all persons who so desire. After the introduction of the proposal the board shall set a date for a public hearing upon the issue to be held no earlier than 20 days after the date of introduction. At the regular meeting of the board following the public hearing the board may proceed to adopt the proposal and to order it placed on the ballot unless the amendment, revision or proposal to repeal is amended in its form or substance. Such amendment shall require an additional seven days prior to final approval being given by the board. Final action to place the proposed amendment, revision or proposal to repeal on the ballot shall take place at least 90 days prior to the date of election.

(b) Proposed amendments, revisions or proposals to repeal the county charter may be initiated by popular action of the citizens of Washington County. The number of legal voters necessary to initiate an amendment, revision or proposal to repeal the charter shall be ten per cent of the number of votes cast in Washington County for Justice of the Supreme Court at the regular election last preceding the filing of the initiative petition. The completed petition proposing any such change must be filed at least ninety days prior to the date of election."

(c) Within six months after the adoption of any amendment to or revision of this charter, the charter shall be reissued in the corrected form and made available to all officials of the county and to citizens of the county and other interested parties.

Section 52. RECORDING, CODIFICATION, PRINTING.

(a) Each ordinance and resolution after adoption shall be given a serial number and together with the date of adoption and the designation of the adopting authority, shall be entered in a properly indexed book kept for that purpose and made available to the public.

(b) Within three years of the adoption of this charter the board of county commissioners shall require the preparation of a general codification of all county ordinances and resolutions having the force of law. Such a codification shall be subject to periodic review and revision in order that its accuracy and completeness may be assured. It shall be periodically published and furnished to all county officers and made available for sale to the public.

Chapter VI

FINANCE

Section 60. GENERAL PROVISIONS. The board of county commissioners is responsible for the preparation and presentation of the proposed annual operating budget and capital program for the consideration of the county budget committee in full compliance with the requirements of the Local Budget Law as provided by the constitution and laws of the State of Oregon. The board of county commissioners shall adopt and enforce procedures for the management of county finances including but not limited to centralized purchasing, uniform accounting, pre-and post audits regularly reported and running and annual inventories of county supplies, equipment and assets.

Section 61. OPERATING BUDGET AND CAPITAL PROGRAM PROJECTIONS. The board of county commissioners shall be responsible for the preparation and presentation of a five year projection of the operating budget and capital program to accompany the proposed annual budget in its presentation to the county budget committee. This projection and the proposed budget shall be presented in a form which compares them to such projections made in the five years immediately preceding the year of submission. The projections shall be considered as informational and not binding upon the future actions of the board.

Section 62. CAPITAL ASSET INVENTORY. The board of county commissioners shall prepare an inventory of the capital assets of the county as of the beginning of the current fiscal year for presentation to the county budget committee with the proposed budget.

Chapter VII

PERSONNEL ADMINISTRATION

Section 70. GENERAL. The civil service system as adopted by the citizens of the county prior to the adoption of this charter shall continue to apply to all non-elective officers and personnel of the county as specified in the legislation with the exception of the county administrative officer and such major administrative positions as may be individually and specifically declared exempt by the board of county commissioners.

Section 71. QUALIFICATIONS. To qualify for a designated appointive office or position of the county not under civil service a person shall have whatever qualifications the board of county commissioners prescribes for the office or position and shall serve at the pleasure of the board.

Section 72. COMPENSATION. The compensation of non-elective officers or employees not under civil service shall be determined by the board of county commissioners.

Chapter VIII

ELECTION PROCEDURES AND CONTROLS

Section 80. NOMINATION AND ELECTION OF COUNTY OFFICERS. Except as this charter provides to the contrary, the manner of nominating and electing county officers shall be the manner now or hereafter prescribed by the laws of the state for nominating and electing county officers in general.

Section 81. PARTISAN ELECTIONS. No provision of this charter or ordinances adopted under its authority shall alter the partisan nature of the nomination and election of county officers except as may be generally provided under the laws of the state.

Section 82. RECALL. An elective officer of the county may be recalled in the manner, and with the effect, now or hereafter prescribed by the constitution and laws of the state.

Section 83. ELECTIONS ON COUNTY PROPOSITIONS. Except as this charter or legislation enacted pursuant to it provides to the contrary, the manner of conducting an election on a proposition concerning the county shall be the manner prescribed by the laws of the state for an election in the county on the proposition.

Section 84. THE BOARD OF COUNTY COMMISSIONERS.

(a) In the first general election following upon the adoption of this charter and at every general election thereafter, elections shall be held by district and at large to fill vacancies on the board of county commissioners as provided for herein. The terms of office for each commissioner elected shall begin the first Monday of January of the new year ensuing upon his election.

(b) The county is hereby divided into three commissioner districts numbered and bounded as follows:

Commissioner District No. 1

Beginning at the southeast corner of Section 24, T1S, R1W, W.M., being a point on the easterly boundary of Washington County, Oregon; thence west six miles, more or less, following the section lines on the south boundary of Section 24, 23, 22, 21, 20 and 19, T1S, R1W, W.M. to the S.W. corner of Section 19, T1S, R1W, W.M.; thence north nine miles, more or less, following the section lines on the west boundary of Section 19, 18, 7 and 6, T1S, R1W, W.M. and Sections 31, 30, 19, 18 and 7, T1N, R1W, W.M. to the N.W. corner of Section 7, T1N, R1W, W.M., being on the northeasterly boundary of Washington County, Oregon; thence easterly and southerly following the boundary line of Washington County to the place of beginning.

Commissioner District No. 2

Beginning at the N.E. corner of Section 25, T1S, R1W, W.M., being a point on the easterly boundary of Washington County, Oregon; thence south nine miles, more or less, along the easterly boundary of Washington County, Oregon, to the S.E. corner of Section 1, T3S, R1W, W.M., being the most easterly southeast corner of Washington County, Oregon; thence west three miles; thence north one mile; thence west two miles; thence south two miles; thence west three miles; thence north two miles; thence west three miles; thence north one mile; thence west one mile; thence north one mile; along the southerly boundary of Washington County, to the N.W. corner of Section 30, T2S, R2W, W.M.; thence east one mile to the N.E. corner of said Section 30, T2S, R2W, W.M.; thence north two miles to the N.W. corner of Section 17, T2S, R2W, W.M.; thence east one half mile; thence north one mile to the one-fourth section corner on the north line of Section 8, T2S, R2W, W.M.; thence east along the north line of Sections 8 and 9, one mile more or less, to the center of the Tualatin River; thence northerly along the center of the Tualatin River with all its meanderings, through Sections 4 and 5, T2S, R2W, W.M. and Sections 32, 29, 28, 21, 16 and 9, T1S, R2W, W.M. to the confluence of Rock Creek with the said Tualatin River in said Section 9, T1S, R2W, W.M.; thence continuing northerly along the center of Rock Creek through Sections 9 and 8, T1S, R2W, W.M. to the center of the Tualatin Valley Highway in the N.W. quarter of Section 9, T1S, R2W, W.M.; thence southeasterly along the center of the Tualatin Valley Highway through Sections 9, 10, 11 and 12, four miles, more or less to the east line of Section 12, T1S, R2W, W.M.; thence south 2.2 miles more or less along the east line of Section 12, 13 and 24, T1S, R2W, W.M. to the S.E. corner of said Section 24; thence east six miles, more or less, along the north lines of Sections 30, 29, 28, 27, 26 and 25, T1S, R1W, W.M. to the place of beginning.

Commissioner District No. 3

All that portion of Washington County, Oregon, not included in Commissioner District No. 1 and No. 2 and lying westerly from the following described boundary line: Beginning at the N.E. corner of Section 12, T1N, R2W, W.M., being a point on the northeasterly boundary line of Washington County, Oregon; thence south along the easterly boundaries of Sections 12, 19, 24, 25 and 36, T1N, R2W, W.M. and Sections 1 and 12, T1S, R2W, W.M. a distance of 6.8 miles, more or less, to the center of the Tualatin Valley Highway in said Section 12; thence northwesterly along the center of said Tualatin Valley Highway through Sections 12, 11, 10 and 9, T1S, R2W, W.M. a distance of four miles, more or less to the center of Rock Creek in said Section 9, T1S, R2W, W.M.; thence southerly along the center of Rock Creek through Section 8 and 9, T1S, R2W, W.M. to the confluence of said Rock Creek with the Tualatin River in said Section 9, T1S, R2W, W.M.; thence continuing southerly along the center of the Tualatin River with all meanderings, through sections 9, 16, 21, 28, 29 and 32, T1S, R2W, W.M. and Sections 5 and 4, T2S, R2W, W.M. to the south line of said Section 4, T2S, R2W, W.M.; thence west along the north line of Sections 9 and 8, one mile, more or less, to the one-fourth section corner on the north line of said Section 8, T2S, R2W, W.M.; thence south one mile to the one-fourth section corner on the south line of said Section 8; thence west one half mile to the S.W. corner of said Section 8; thence south two miles to the S.W. corner of Section 20, T2S, R2W, W.M.; thence west one mile to the N.W. corner of Section 30, T2S, R2W, W.M.; being a point on the southerly boundary of Washington County, Oregon.

(c) In the first general election designated by this charter for the election of the board of county commissioners the voters of districts No. 1 and 2 shall elect commissioners for a four year term and district No. 3 shall elect a commissioner for a two year term. Beginning with the subsequent biennial election all commissioners elected by district shall be elected for four year terms except as provided for by provisions governing vacancies.

(d) In the first general election designated by this charter for the election of members of the board of county commissioners, at-large positions shall not be considered vacant, but shall continue to be filled by the hold-over commissioners designated to those positions at the same time this charter becomes effective. Upon the completion of the terms for which the incumbents were elected at-large positions shall be filled for four year terms.

(e) In the allocation of commissioner positions among the incumbent and newly elected members of the board of county commissioners when this charter becomes effective, the hold-over commissioner shall represent the district in which he resides. The county judge and county commissioner elected November 1962, shall fill the at-large positions.

Section 85. THE APPORTIONMENT OF COMMISSIONER DISTRICTS. Within thirty days of the official release of each federal decennial census for Washington County the board of county commissioners shall direct the department of records and elections to determine the population distribution among the commissioner districts specified by this charter. Within sixty days the department shall report the findings to the board and publish a legal notice of the district population in a newspaper of general circulation in the county. If the population of any commissioner district is more than 115 percent of the population of any other commissioner district the department shall prepare and present to the board of county commissioners a plan for modifying the boundaries of the districts so that the population of no commissioner district will be more than 110 percent of the population of any other commissioner district, notwithstanding the delineation of commissioner districts by this charter. The board of county commissioners shall within 45 days of the submission of the report alter the boundaries of the commissioner districts as necessary by ordinance to provide for an approximately equal population distribution. No change in boundaries of the districts shall affect the continuance in office of a commissioner or taking of office of a commissioner-elect with respect to the term of office for which elected prior to the adoption of the reapportionment.

Chapter IX

GENERAL PROVISIONS

Section 90. EFFECTIVE DATE. This charter shall be and become effective on and after the first Monday in January 1963.

Section 91. EXISTING LEGISLATION CONTINUED. All legislation, rules and regulations of the county or its governmental instrumentalities consistent with the provisions in this charter and in force at the time this charter becomes effective, shall remain in effect until amended or repealed.

Section 92. EFFECTIVE DATE FOR TERMS OF OFFICE. The terms of office for all persons elected under this charter shall begin on the first Monday in January next following upon election.

Section 93. CONTINUATION OF TERMS OF COUNTY COMMISSIONERS. The county commissioners (including the county judge insofar as his functions as commissioner are applicable) in office or taking office at the time this charter becomes effective, shall remain in office for the remainder of the terms for which they were elected or appointed, as members of the five member board prescribed by the charter, provided, however, that the powers, duties and compensation of said members shall be as set forth in this charter.

Section 94. APPOINTMENT OF ADDITIONAL COMMISSIONERS. On the first Wednesday after the first Monday in January 1963, or not later than the first Wednesday in February 1963, the three county commissioners in office shall appoint two additional members for two year terms to complete the five member board prescribed by this charter. The two members so appointed shall possess all the qualifications required by this charter for election to the office of county commissioner and shall be chosen from such commissioner district or districts as will be necessary to meet the representative requirements set forth in CHAPTER III of this charter. Those commissioners having four or more years to serve shall be considered as filling the at-large positions on the board of county commissioners. One of the two members appointed to the board shall be from each of the major political parties in the state. After the first Monday in January 1969, no person shall continue as a member of the board of county commissioners who also occupies the office of county judge.

Section 95. CONTINUATION OF TERM OF OFFICE OF SHERIFF. The term of office of the sheriff incumbent at the time this charter becomes effective shall be the term for which he was elected.

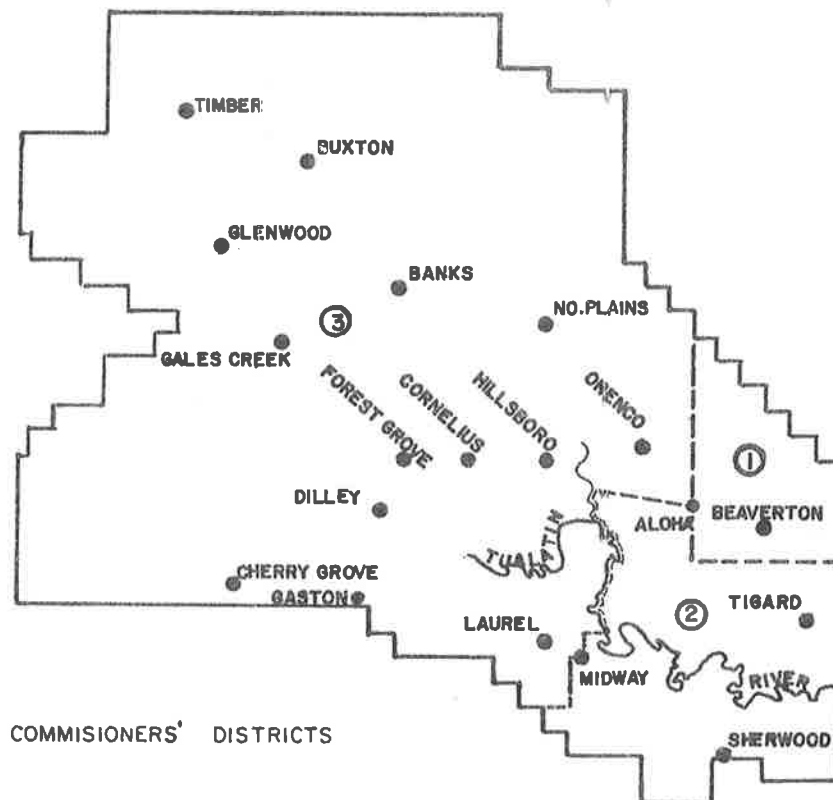
Section 96. CONTINUATION OF OTHER ELECTIVE ADMINISTRATIVE OFFICERS. The terms of office of the county clerk, county assessor, county treasurer and county surveyor who are in office at the time this charter takes effect, shall be for a period not to exceed one year from the first Monday in January 1963, within which time the board of county commissioners shall, by ordinance, reorganize the government of Washington County in conformity with this charter.

Section 97. COUNTY SERVICE DISTRICTS. The board of county commissioners may be the governing body of each county service district that the board establishes for the purpose of providing a county service of special benefit to persons and property in a particular area. The board shall fix the boundaries of each such district on the basis of the territorial extent of the special benefit derived from the service. A county service of special benefit to persons or property in the area established as a county service district of the county shall be financed by special taxes and charges in the area benefited or by funds specially allocated by the state or United States for one or more purposes of the district.

Section 98. INTERGOVERNMENTAL COOPERATION. From time to time the board of county commissioners may arrange by contract for one or more functions or duties of the county to be performed in cooperation with or by one or more other governmental units and for the county to perform functions or duties for other governmental units.

Section 99. PUBLIC IMPROVEMENTS. Subject to the requirements of this section, the procedure for making, altering, vacating or abandoning a public improvement of the county shall be governed by general ordinance of the county or to the extent not so governed, by the applicable laws of the state. To the extent that the board

of county commissioners finds that a public improvement specially benefits property in the vicinity of the improvement, the cost of the improvement shall be defrayed by special assessment levied on the property, and to the extent that the board finds that a public improvement is of benefit to the county generally, the cost of the improvement may be defrayed by revenue derived from other sources. An order or action regarding public improvements of the county shall indicate the extent to which the cost of the action is to be defrayed by revenues of the county derived from other sources. Action by the board of county commissioners on a proposed public improvement to be financed in whole or in part by county revenues not derived from special assessment and not declared by all members of the board to be needed at once to meet an emergency shall be subject to the referendum in the same manner as ordinances of the board. Action by the board of county commissioners on a proposed public improvement to be financed in whole or in part by special assessment and not declared by all members of the board to be needed at once to meet an emergency shall be suspended for six months upon a remonstrance thereto by the owners of two-thirds of the land to be specially assessed for the improvement, provided written notice of the remonstrance is delivered to the board within thirty days after the action is ordered. The word "owner" here means the record holder of legal title to the land, except that if there is a purchaser of the land according to a recorded land sale contract, the purchaser is the owner. The procedure for levying, collecting and enforcing the payment of a special assessment to be levied against real property on account of public improvements or other services shall be governed by general ordinance.



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