



# CITY OF SWEET HOME CHARTER REVIEW COMMITTEE AGENDA

October 07, 2025, 5:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

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PLEASE silence all cell phones – Anyone who wishes to speak, please sign in.

## **Mission Statement**

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

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## **Meeting Information**

The City of Sweet Home is streaming the meeting via the Microsoft Teams platform and asks the public to consider this option. To view the meeting live, online visit <http://live.sweethomeor.gov>. If you don't have access to the internet you can call in to 971-203-2871 and enter the meeting ID followed by the # sign to be logged in to the call. Meeting ID: 851 557 743

## **Call to Order & Pledge of Allegiance**

### **Roll Call**

Approval of Minutes

- a) [2025-09-16 Charter Review Committee Meeting Minutes](#)

### **Public Comment**

### **Old Business**

- a) [Ethics Code & Process](#)
- b) [Charter Review](#)

### **New Business**

- a) Ballot Recommendation

### **Committee Business for the Good of the Order**

### **Adjournment**

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*The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-367-8969.*



# CITY OF SWEET HOME CHARTER REVIEW COMMITTEE MINUTES

September 16, 2025, 5:30 PM  
Sweet Home City Hall, 3225 Main Street  
Sweet Home, OR 97386

## Mission Statement

The City of Sweet Home will work to build an economically strong community with an efficient and effective local government that will provide infrastructure and essential services to the citizens we serve. As efficient stewards of the valuable assets available, we will be responsive to the community while planning and preparing for the future.

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## Call to Order & Pledge of Allegiance

The meeting was called to order at 5:30 PM.

## Roll Call

### PRESENT

Chair Josh Thorstad  
Vice Chair Gary Jarvis  
Committee Member Jeff Parker  
Committee Member Mike Reynolds  
Committee Member Angie Yon

### ABSENT

Committee Member Lisa Gourley

### STAFF

Jason Ogden, City Manager / Police Chief  
Cecily Hope Pretty, Deputy City Manager  
Blair Larsen, City Attorney  
Adam Leisinger, Special Projects Manager

## Approval of Minutes

- a) 2025-06-17 Charter Review Committee Meeting Minutes

Committee Member Reynolds moved to approve the minutes of the June 17, 2025 Charter Review Committee meeting minutes. Chair Thorstad seconded the motion.

Vice Chair Jarvis offered a friendly amendment to correct the minutes to reflect that 10 unexcused absences from City Council within a 365-day period would render a member ineligible to run for future terms. Committee Member Reynolds accepted the friendly amendment.

The question was called. The motion carried by the following vote:

AYE: Thorstad, Jarvis, Parker, Reynolds, Yon

NAY: None

ABSENT: Gourley

## Public Comment

There was no public comment to be heard.

## **New Business**

### a) Open House Review

Deputy City Manager Pretty reported that there were two attendees at the two Charter Open Houses and no feedback was received. There was consensus to move forward without additional public engagement at this time.

## **Old Business**

### a) Charter Review

Deputy City Manager Pretty provided a list of items requiring further discussion by the Committee.

Vice Chair Jarvis moved to insert the words “and a Mayor” be inserted in the second sentence after the words “three Councilors” and before the words “shall be elected” in Chapter II under the section “Council and Mayor.” Chair Thorstad seconded the motion. The motion carried by the following vote:

AYE: Thorstad, Jarvis, Parker, Reynolds, Yon

NAY: None

ABSENT: Gourley

Deputy City Manager Pretty requested Committee feedback regarding her proposed language regarding absences in Chapter III under the section “Regulation of Elections.”

Vice Chair Jarvis moved that the Council be able to excuse an absence at the meeting when the absence occurs as well as at the subsequent meeting. Committee Member Reynolds seconded the motion. The motion carried by the following vote:

AYE: Thorstad, Jarvis, Parker, Reynolds, Yon

NAY: None

ABSENT: Gourley

Deputy City Manager Pretty asked whether language should be included in Chapter IV under “Manner in Which Vacancies Shall Be Filled) to apply the same process to the Mayoral seat.

Vice Chair Jarvis moved that Chapter VI add the position of Mayor to be subject to the same process for filling a vacancy as the Committee already proposed for City Councilors. Chair Thorstad seconded the motion.

The motion carried by the following vote:

AYE: Thorstad, Jarvis, Parker, Reynolds, Yon

NAY: None

ABSENT: Gourley

Discussion ensued regarding whether vacant positions of Councilors and the Mayor should be subject to the same terms despite different lengths of their terms. There was consensus to keep the language as proposed.

Deputy City Manager Pretty asked if the intent of the Committee was to require four affirmative votes to impose discipline on a Councilor or Mayor. Committee Member Reynolds expressed his support for same.

Vice Chair Jarvis moved to require four affirmative votes to impose discipline upon a Councilor or Mayor. Committee Member Reynolds seconded the motion. The motion carried by the following vote:

AYE: Thorstad, Jarvis, Parker, Reynolds, Yon

NAY: None

ABSENT: Gourley

Discussion ensued regarding how the proposed change to require four affirmative votes for all Ordinances containing Municipal Code changes would affect almost all Ordinances brought forward for City Council consideration. Committee Member Reynolds stated that this was his intent in proposing the change.

Deputy City Manager Pretty asked if the Committee wished to define meeting attendance in Chapter V and noted that the definition was currently governed by Council Rules.

Vice Chair Jarvis moved to define “attendance” as physical presence, audio-only, or audiovisual attendance for the entirety of the meeting. Committee Member Reynolds seconded the motion.

Committee Member Reynolds asked how continuous presence could be established if there was an audio-only connection. Deputy City Manager Pretty replied that staff could see the connection through the Microsoft Teams application but could not prove that the caller was participating actively in the meeting for the duration.

Vice Chair Jarvis withdrew his motion.

There was consensus not to define attendance in the Charter.

Deputy City Manager Pretty asked if the Committee wished to include duties of the City Attorney in the Charter. There was consensus not to add duties.

Deputy City Manager Pretty asked of updating language regarding “orders on the Treasurer/Finance Director.” Discussion ensued regarding the use of physical checks versus electronic payments and whether a member of City Council should sign off on electronic payments. Deputy City Manager Pretty replied that adding a layer of Council review prior to electronic payments would pose a challenge for the City’s Finance Department processes. There was consensus to recommend that the Mayor or their designee be provided with a register of all electronic payments monthly to review

Vice Chair Jarvis moved to modify “orders on the Treasurer/Finance Director” to “physical checks.” Committee Member Reynolds seconded the motion. The motion carried by the following vote:

AYE: Thorstad, Jarvis, Parker, Reynolds, Yon

NAY: None

ABSENT: Gourley

Deputy City Manager Pretty asked if the Committee wished to add any language specifying that a Councilor could request the reading of an Ordinance in full or to require the reading of an amendment to an Ordinance in full. There was consensus to leave the language as proposed.

Deputy City Manager asked if the Committee wished to clarify what constituted a “unanimous” vote for purposes of moving an Ordinance to a second reading at the meeting during which it was introduced.

City Attorney Larsen suggested adding language stating that the vote should be unanimous by “those in attendance.” Vice Chair Jarvis moved to adopt same. Committee Member Reynolds seconded the motion. The motion carried by the following vote:

AYE: Thorstad, Jarvis, Parker, Reynolds, Yon

NAY: None

ABSENT: Gourley

Deputy City Manager Pretty asked where the Committee wished to incorporate their previously proposed language establishing a maximum of five minutes for the public to speak during the Public Comment period. Vice Chair Jarvis proposed the addition of a new section under Chapter V. There was consensus for same.

Deputy City Manager Pretty asked the Committee to review a handout with language provided by Committee Member Reynolds regarding potential ethics requirements. She asked the Committee to consider specifying an enforcement process should the Committee choose to adopt language allowing for the removal of a Councilor or Mayor based on ethics violations. City Attorney Larsen noted the importance of establishing due process.

There was consensus to allow staff to research similar practices in other cities and return to the Committee with proposed language.

### **Committee Business for the Good of the Order**

There was consensus to meet on October 7, 2025 at 5:30 PM.

**Adjournment**

There being no further discussion, the meeting was adjourned at 6:29 PM.

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Chair

ATTEST:

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City Manager – Ex Officio City Recorder

DRAFT

## City of Sweet Home Charter

### Chapter V

#### Section 19. Council Ethics and Conflicts of Interest.

(1) The purpose of city government is to serve the public. City officials shall treat their office as a public trust. The city's powers and resources shall be used for the benefit of the public rather than for any official's personal benefit. City officials shall afford evenhanded consideration and treatment to all citizens.

(2) The council shall, by ordinance, enact a code of ethics applicable to the mayor, councilors, the city manager, and any others designated by council. At a minimum, the code shall provide that any official subject to the code must disclose the reason for any potential or actual conflict of interest and may not discuss, debate or vote as a public official on any matter in which the official has an actual conflict of interest.

(3) No elected city official shall discuss, debate or vote as a public official on any decision regarding a contract, the expenses of which are to be paid with city funds, if any of the following persons has a financial interest in the contract: the official; the official's spouse or domestic partner; or the parent, sibling or child of the elected official, the official's spouse or the official's domestic partner. In addition, no elected city official shall discuss, debate or vote on any such decision if the official knows that the official's business associate has a financial interest in the contract. For purposes of this provision, "financial interest" includes any reasonable, objective expectation of financial gain or avoidance of financial detriment.

(4) The council shall define by ordinance the terms "domestic partner" and "business associate" for purposes of subsection (3) of this section.

(5) Any contract with respect to which an elected official violates subsection (3) of this section is voidable at the discretion of the council.

(6) Any elected official who violates the code of ethics adopted pursuant to subsection (2) or the prohibitions of subsection (3) of this section may be removed from his or her position upon a finding by the council that the official committed the violation intentionally and for the purpose of obtaining or maintaining a personal financial benefit for, or avoiding a financial detriment to, any of the persons listed in subsection (3) of this section

# CITY OF SWEET HOME SWEET HOME, OREGON

## CHARTER



Completely Revised ~~2026~~ January 2015

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AN ACT TO REVISE THE CHARTER OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON.

Be it enacted by the City of Sweet Home, Linn County, Oregon:

CHAPTER I  
NAME, BOUNDARIES, POWERS AND GENERAL PROVISIONS

Section x.x. Titles. This charter may be referred to as the 20xx Sweet Home Charter.

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Section 1. Name and Boundaries. The City of Sweet Home, Linn County, Oregon shall, upon the taking effect of this charter, continue to be a municipal corporation under the name of the City of Sweet Home.

The Ccity includes all territory within its boundaries as they now exist or are legally modified. The eCity ~~will~~shall maintain as a public record an accurate and current description of the boundaries.

Section 2. Powers of the City. Subject only to limitations provided in this charter, the Ccity shall have all rights, powers, privileges and immunities now or hereafter granted either expressly or impliedly to municipalities by the constitution, statu~~tes~~es, and common law of the state, as fully as though each of such rights, powers, privileges and immunities were specifically stated in this charter.

The enumeration of or reference to particular rights, powers, privileges and immunities in this charter shall not be construed to be exclusive. This charter shall be liberally construed to the end that the Ccity may have all necessary powers for the conduct of its municipal affairs, as contemplated by the municipal home rule provision of the constitution and laws of the state.

CHAPTER II  
FORM OF GOVERNMENT

Section 3. ~~Council~~Council and ~~Mayor~~Mayor. Except as otherwise provided in this Charter, all powers of the Ccity shall be vested in a ~~council~~Council of seven members nominated and elected from the Ccity at large.

At each biennial general election, ~~four~~three ~~council~~Councilors and a Mayor shall be elected. The ~~three~~ receiving the highest number of votes ~~Councilors~~ shall each hold office for four years, and the ~~one~~ receiving the number of votes next to the three highest ~~Mayor~~ shall hold office for two years. Tie votes shall be determined by lot. If the Mayor-elect is a mid-term City Councilor, the fourth-place City Council

~~candidate in that election shall be considered elected to this instant~~the resulting vacancy and shall serve the remaining two years of the vacated seat ~~vacated.~~

~~At its first meeting of the new term after each biennial general election, the council~~Council shall elect from its membership a chairperson ~~who shall be mayor~~Mayor for a term of two years.

The ~~mayor~~Mayor and ~~council~~Councilors in office at the time of adoption of this charter shall continue in office until the expiration of their respective terms, with powers and duties as provided in this charter.

Section 4. City Attorney, ~~Manager~~Manager and ~~Municipal Judge~~Municipal Judge. The ~~council~~Council shall appoint and keep in office a ~~city attorney~~City Attorney, a ~~city manager~~ManagerCity Manager who shall also serve as the ~~city recorder~~City Recorder, and a ~~municipal judge~~Municipal Judge, each of whom shall hold office subject to the discretion of the ~~council~~Council and may be removed by the ~~council~~Council with or without cause.

Section 5. Other City Officers and Employees. The ~~city manager~~ManagerCity Manager shall appoint a ~~treasurer~~Treasurer/Finance Director, a ~~chief of police~~Chief of Police, and such other officers and employees of the ~~C~~city as the ~~council~~Council deems necessary, and may remove any of them at any time with or without cause. The ~~council~~Council may by resolution require any officer to fill and perform the duties of two or more offices.

Section 6. Salaries. The ~~council~~Council shall fix the compensation of all ~~C~~city officers and employees.

~~Section 7. Bonds of Officers, Employees and Contractors.—If ordinances require, every person appointed to an office or place of public employment in the city or entering into a contract with the city shall give the city a bond for the faithful performance of his/her duties. Nothing in this section, however, shall detract from the effect of Section 20.~~

### CHAPTER III ELECTIONS

Section 8. Regulation of Elections. Except as this charter provides otherwise and as the ~~council~~Council provides otherwise by ~~O~~rdinance relating to elections, the general law of the state shall apply to the conduct of all ~~C~~city elections, recounts of the returns therefrom, and contest thereof. Any qualified elector who has resided in the ~~C~~city at least one year ~~prior to the opening of the candidate filing period~~ may be nominated ~~run~~is eligible for election to the office of ~~council~~Councilor or ~~for mayor~~Mayor at the general election of that year. ~~Any Mayor or Councilor who is absent for 10 or more regular City Council~~

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meetings within a 365-day period, which are not excused by a majority vote of Council at the meeting when the absence occurs or the following meeting, shall not be eligible to run in the following election.

Section 9. Special Elections. The ~~council~~Council may by ~~R~~resolution or ~~O~~rdinance order a special election and provide the time, manner and means for holding it. At least 10 days' notice shall be given of each special election.

Section 10. Commencement of Terms of Office. The term of office of each person elected to office at a regular ~~C~~city election shall commence on ~~the first Monday of January~~the first day of January following the election. In the case of an election to fill an existing vacancy in office, the person elected shall enter upon ~~their~~ his/her office immediately.

Section 11. Oath of Office. Each officer, before entering upon the duties of ~~his/her~~their office, shall take an oath that ~~he/she~~they will support the constitution and laws of the United States and the state, and that ~~he/she~~they will faithfully perform the duties of his/her office.

#### CHAPTER IV VACANCIES

Section 12. Vacancies in Office Generally.

(a) –An elected office shall be deemed vacant upon the incumbent’s death, insanity, conviction of a felony, resignation, ~~election to beginning a term of another different City of Sweet Home elected office upon installation to that Sweet Home office, or~~ removal from the ~~C~~city or absence from the ~~C~~city for a period of 30 days without the consent of the ~~council~~Council; ~~in case of the mayor~~Mayor, managerManager, municipal judgeMunicipal Judge, or CcouncilCouncilor, or without the consent of the managerManager in case of officers appointed by the managerManager; upon the incumbent’s ceasing to possess the qualifications necessary for office; ~~or~~ upon the failure of the person elected or appointed to an office to qualify therefore on or before the day ~~of his/her~~their term of office commences; ~~and in case of the mayor~~Mayor or a councilCouncilor, or upon ~~his/her~~their the incumbent’s absence from meetings of the ~~council~~Council for 60 days without the consent of the ~~council~~Council.

(b) An appointed office shall be deemed vacant upon the incumbent’s death, insanity, conviction of a felony, resignation, absence from the ~~C~~city for a period of 30 days without the consent of the Council or upon the incumbent’s ceasing to possess the qualifications necessary for office.

Section 13. Manner in Which Vacancies Shall Be Filled.

(a) Vacancies in offices filled by election ~~that occur or by appointment by the council~~Council within the first half of the elected term shall first ~~attempt to be filled by the next highest vote-getter in the previous applicable City Council or Mayoral election; should this person decline or no longer be eligible for appointment, it~~ the office shall be filled by the ~~following~~ next highest vote-getter in the previous City Council election; ~~should this person also decline or no longer be eligible for appointment, the vacant office it~~ shall be filled by appointment by the ~~council~~Council at any regular or special meeting, and the person so appointed shall serve the ~~full~~ remaining unexpired term ~~and until his/her/their successor is chosen and qualified of office.~~

(b) Vacancies in offices filled by election that occur within the second half of the elected term shall be filled by appointment by the City Council within no less than 60 calendar days from the time the vacancy occurs.

~~(b) Vacancies in offices filled by appointment by the Council shall be filled by the Council.~~

(c) Vacancies in offices filled by appointment by the ~~manager~~ City Manager shall be filled by appointment by the City manager ~~Manager~~. ~~An officer appointed to fill a vacancy shall within 24 hours after his/her appointment qualify for office, and unless he/she does so, the office shall be considered vacant.~~ During the temporary absence of any officer from the City for any cause ~~his/her/their~~ office may be filled temporarily in the manner provided for filling vacancies in office.

CHAPTER V  
THE ~~COUNCIL~~COUNCIL

Section 14. ~~Council~~Council Meetings. The ~~council~~Council shall provide for the time and place of its regular meetings and adopt rules and regulations for the government of its members and proceedings. It shall hold at least one regular meeting each month. Special meetings of the ~~council~~Council may be called by the ~~Mmayor~~ Mayor, either upon ~~his/her/their~~ own motion or upon the request of at least three members of the ~~council~~Council, and held at any time, upon verbal or written notice to all members of the ~~council~~Council then in the City. Special meetings of the ~~council~~Council may also be held by the common consent of all members of the ~~council~~Council.

Section 15. Quorum. A majority of ~~council~~Council members is a quorum to conduct business, but a smaller number may meet and adjourn from time to time to compel the attendance of absent members in the manner provided by Ordinance. The ~~council~~Council shall keep a journal of its proceeding, and on the call of two members shall the yeas and nays to be taken and entered in the journal upon any question before it except a motion to adjourn. The proceedings of the ~~council~~Council shall be public.

In the event of three or more concurrent vacant seats, the majority of remaining Councilors shall constitute a quorum for the purpose of filling vacancies.

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Section 16. ~~Mayor~~Mayor's Duties at ~~Council~~Council Meetings. The ~~Mayor~~Mayor shall be ~~Ce~~Chairperson of the ~~council~~Council and shall preside over its deliberations. ~~He/she~~They shall have authority to preserve order, enforce the rules of ~~council~~Council and determine the order of business, subject to the rules of the ~~council~~Council. ~~He/she~~They may vote as a ~~Ce~~Councilor.

Section 17.- ~~Council President~~President Pro Tem. At its first meeting in the new term after each biennial election, the ~~council~~Council shall elect from its membership, a ~~president pro tem~~Council President for a term of two years. The ~~president pro tem~~Council President shall perform the duties of the ~~mayor~~Mayor in the absence of the ~~mayor~~Mayor.

Section 18. Vote Required. The concurrence of a majority of a quorum shall be required to determine any matter before the ~~council~~Council except as provided otherwise in this ~~Ce~~Charter.

The following matters shall be determined by no less than four affirmative votes: the hiring or firing of Council-appointed positions, filling of Council vacancies except where otherwise outlined in Section 13-in of this Charter, land use decisions, utility rate changes, modifications to City Municipal Code, approval of Ordinances containing emergency clauses, or application of disciplinary action toward a Councilor or Mayor.

Section 5.6. Public Comment. The Public Comment period of any City council meeting shall allow each individual registered to speak a maximum of five minutes to address the City Council, unless additional time is granted at the discretion of the meeting Chairperson.

Section 5.7. Council Ethics and Conflicts of Interest.

(a) Public Trust. The purpose of City government is to serve the public. Councilors and the Mayor shall treat their office as a public trust. The City's powers and resources shall be used for the benefit of the public rather than for any official's personal benefit. City officials shall afford evenhanded consideration and treatment to all citizens.

(b) Code of Ethics. The Council shall, by Ordinance, enact a Code of Ethics applicable to the Mayor and City Council. At a minimum, the Code of Ethics shall provide that any official subject to the code must disclose the reason for any potential or actual conflict of interest and may not discuss, debate or vote as a public official on any matter in which the official has an actual conflict of interest.

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Commented [CP2]: How best to express - and/or?

Commented [CP3]: CHP note - I removed references to "elected" since we may have a situation where someone is appointed to their seat on Council.

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(c) Conflict of Interest. No City Councilor or Mayor shall discuss, debate, or vote as a public official on any decision regarding a contract, the expenses of which are to be paid with City funds, if any of the following persons has a financial interest in the contract: the official; the official's spouse or domestic partner; or the parent, sibling, or child of the official, the official's spouse, or the official's domestic partner. In addition, no City official shall discuss, debate, or vote on any such decision if the official knows that the official's business associate has a financial interest in the contract. For purposes of this provision, "financial interest" includes any reasonable, objective expectation of financial gain or avoidance of financial detriment.

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(d) Definitions. The Council shall define by ordinance the terms "domestic partner" and "business associate" for purposes of subsection (c) of this section.

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(e) Voidable Contracts. Any contract with respect to which a City Councilor or Mayor violates subsection (c) of this section is voidable at the discretion of the Council.

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(f) Disciplinary action. Any elected official who violates the Code of Ethics adopted pursuant to subsection (b) or the prohibitions of subsection (c) of this section may be removed from their position upon a finding by the Council that the official committed the violation intentionally and for the purpose of obtaining or maintaining a personal financial benefit for, or avoiding a financial detriment to, any of the persons listed in subsection (c) of this section.

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(g) PLACEHOLDER. DUE PROCESS AND ENFORCEMENT

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## CHAPTER VI POWERS AND DUTIES OF THE CITY OFFICERS

Section 19. ~~Mayor~~Mayor. The ~~mayor~~Mayor shall appoint the various committees provided for under the rules of the ~~council~~Council or otherwise and shall fill all vacancies in committees of the ~~council~~Council from that body. ~~He/she~~They shall sign all ~~O~~ordinances passed by the ~~council~~Council within ~~30~~three days after their passage, ~~except in the case of an emergency, where they shall be signed upon passage.~~ ~~He/she~~They shall sign all instruments and writings authorized by this charter, the laws of the state or the ~~council~~Council. In the absence of the ~~mayor~~Mayor, such instruments shall be signed by the ~~president pro tem~~Council President of the ~~council~~Council. All ~~orders on the city treasurer~~physical checks issued by the City shall be signed by two of the ~~four~~three following named ~~C~~city ~~O~~fficers, being the ~~mayor~~Mayor, the ~~city manager~~City Manager, the ~~Deputy City Manager~~, and the ~~city treasurer~~Treasurer/Finance Director.

Section 20. ~~Manager~~ Manager.

(a) Qualifications. The ~~manager~~ Manager shall be the administrative head of the Ccity government. ~~He/she~~ They shall be chosen by the ~~council~~ Council without regard to political consideration and solely with reference to ~~his/her~~ their executive and administrative qualifications.

Before entering upon ~~his/her~~ their duties, the ~~manager~~ Manager shall file with the ~~mayor~~ Mayor an official bond for faithful performance thereof, payable to the Ccity in the sum of \$10,000, the premium of which shall be paid by the Ccity. The bond shall be to the satisfaction of the ~~council~~ Council, and the approval of the ~~mayor~~ Mayor shall be endorsed thereon.

(b) Term. The ~~manager~~ Manager shall be appointed for an indefinite term, but may be removed with a vote of four members of the ~~council~~ Council. Upon any vacancy occurring in the office of the ~~manager~~ Manager subsequent to the first appointment hereunder, the ~~council~~ Council shall, at its next meeting, adopt a resolution of its intention to appoint a ~~manager~~ Manager, and no such appointment shall be made until at least four weeks after adoption of the resolution. The ~~council~~ Council shall appoint a ~~manager~~ Manager within a reasonable time after the adoption of the resolution of intention.

(c) Powers and duties. The powers and duties of the ~~manager~~ Manager shall be:

(1) To see that all Ordinances are enforced.

(2) To appoint all heads of departments and other Ccity Officers and employees, and remove them at pleasure, and to have general supervision and control over them, except as otherwise provided in this charter. All such appointments shall be made upon the basis of merit and fitness alone.

(3) To see that the provisions of all franchises, leases, contracts, permits, and privileges granted by the Ccity are fully observed, and to report to the ~~council~~ Council any violations ~~—~~ thereof.

(4) To attend all meetings of the ~~council~~ Council unless excused therefrom by three ~~council~~ Councilors or by the ~~mayor~~ Mayor.

(5) To act as purchasing agent for all departments of the Ccity. All purchases shall be made in accordance with the ~~council~~ Council approved Ccity purchasing policy.

(6) To examine or cause to be examined, without notice, the official conduct of any officer, assistant, deputy, clerk or employee in any of the departments of Ccity government, except ~~council~~ Councilors.

(7) To keep the ~~council~~ Council advised to the needs of the Ccity.

(8) To prepare and submit to the budget committee the annual budget estimate and such reports as may be required by that body.

(9) To submit to the ~~council~~ Council an annual report of all departments of the Ccity and such- other reports as the ~~council~~ Council may require.

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(10) To prepare or cause to be prepared plans and specification for work coming under his/her supervision which the ~~council~~Council orders, and to provide such plans and specifications in sufficient number and in ample time to give full opportunity for all contractors who desire to bid thereon to do so.

(11) To have control, subject to such Ordinances as may from time to time be adopted, for all public utilities owned or operated by the City.

(12) To have general supervision over all City property and its use by the public or City employees.

(13) To appoint such advisory boards as ~~he/she~~they may deem desirable to advise on, assist ~~him/her~~them in ~~his/her~~their work; but the members of such boards will receive no compensation as such board members.

(14) To perform such other duties as may be required by this charter or as the ~~council~~Council — may require of ~~him/her~~them.

(15) From time to time, in order to facilitate the prompt, economical and efficient dispatch of City business, to organize the work of the departments under ~~his/her~~their control, to assign assistants, deputies, and employees from any office or department of the City government to perform work or service in connection with any other office or department thereof, or to work in more than one said offices or departments thereof; provided, that no such change shall affect the powers or duties of any elective officer to the City.

(16) To serve as the ~~city recorder~~City Recorder and such to be clerk of the ~~council~~Council, keep an accurate — record of its proceedings in a book provided for that purpose, and countersign all instruments — and writings by this charter or by the laws of the state or the City.

(d) Seats at ~~Council~~Council Meetings. The ~~manager~~Manager and such other officers of the City as may be designated by vote of the ~~council~~Council shall be entitled to seats with the ~~council~~Council, but shall have no vote therein. The ~~manager~~Manager shall have the right to take part in the discussion of all matters coming before ~~council~~Council.

(e) ~~Manager~~Manager Pro Tem. During the absence of the ~~manager~~Manager from the City, during ~~his/her~~their temporary disability to act as ~~manager~~Manager, or during the interim when the ~~council~~Council is seeking a ~~manager~~Manager, the ~~council~~Council shall appoint a ~~manager-pro tem~~Manager Pro Tem who shall possess the powers and discharge the duties of the ~~manager~~Manager during such absence or disability only; provided, however that a ~~manager-pro tem~~Manager Pro Tem shall have no authority to appoint or remove any City officer or employee except with the approval of five members of the ~~council~~Council. ~~No manager-pro tem shall hold his/her position for more than six months. No appointment of a manager-pro tem shall be consecutively renewed.~~The Manager Pro Tem may hold their position for a term of six months with no more than two additional six-month renewals as authorized by four affirmative Council votes.

In case of the absence of the ~~manager~~Manager or the ~~manager-pro tem~~Manager Pro Tem from ~~council~~Council meetings, the ~~council~~Council shall appoint a ~~clerk~~Clerk of the ~~council~~Council ~~Pro Tem~~.

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(f) Interference in Administration. No member of the ~~council~~Council shall in any manner, directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the ~~manager~~Manager in the making of any appointment or removal, or the purchase of supplies, or attempt to exact any promise relative to any appointment from any candidate for ~~manager~~Manager, or discuss, directly or indirectly, with any such candidate, the matter of appointments to any ~~C~~city office or employment. Any violation of the foregoing provisions of this section shall work a forfeiture of the office of the offending member of ~~council~~Council, may be removed therefrom by the ~~council~~Council or by any court of competent jurisdiction; provided, however, that nothing herein contained shall be construed as prohibiting the ~~council~~Council, while in open session, discussing with or suggesting to the ~~manager~~Manager, fully and freely, anything pertaining to ~~C~~city affairs and for the best interest of the ~~C~~city. Neither the ~~manager~~Manager nor any person in the employ of the ~~e~~City shall take any part in securing, or shall contribute any money toward, the nomination or election of any candidate for the municipal office.

(g) Ineligible Persons. No person related to the ~~manager~~Manager by consanguinity or affinity within the third degree shall hold any appointive office or employment with the ~~C~~city.

Section 21. ~~Municipal Judge~~Municipal Judge. The ~~municipal judge~~Municipal Judge shall be the judicial officer of the ~~e~~City. ~~He/she~~They shall hold within the ~~e~~City a court known as the municipal court for the City of Sweet Home, Linn County, Oregon. The court shall be open for the transaction of the judicial business at times specified by the ~~council~~Council. All areas within the ~~C~~city shall be within the territorial jurisdiction of the court. The ~~municipal judge~~Municipal Judge shall exercise original and exclusive jurisdiction of all offenses defined or authorized by ~~O~~rdinances of the ~~C~~city. ~~He/she~~They shall have authority to issue process for the arrest of any person accused of an offense against the ~~O~~rdinance of the ~~e~~City, to commit any such person to jail or admit ~~him/her~~them to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trail of any cause before ~~him/her~~them, to compel obedience to such subpoenas, to issue any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court. When not governed by ~~O~~rdinances or this charter, all proceedings in the municipal court for the violation of the ~~C~~city ~~O~~rdinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.

———Notwithstanding this section of this charter, the ~~council~~Council may provide for the transfer of power and duties of the municipal court to the appropriate state court of the State of Oregon.

Section 22. Other Officers. The ~~council~~Council shall fix the powers and duties of all appointive offices other than those provided for in this charter.

CHAPTER VII  
ORDINANCES

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Section 23. Enacting Clause. The enacting clause of all Ordinances hereafter passed shall be “The City of Sweet Home does ordain as follows.”

Section 24. Introduction, Reading, and Passage. Every ~~ordinance shall be fully and distinctly read in open council meeting on one day and shall be read by title only on two different days previous to being put upon its final passage provided that the council may have the ordinance fully and distinctly read at any reading thereof; provided, however, that any ordinance may be introduced and read the first time at any meeting and may upon a unanimous vote of all the members of council present at the meeting be read a second time by title only and placed upon its passage at the meeting held on a separate and successive day.~~ Ordinance shall be read in open council meeting by title only on two separate days, prior to its final passage; however an Ordinance may be approved after being read by title only twice in the same meeting if both the first readings are was approved by unanimous vote by those in attendance. ~~Non-unanimous votes shall require a reading by title only at a separate and successive meeting.~~

Section 25. When Ordinances Take Effect and Publication Thereof. Each Ordinance passed by the ~~council~~Council shall take effect on the thirtieth day after its passage; provided, that when the ~~council~~Council deems it expedient or in case of emergency, an Ordinance may provide a different time when it shall take effect, or that it shall take effect immediately. ~~All ordinances shall be posted for 10 days after passage in three or more conspicuous places in the city.~~

CHAPTER VIII  
PUBLIC IMPROVEMENTS

Section 26. Power of Condemnation and Purchase. The City shall have power to acquire by purchase, gift, devise, or condemnation any property either within or without its corporate boundaries for any municipal purpose, for the purpose of (a) protecting, preserving and facilitating an improvement or (b) bringing about such development of property along or in the vicinity of an improvement as will make such development harmonious with and adjusted to the improvement or (c) any combination of such purposes; to acquire by condemnation property in excess of that needed for the actual improvement and to sell or lease such excess property with building and use restrictions and conditions to make its development harmonious with and adjusted to adjacent public improvements. The necessity for the taking of any property by the City of Sweet Home shall be determined by the ~~council~~Council and shall be declared by a resolution which shall describe such property as nearly as may be and stating the use to which it is to be devoted. The City shall have power to provide for the payment of all or any part of the cost of land or other property acquired for public use of the construction, reconstruction, repair, operation or maintenance of any structure or work in the nature of a public facility or improvement,

including a public utility and of any other public work or service, by levying and collecting special assessments upon property specially benefited.

Section 27. Special Assessment. The method and procedure for determining the amount of the assessments, the spread and apportionment of the amount of the assessments, and the boundary and location of the property, lots, district or area to be assessed; for the making and approval of the plans and specifications; for the notices of property owners and other interested parties; for the hearings, for the composition, organization and procedure of boards of revision or appraisal; for the levy of the assessments; for the creation of a lien; and for any and all other determinations, steps, measures, ~~R~~esolutions, ~~O~~rdinances, and actions in relation to the assessments shall be governed by either (a) the provisions of the special assessment statutes of the state or (b) the provisions of a general ~~O~~rdinance setting forth such method and procedure, which general ~~O~~rdinance may be enacted by ~~council~~Council and shall be subject to amendment or repeal.

Section 28. Improvements. Street, sewer, sidewalk, and such other improvements as may be deemed necessary by the ~~council~~Council may be made on the motion of the ~~council~~Council or on petition of a majority of the property owners interested. ~~Remonstrance~~ Written protest provided by ~~of~~ two-thirds of the front footage of property owners concerned shall operate to defeat such motion of petition and the same may not again be considered by the ~~council~~Council for a period of six months.

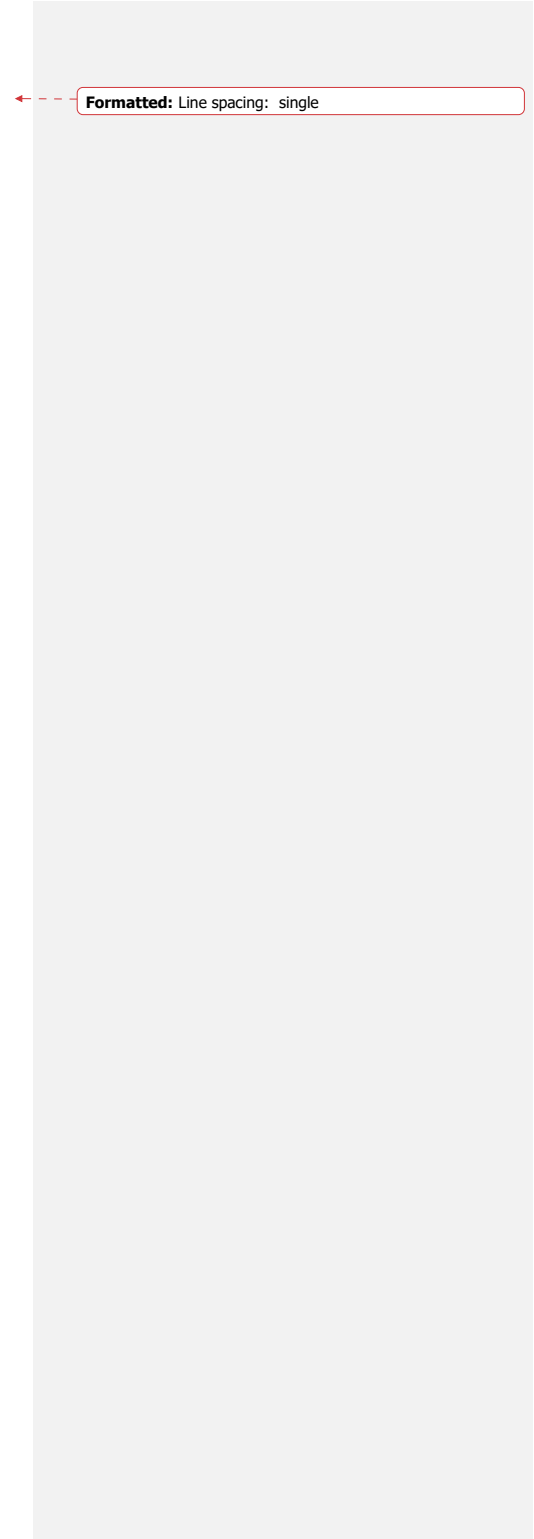
Section 29. Savings Clause. All ~~O~~rdinances, ~~R~~esolutions, policies, procedures, contracts and regulations heretofore passed by the ~~e~~City, in force when this charter takes effect, if not inconsistent with it, shall remain in full force after it takes effect and until they are amended or repealed by the ~~council~~Council.

Section 30. City to Retain Rights and Be Subject to Liabilities in Existence at Time This Charter Takes Effect. No right vested in the ~~e~~City and no liability which it has incurred under this ~~C~~harter, prior charters, and any revisions and amendments thereof and laws of the state shall be impaired or discharged by adoption of this ~~C~~harter, except as this ~~C~~harter otherwise provides.

Section 31. Limitations on Indebtedness. City indebtedness may not exceed the debt limits imposed by state law. A charter amendment is not required to authorize ~~C~~ity indebtedness.

Section 32. Repealing Clause. All charter provisions adopted before this ~~C~~harter takes effect are repealed.

Section 33. Severability. The terms of this ~~C~~harter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the ~~C~~harter.



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**CITY OF SWEET HOME  
SWEET HOME, OREGON**

**CHARTER - PROPOSED**



Completely Revised 2026

AN ACT TO REVISE THE CHARTER OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON.

Be it enacted by the City of Sweet Home, Linn County, Oregon:

CHAPTER I  
NAME, BOUNDARIES, POWERS AND GENERAL PROVISIONS

Section 1.1. Titles. This Charter may be referred to as the 20xx Sweet Home Charter.

Section 1.2. Name and Boundaries. The City of Sweet Home, Linn County, Oregon shall, upon the taking effect of this Charter, continue to be a municipal corporation under the name of the City of Sweet Home.

The City includes all territory within its boundaries as they now exist or are legally modified. The City shall maintain as a public record an accurate and current description of the boundaries.

Section 1.3 Powers of the City. Subject only to limitations provided in this Charter, the City shall have all rights, powers, privileges and immunities now or hereafter granted either expressly or impliedly to municipalities by the constitution, statutes, and common law of the state, as fully as though each of such rights, powers, privileges and immunities were specifically stated in this Charter.

The enumeration of or reference to particular rights, powers, privileges and immunities in this Charter shall not be construed to be exclusive. This Charter shall be liberally construed to the end that the City may have all necessary powers for the conduct of its municipal affairs, as contemplated by the municipal home rule provision of the constitution and laws of the state.

CHAPTER II  
FORM OF GOVERNMENT

Section 2.1. Council and Mayor. Except as otherwise provided in this Charter, all powers of the City shall be vested in a Council of seven members nominated and elected from the City at large.

At each biennial general election, three Councilors and a Mayor shall be elected. The Councilors shall each hold office for four years, and the Mayor shall hold office for two years. Tie votes shall be determined by lot. If the Mayor-elect is a mid-term City Councilor, the fourth-place City Council candidate in that election shall be considered elected to the resulting vacancy and shall serve the remaining two years of the vacated seat.

The Mayor and Councilors in office at the time of adoption of this Charter shall continue in office until the expiration of their respective terms, with powers and duties as provided in this Charter.

Section 2.3. City Attorney, Manager and Municipal Judge. The Council shall appoint and keep in office a City Attorney, a City Manager who shall also serve as the City Recorder, and a Municipal Judge, each of whom shall hold office subject to the discretion of the Council and may be removed by the Council with or without cause.

Section 2.4. Other City Officers and Employees. The City Manager shall appoint a Treasurer/Finance Director, a Chief of Police, and such other officers and employees of the City as the Council deems necessary, and may remove any of them at any time with or without cause. The Council may by resolution require any officer to fill and perform the duties of two or more offices.

Section 2.5. Salaries. The Council shall fix the compensation of all City officers and employees.

### CHAPTER III ELECTIONS

Section 3.1. Regulation of Elections. Except as this Charter provides otherwise and as the Council provides otherwise by Ordinance relating to elections, the general law of the state shall apply to the conduct of all City elections, recounts of the returns therefrom, and contest thereof. Any qualified elector who has resided in the City at least one year prior to the opening of the candidate filing period is eligible for election to the office of Councilor or Mayor at the general election of that year. Any Mayor or Councilor who is absent for 10 or more regular City Council meetings within a 365-day period, which are not excused by a majority vote of Council at the meeting when the absence occurs or the following meeting, shall not be eligible to run in the following election.

Section 3.2. Special Elections. The Council may by Resolution or Ordinance order a special election and provide the time, manner and means for holding it. At least 10 days' notice shall be given of each special election.

Section 3.3. Commencement of Terms of Office. The term of office of each person elected to office at a regular City election shall commence on the first day of January following the election. In the case of an election to fill an existing vacancy in office, the person elected shall enter upon their office immediately.

Section 3.4. Oath of Office. Each officer, before entering upon the duties of their office, shall take an oath that they will support the constitution and laws of the United States and the state, and that they will faithfully perform the duties of his/her office.

#### CHAPTER IV VACANCIES

Section 4.1. Vacancies in Office Generally.

- (a) An elected office shall be deemed vacant upon the incumbent's death, insanity, conviction of a felony, resignation, beginning a term of a different City of Sweet Home elected office, or removal from the City or absence from the City for a period of 30 days without the consent of the Council; upon the incumbent's ceasing to possess the qualifications necessary for office; upon the failure of the person elected or appointed to an office to qualify therefore on or before the day their term of office commences; or upon the incumbent's absence from meetings of the Council for 60 days without the consent of the Council.
- (b) An appointed office shall be deemed vacant upon the incumbent's death, insanity, conviction of a felony, resignation, absence from the City for a period of 30 days without the consent of the Council or upon the incumbent's ceasing to possess the qualifications necessary for office.

Section 4.2. Manner in Which Vacancies Shall Be Filled.

- (a) Vacancies in offices filled by election that occur within the first half of the elected term shall first be filled by the next highest vote-getter in the previous applicable City Council or Mayoral election; should that person decline or no longer be eligible for appointment, the office shall be filled by the next highest vote-getter in the previous City Council election; should that person also decline or no longer be eligible for appointment, the vacant office shall be filled by appointment by the Council at any regular or special meeting, and the person so appointed shall serve the remaining unexpired term of office.
- (b) Vacancies in offices filled by election that occur within the second half of the elected term shall be filled by appointment by the City Council within no less than 60 calendar days from the time the vacancy occurs.
- (c) Vacancies in offices filled by appointment by the Council shall be filled by the Council.

- (d) Vacancies in offices filled by appointment by the City Manager shall be filled by appointment by the City Manager. During the temporary absence of any officer from the City for any cause their office may be filled temporarily in the manner provided for filling vacancies in office.

## CHAPTER V THE COUNCIL

Section 5.1. Council Meetings. The Council shall provide for the time and place of its regular meetings and adopt rules and regulations for the government of its members and proceedings. It shall hold at least one regular meeting each month. Special meetings of the Council may be called by the Mayor, either upon their own motion or upon the request of at least three members of the Council, and held at any time, upon verbal or written notice to all members of the Council then in the City. Special meetings of the Council may also be held by the common consent of all members of the Council.

Section 5.2. Quorum. A majority of Council members is a quorum to conduct business, but a smaller number may meet and adjourn from time to time to compel the attendance of absent members in the manner provided by Ordinance. The Council shall keep a journal of its proceeding, and on the call of two members shall the yeas and nays to be taken and entered in the journal upon any question before it except a motion to adjourn. The proceedings of the Council shall be public.

In the event of three or more concurrent vacant seats, the majority of remaining Councilors shall constitute a quorum for the purpose of filling vacancies.

Section 5.3. Mayor's Duties at Council Meetings. The Mayor shall be Chairperson of the Council and shall preside over its deliberations. They shall have authority to preserve order, enforce the rules of Council and determine the order of business, subject to the rules of the Council. They may vote as a Councilor.

Section 5.4. Council President. At its first meeting in the new term after each biennial election, the Council shall elect from its membership, a Council President for a term of two years. The Council President shall perform the duties of the Mayor in the absence of the Mayor.

Section 5.5. Vote Required. The concurrence of a majority of a quorum shall be required to determine any matter before the Council except as provided otherwise in this Charter.

The following matters shall be determined by no less than four affirmative votes: the hiring or firing of Council-appointed positions, filling of Council vacancies except where otherwise outlined in Section 13 of this Charter, land use decisions, utility rate changes, modifications to City Municipal Code, approval of

Ordinances containing emergency clauses, or application of disciplinary action toward a Councilor or Mayor.

Section 5.6. Public Comment. The Public Comment period of any City Council meeting shall allow each individual registered to speak a maximum of five minutes to address the City Council, unless additional time is granted at the discretion of the meeting Chairperson.

Section 5.7. Council Ethics and Conflicts of Interest.

- (a) Public Trust. The purpose of City government is to serve the public. Councilors and the Mayor shall treat their office as a public trust. The City's powers and resources shall be used for the benefit of the public rather than for any official's personal benefit. City officials shall afford evenhanded consideration and treatment to all citizens.
- (b) Code of Ethics. The Council shall, by Ordinance, enact a Code of Ethics applicable to the Mayor and City Council. At a minimum, the Code of Ethics shall provide that any official subject to the code must disclose the reason for any potential or actual conflict of interest and may not discuss, debate or vote as a public official on any matter in which the official has an actual conflict of interest.
- (c) Conflict of Interest. No City Councilor or Mayor shall discuss, debate, or vote as a public official on any decision regarding a contract, the expenses of which are to be paid with City funds, if any of the following persons has a financial interest in the contract: the official; the official's spouse or domestic partner; or the parent, sibling, or child of the official, the official's spouse, or the official's domestic partner. In addition, no City official shall discuss, debate, or vote on any such decision if the official knows that the official's business associate has a financial interest in the contract. For purposes of this provision, "financial interest" includes any reasonable, objective expectation of financial gain or avoidance of financial detriment.
- (d) Definitions. The Council shall define by Ordinance the terms "domestic partner" and "business associate" for purposes of subsection (c) of this section.
- (e) Voidable Contracts. Any contract with respect to which a City Councilor or Mayor violates subsection (c) of this section is voidable at the discretion of the Council.
- (f) Disciplinary action. Any elected official who violates the Code of Ethics adopted pursuant to subsection (b) or the prohibitions of subsection (c) of this section may be removed from their position upon a finding by the Council that the official committed the violation intentionally

and for the purpose of obtaining or maintaining a personal financial benefit for, or avoiding a financial detriment to, any of the persons listed in subsection (c) of this section.

**(g) PLACEHOLDER. DUE PROCESS AND ENFORCEMENT.**

CHAPTER VI  
POWERS AND DUTIES OF THE CITY OFFICERS

Section 6.1. Mayor. The Mayor shall appoint the various committees provided for under the rules of the Council or otherwise and shall fill all vacancies in committees of the Council from that body. They shall sign all Ordinances passed by the Council within 30 days after their passage, except in the case of an emergency, where they shall be signed upon passage. They shall sign all instruments and writings authorized by this Charter, the laws of the state or the Council. In the absence of the Mayor, such instruments shall be signed by the Council President of the Council. All physical checks issued by the City shall be signed by two of the four following named City Officers, being the Mayor, the City Manager, the Deputy City Manager, and the Treasurer/Finance Director.

Section 6.2. Manager.

(a) Qualifications. The Manager shall be the administrative head of the City government. They shall be chosen by the Council without regard to political consideration and solely with reference to their executive and administrative qualifications. Before entering upon their duties, the Manager shall file with the Mayor an official bond for faithful performance thereof, payable to the City in the sum of \$10,000, the premium of which shall be paid by the City. The bond shall be to the satisfaction of the Council, and the approval of the Mayor shall be endorsed thereon.

(b) Term. The Manager shall be appointed for an indefinite term but may be removed with a vote of four members of the Council. Upon any vacancy occurring in the office of the Manager subsequent to the first appointment hereunder, the Council shall, at its next meeting, adopt a resolution of its intention to appoint a Manager, and no such appointment shall be made until at least four weeks after adoption of the resolution. The Council shall appoint a Manager within a reasonable time after the adoption of the resolution of intention.

(c) Powers and duties. The powers and duties of the Manager shall be:

- (1) To see that all Ordinances are enforced.
- (2) To appoint all heads of departments and other City Officers and employees, and remove them at pleasure, and to have general supervision and control over them, except as

otherwise provided in this Charter. All such appointments shall be made upon the basis of merit and fitness alone.

(3) To see that the provisions of all franchises, leases, contracts, permits, and privileges granted by the City are fully observed, and to report to the Council any violations thereof.

(4) To attend all meetings of the Council unless excused therefrom by three Councilors or by the Mayor.

(5) To act as purchasing agent for all departments of the City. All purchases shall be made in accordance with the Council approved City purchasing policy.

(6) To examine or cause to be examined, without notice, the official conduct of any officer, assistant, deputy, clerk, or employee in any of the departments of City government, except Councilors.

(7) To keep the Council advised to the needs of the City.

(8) To prepare and submit to the budget committee the annual budget estimate and such reports as may be required by that body.

(9) To submit to the Council an annual report of all departments of the City and such other reports as the Council may require.

(10) To prepare or cause to be prepared plans and specification for work coming under his/her supervision which the Council orders, and to provide such plans and specifications in sufficient number and in ample time to give full opportunity for all contractors who desire to bid thereon to do so.

(11) To have control, subject to such Ordinances as may from time to time be adopted, for all public utilities owned or operated by the City.

(12) To have general supervision over all City property and its use by the public or City employees.

(13) To appoint such advisory boards as they may deem desirable to advise on, assist them in their work; but the members of such boards will receive no compensation as such board members.

(14) To perform such other duties as may be required by this Charter or as the Council may require of them.

(15) From time to time, in order to facilitate the prompt, economical and efficient dispatch of City business, to organize the work of the departments under their control, to assign assistants, deputies, and employees from any office or department of the City government to perform work or service in connection with any other office or department thereof, or to work in more than one said offices or departments thereof; provided, that no such change shall affect the powers or duties of any elective officer to the City.

(16) To serve as the City Recorder and such to be clerk of the Council, keep an accurate record of its proceedings in a book provided for that purpose, and countersign all instruments and writings by this Charter or by the laws of the state or the City.

(d) Seats at Council Meetings. The Manager and such other officers of the City as may be designated by vote of the Council shall be entitled to seats with the Council but shall have no vote therein. The Manager shall have the right to take part in the discussion of all matters coming before Council.

(e) Manager Pro Tem. During the absence of the Manager from the City, during their temporary disability to act as Manager, or during the interim when the Council is seeking a Manager, the Council shall appoint a Manager Pro Tem who shall possess the powers and discharge the duties of the Manager during such absence or disability only; provided, however that a Manager Pro Tem shall have no authority to appoint or remove any City officer or employee except with the approval of five members of the Council. The Manager Pro Tem may hold their position for a term of six months with no more than two additional six-month renewals as authorized by four affirmative Council votes.

In case of the absence of the Manager or the Manager Pro Tem from Council meetings, the Council shall appoint a Clerk of the Council Pro Tem.

(f) Interference in Administration. No member of the Council shall in any manner, directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the Manager in the making of any appointment or removal, or the purchase of supplies, or attempt to exact any promise relative to any appointment from any candidate for Manager, or discuss, directly or indirectly, with any such candidate, the matter of appointments to any City office or employment. Any violation of the foregoing provisions of this section shall work a forfeiture of the office of the offending member of Council, may be removed therefrom by the Council or by any court of competent jurisdiction; provided, however, that nothing herein contained shall be construed as prohibiting the Council, while in open session, discussing with or suggesting to the Manager, fully and freely, anything pertaining to City affairs and for the best interest of the City. Neither the Manager nor any person in the employ of the City shall take any part in securing, or shall contribute any money toward, the nomination or election of any candidate for the municipal office.

(g) Ineligible Persons. No person related to the Manager by consanguinity or affinity within the third degree shall hold any appointive office or employment with the City.

Section 6.3. Municipal Judge. The Municipal Judge shall be the judicial officer of the City. They shall hold within the City a court known as the municipal court for the City of Sweet Home, Linn County, Oregon. The court shall be open for the transaction of the judicial business at times specified by the Council. All

areas within the City shall be within the territorial jurisdiction of the court. The Municipal Judge shall exercise original and exclusive jurisdiction of all offenses defined or authorized by Ordinances of the City. They shall have authority to issue process for the arrest of any person accused of an offense against the Ordinance of the City, to commit any such person to jail or admit them to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trail of any cause before them, to compel obedience to such subpoenas, to issue any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court. When not governed by Ordinances or this Charter, all proceedings in the municipal court for the violation of the City Ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.

Notwithstanding this section of this Charter, the Council may provide for the transfer of power and duties of the municipal court to the appropriate state court of the State of Oregon.

Section 6.4. Other Officers. The Council shall fix the powers and duties of all appointive offices other than those provided for in this Charter.

## CHAPTER VII ORDINANCES

Section 7.1. Enacting Clause. The enacting clause of all Ordinances hereafter passed shall be “The City of Sweet Home does ordain as follows.”

Section 7.2. Introduction, Reading, and Passage. Every Ordinance shall be read in open council meeting by title only on two separate days, prior to its final passage; however, an Ordinance may be read by title only twice in the same meeting if the first reading was approved by unanimous vote by those in attendance.

Section 7.3. When Ordinances Take Effect and Publication Thereof. Each Ordinance passed by the Council shall take effect on the thirtieth day after its passage; provided, that when the Council deems it expedient or in case of emergency, an Ordinance may provide a different time when it shall take effect, or that it shall take effect immediately.

## CHAPTER VIII PUBLIC IMPROVEMENTS

Section 8.1. Power of Condemnation and Purchase. The City shall have power to acquire by purchase, gift, devise, or condemnation any property either within or without its corporate boundaries for any municipal purpose, for the purpose of (a) protecting, preserving and facilitating an improvement or (b) bringing about such development of property along or in the vicinity of an improvement as will make such development harmonious with and adjusted to the improvement or (c) any combination of such purposes; to acquire by condemnation property in excess of that needed for the actual improvement and to sell or lease such excess property with building and use restrictions and conditions to make its development harmonious with and adjusted to adjacent public improvements. The necessity for the taking of any property by the City of Sweet Home shall be determined by the Council and shall be declared by a resolution which shall describe such property as nearly as may be and stating the use to which it is to be devoted. The City shall have power to provide for the payment of all or any part of the cost of land or other property acquired for public use of the construction, reconstruction, repair, operation or maintenance of any structure or work in the nature of a public facility or improvement, including a public utility and of any other public work or service, by levying and collecting special assessments upon property specially benefited.

Section 8.2. Special Assessment. The method and procedure for determining the amount of the assessments, the spread and apportionment of the amount of the assessments, and the boundary and location of the property, lots, district or area to be assessed; for the making and approval of the plans and specifications; for the notices of property owners and other interested parties; for the hearings, for the composition, organization and procedure of boards of revision or appraisal; for the levy of the assessments; for the creation of a lien; and for any and all other determinations, steps, measures, Resolutions, Ordinances, and actions in relation to the assessments shall be governed by either (a) the provisions of the special assessment statutes of the state or (b) the provisions of a general Ordinance setting forth such method and procedure, which general Ordinance may be enacted by Council and shall be subject to amendment or repeal.

Section 8.3. Improvements. Street, sewer, sidewalk, and such other improvements as may be deemed necessary by the Council may be made on the motion of the Council or on petition of a majority of the property owners interested. Written protest provided by two-thirds of the front footage of property owners concerned shall operate to defeat such motion of petition and the same may not again be considered by the Council for a period of six months.

Section 8.4. Savings Clause. All Ordinances, Resolutions, policies, procedures, contracts and regulations heretofore passed by the City, in force when this Charter takes effect, if not inconsistent with it, shall remain in full force after it takes effect and until they are amended or repealed by the Council.

Section 8.5. City to Retain Rights and Be Subject to Liabilities in Existence at Time This Charter Takes Effect. No right vested in the City and no liability which it has incurred under this Charter, prior Charters, and any revisions and amendments thereof and laws of the state shall be impaired or discharged by adoption of this Charter, except as this Charter otherwise provides.

Section 8.6. Limitations on Indebtedness. City indebtedness may not exceed the debt limits imposed by state law. A Charter amendment is not required to authorize City indebtedness.

Section 8.7. Repealing Clause. All Charter provisions adopted before this Charter takes effect are repealed.

Section 8.8. Severability. The terms of this Charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the Charter.