

CHAPTER VI

ELECTIONS

Section 33. State Law. Except as this charter or a METRO ordinance prescribes to the contrary, a METRO election shall conform to state law applicable to the election.

Section 34. Nominations. A person may be nominated in a manner prescribed by general ordinance to run for an elective office of METRO.

Section 35. Election of METRO Officers. The first voting for councilor, ~~auditor~~, or executive, except for certain elections to fill a vacancy in a term of office, shall take place at an election held at the same time and places in the METRO area as the statewide primary election that year. If at the primary election one candidate for a METRO office receives a majority of the votes cast for all candidates for that office, that candidate is elected and is entitled to a certificate of election. If at the primary election no such candidate receives a majority vote, the two candidates receiving the two highest numbers of votes cast for the office shall be the only ones whose names appear on the ballot for the general election that year as candidates for that particular office. The candidate who receives the greatest number of the votes cast at the general election for that office is elected to that office and is entitled to a certificate of election.

All elections for METRO officers shall be nonpartisan. The names of candidates for METRO offices shall be listed on election ballots without political party designations.

Section 36. Recall. An elective officer of METRO may be recalled in the manner, and with the effect, now and hereafter prescribed by the constitution and laws of the state.

Section 37. Initiative and Referendum. The initiative and referendum powers reserved to the voters of METRO under Oregon Constitution, Article XI, section 14(5) are subject to the provisions of state law and ordinances of the council.

Section 38. Amendment and Revision of Charter. The council may refer, and voters of METRO may initiate, amendments to this charter. A proposed amendment to the charter shall embrace one subject only and matters properly connected therewith. The shall provide by ordinance for a procedure to revise this charter.

CHAPTER VII

ORDINANCES

Section 39. Ordaining Clause. The ordaining clause of an ordinance adopted by the region council shall be, "The METRO Council ordains as follows:". The ordaining clause of an initiated or referred ordinance shall be, "The People of METRO ordain as follows:".

Section 40. Adoption by Council. The council shall adopt all legislation of METRO by ordinance. Except as provided below, no ordinance may be adopted by the council at a meeting unless: the ordinance is introduced at a previous meeting of the council; the title of the ordinance is included in a written agenda of the meeting at which the ordinance is adopted; the agenda of that meeting is publicized not less than three nor more than ten days before the meeting and, copies of the ordinance are available for public inspection at least three business days prior to the time of that meeting. The text of an ordinance may be amended, but shall not be substantially revised, at the meeting at which it is adopted. The preceding provisions of this section do not apply to an ordinance adopted by unanimous consent of the council and containing findings on the need for immediate adoption. No ordinance shall be adopted unless it receives the affirmative votes of a majority of the members of the council in a public meeting.

Section 41. Endorsement. Unless a different procedure is prescribed by general ordinance, an ordinance shall be endorsed by the person presiding over the council at the time of its adoption.

Section 42. Effective Date of Ordinances. Unless a different time is stated in an ordinance, an ordinance shall take effect ninety days after its adoption by the council. An ordinance may state an earlier effective date if an earlier effect is necessary for the health, safety or welfare of the region, the reasons why this is so are stated in an emergency clause of the ordinance, and the ordinance is approved by the affirmative vote of two-thirds of the members of the council. An ordinance imposing or changing a tax or charge or changing the boundary of METRO shall not contain an emergency clause.

Section 43. Content of Ordinances. Each ordinance shall embrace one subject and all matters properly connected therewith. Each ordinance shall be plainly worded, avoiding as far as practicable the use of technical terms.

Section 44. Procedures by General Ordinances. The procedures for making, altering, vacating or abandoning a public improvement shall be governed by general ordinance. The procedures for fixing, levying, and collecting special assessments against real property for public improvements or services shall be governed by general ordinance. To the extent these procedures are not governed by general ordinance, they shall be governed by state law.

CHAPTER VIII

MISCELLANEOUS PROVISIONS

Section 45. Transition Provisions. All legislation, orders, rules and regulations of the Metropolitan Service District in force just before this charter takes effect remain in force after that time insofar as they are consistent with this charter. All enactments of the Metropolitan Service District affecting the content of local land use comprehensive plans or regulations or the provision of governmental or utility services which are in effect at the time this charter takes effect shall remain in effect until changed or repealed by ordinance adopted under section 7 of this charter. All rights, claims, causes of action, duties, contracts, and legal and administrative proceedings of the Metropolitan Service District that exist just before this charter takes effect continue and are unimpaired by the charter. Each then shall be

in the charge of the officer or agency designated by this charter or by its authority to have charge of it. The unexpired terms of the elective officers of the Metropolitan Service District continue as provided by this charter. Upon the effective date of this charter, the assets and liabilities of the Metropolitan Service District become the assets and liabilities of METRO.

Section 46. **Time of Effect.** This charter takes effect January 1, 1993.

Section 47. **Severability, Headings.** The terms of this charter are severable. If a part of this charter is held invalid, that invalidity shall not affect any other part of this charter, except as the logical relation between the two parts requires. The chapter and section titles used herein are not part of the charter.

Section 48. **State Legislation.** The council shall seek in the sixty-seventh Legislative Assembly and thereafter, that legislation necessary for all parts of this charter to have operative effect.