

Ordinance No 162.

An Ordinance to regulate and prescribe the qualifications, duties and compensation of the City Recorder of the City of Albany.

The People of the City of Albany do enact as follows:

Section 1. Before entering upon the duties of his office, the City Recorder shall file with the Mayor his certificate of election, or appointment, with his oath of office as prescribed in the City Charter endorsed thereon, and also a bond to the City of Albany in the sum of One Thousand Dollars in U.S. Gold Coin with two or more sureties, who shall possess the qualifications of bail upon arrest as prescribed by the laws of the State of Oregon, to be approved by the Mayor, conditioned that he will honestly, faithfully and impartially perform all the duties of his office as prescribed by the Charter of the City, this Ordinance and the orders of the City Council, that he will pay over promptly to the City Treasurer all money that may come into his hands by virtue of his office and turn over to his successor in office all books, papers and property belonging to the City City of Albany that may come into his hands by virtue of his office as City Recorder.

Section 2. The City Recorder shall have jurisdiction over all violations of City Ordinances, and may hold to bail, fine or commit to prison persons found guilty thereof; it shall also be his duty when

any person is found guilty of any violation of any city ordinance and adjudged to pay a fine to further adjudge that if such person fail or refuse to pay such fine and the costs of the action, such person be confined in the city jail at the rate of one day for each two dollars of such fine until said fine be paid, provided that such confinement in the city jail shall in no case exceed fifty days for one offense. Any money that may be paid by any person adjudged to pay a fine and costs shall be applied in the first instance to the payment of the costs of this action. Within the city limits the City Recorder shall have the Civil and Criminal jurisdiction of a justice of the Peace for the County of Lima, and in all proceeding in his Court shall be governed and regulated by the general laws of the State applicable to justices of the peace and justice Courts in like or similar cases. He shall keep the corporate seal of the city, and all of the documents belonging to the city and shall file them in his office under appropriate heads

Section 3. The Recorder shall be elected as provided in the Charter and shall hold his office for two years and until his successor is elected and qualified. He shall be ex-officio Clerk of the City Council and with him must be filed all claims and accounts against the city. He shall attend all meetings of the city council and shall keep accurate minutes of all proceedings of the council in a well bound book provided for that

purpose, and shall also keep a correct record of all judicial business by him transacted. He shall also record in a well bound book to be called "the Book of Ordinances," all ordinances passed by the City Council and shall keep all the original ordinances on file in his office, carefully preserved for future reference. He shall keep an account in a well bound journal and ledger, in the usual form of single entry of book-keeping, between the Recorder and the City, the Treasurer and the City, and the Marshal and the City, in which he shall charge each of said officers with what ever he receives belong to the City, and credit him with whatever he accounts for satisfactorily to the City Council.

Section 4. The office of the Recorder shall be deemed vacant whenever the incumbent shall be absent from the City for a period of more than ten days without the consent of the Council first had and obtained, except in case of sickness, or whenever the person elected or appointed shall fail to qualify as provided in Section 21 of the Charter of the City. In the absence of the Recorder the Mayor may preside over the Recorder's Court in all matters relating to a violation of any City Ordinance.

He shall keep a record of licenses in a well bound book, which shall be spaced in six columns which shall be filled as follows: The first column shall state the name of the applicant for license; the second the date of granting the same; the

third the occupation or business for which license is granted; the fourth the time for which the license is granted; the fifth the amount paid for such license; the sixth the day month and year when the license so issued shall expire.

Section 6. The Recorder shall keep a book to be called the "Record of Orders", in which he shall enter in different columns the number, date and amount of ~~orders~~ each order issued, the name of the person to whom issued, (who shall receipt for the same when delivered) and the date of cancellation whenever the same shall have been returned ~~and~~ cancelled.

Section 7. No account or claim against the City shall be presented to or allowed by the Council, unless the same shall have been first filed by the Recorder, and when any account shall have been allowed and ordered paid by the City Council, the Recorder shall draw his order on the City Treasurer therefor, and make a record of the same as provided in the preceding Section, and when the City Treasurer shall return the same cancelled, the Recorder shall enter the date thereof in Record of Orders, as provided in the last Section, after which such cancelled order shall be destroyed.

Section 8. All fines and penalties belonging to the City collected by the City Recorder and all money belonging to the City that may come into his hands shall be immediately paid by him into the City Treasury, and he shall take the receipt of

the City Treasurer therefor in duplicate, one of which said Receipts shall be filed in the office of the Recorder.

Section 9. He shall report to the City Council at the first regular meetings in April, July and October of each year, all money belonging to the City Collected or received by him from any source whatever, the number and character of licenses issued, and a list of City orders drawn on the City Treasury, and shall make a similar report at their first regular meeting in January of each year, together with a summary of all his transactions with the City during the preceding year.

Section 10. All fines and penalties that may be collected by the Recorder for a violation of a state law shall be disbursed of by said Recorder as provided by the general laws of the state.

Section 11. The Recorder must issue under the seal of the City and attested by official signature, all licenses authorized by the City ordinances, upon the delivery to him of the receipt of the City Treasurer for the amount of money required for such license: Provided, that in all cases where by the provisions of any ordinance, shall be required to make special order for the issuance of a license, such license shall be issued only upon such order.

Section 12. The Recorder is hereby authorized and empowered to administer any oath authorized or required to be taken by any

law of this state, or by any ordinance of this city.

Section 13. The Recorder shall be by virtue of his Office, City assessor, and when making the regular assessment of property to be taxed for city purposes, shall ascertain, by diligent inquiry, the names of all persons within the city limits liable to taxation, all the taxable personal property and real property therein, and appraise the same according to the provisions of the city charter and the ordinances made pursuant thereto.

Section 14. The Recorder, when acting as Assessor, shall require every person liable to taxation to give upon oath or affirmation in writing and subscribed by him a full description of all taxable property owned by him and liable to taxation within the city limits: and all notes, accounts and other evidence of indebtedness, owned by persons or firms within the city limits, shall be liable to taxation for city purposes: and if any person shall fail to give in a description of his property liable to taxation as here-in prescribed, the Recorder shall ascertain from the best information to be had, the taxable property, owned or held by such person.

Section 15. The assessment roll shall be prepared by the Recorder and shall be made out by him in the manner prescribed by ordinance no 140

Section 16. In addition to the compensation now all by ordinance to the Recorder, he shall be allowed the sum of \$2.50 per

Month for keeping the books required to be kept by him by this Ordinance, and the further sum of one dollar for recording the proceedings of each meeting of the Council.

Section 17. All proceedings or actions before the Recorder shall be commenced by Complaint in writing, setting forth the violation of the ordinance or act of vagrancy, or disorderly conduct, complained of, or the offense charged, with such particulars as to the time and place, person or property, as to enable the defendant to understand distinctly the character of the offense complained of, and to answer the complaint. All complaints shall be verified with the oath of the party making the same. To the complaint the defendant may plead or he may answer or deny the same; such plea answer or denial may be oral or in writing, and immediately thereafter the cause shall be tried, unless for good answer a postponement be granted.

Section 18. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Section 19. This ordinance shall take effect and be in full force from and after its approval by the Mayor.

Passed by the Council August 16th 1887.

Approved August 25 1887.

J. K. Weatherford
Mayor

Attest:

W. J. Henton,

Recorder of the City of Albany.

State of Oregon } ss
County of Linn } J. W. J. Henton, Recorder of
the City of Albany Linn County Oregon, do hereby
certify that the foregoing ordinance no. 162,
is a true and correct copy of the
original ordinance no. 162, as passed by the
Council of said City of Albany August
16th 1887, and is now file in the office of the
City Recorder.

Witness my hand and the seal of the City of
Albany, this 25th day of August 1887.

W. J. Henton,
Recorder of the City of Albany.

