

ORDINANCE NO. 03-2017

**An Ordinance Amending
Clackamas County Code Title 3, Elections**

WHEREAS, State law currently controls the initiative and referendum process; and

WHEREAS, Clackamas County would like to ensure that boundaries and voter eligibility are current; and

WHEREAS, qualifications for the Justice of the Peace were initially established by Board Order and should now be codified;


Now, therefore, the Board of Commissioners of Clackamas County ordains as follows:

Section 1: Title 3, Elections of the Clackamas County Code is hereby amended as shown on Exhibit "A", attached hereto and incorporated herein by this reference.

ADOPTED this 4th day of May 2017.

BOARD OF COUNTY COMMISSIONERS


Chair


Recording Secretary

Chapter 3.04

3.04 NOTIFICATION OF BOUNDARY CHANGES TO THE COUNTY CLERK/ELECTIONS

3.04.010 Purpose

The purpose of this section is to clarify the application of Oregon State Law concerning changes in the boundaries of cities, special districts and other units of local governments for which the County Clerk conducts elections.

3.04.020 Notification of Boundary Change to the County Clerk

If the boundary of a city, a special district or a unit of local government is changed, the city governing body immediately shall send a certified copy of the ordinance, order, resolution or other action changing the boundary to the county clerk of each county in which the city is located. The order, resolution or other action shall be accompanied by a legal description of the revised boundary, a list of the affected tax lots and a map showing the boundary in the area of the change with territory added indicated by shading and territory removed shown by cross hatching. Dwellings shall be indicated when present and street addresses associated with occupied parcels shall be provided cross indexed to the tax lot numbers of the affected tax lots. The notice shall specify the effective date of the boundary change as a specific calendar date.

3.04.030 Time for Providing Notice

The notice required above shall be provided within ten days of the adoption of the ordinance, order, resolution or other action. Cities shall specify the effect of ORS 222.040 in writing and shall document any claimed exception to its application.

3.04.040 Exclusive Process for Notification of Boundary Changes

The Notice Procedure described above shall be the exclusive procedure for notification of boundary changes for the purposes of elections. The duty to provide the notification required is not a delegable duty and may not be transferred to or vested in another governmental body. See ORS 246.245 and ORS 255.045.