



# **CITY OF CORVALLIS**

## **CHARTER**

**2017**

City Incorporated January 28, 1857

## CHARTER

**TO PROVIDE FOR THE GOVERNMENT OF THE CITY OF CORVALLIS, BENTON COUNTY, OREGON; AND TO REPEAL ALL CHARTER PROVISIONS OF THE CITY ENACTED PRIOR TO THE TIME THAT THIS CHARTER IS ENACTED, EXCEPT THOSE HEREIN RETAINED.**

Be it enacted by the people of the City of Corvallis, Benton County, Oregon: We, the people of Corvallis, Oregon, exercise our power to the fullest extent possible, under the Constitution and laws of this State and enact this home rule charter:

[As amended by general election November 7, 2006.]

### CHAPTER 1 Names and Boundaries

Section 1. Title of Enactment. This enactment may be referred to as the Corvallis Charter of 2006, an amendment of the 1995 Charter.

[As amended by general election November 7, 2006.]

Section 2. Name of City. The City of Corvallis, Benton County, Oregon, shall continue to be a municipal corporation, with the name "City of Corvallis."

### CHAPTER 2 Powers

Section 3. Powers of the City. The City shall have all the rights, powers, privileges, and immunities which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, including those rights, powers, privileges, and immunities which a City can exercise upon specifically accepting them or upon being granted the power to exercise them by the people of the City or the legislature of the State, as fully as though this Charter expressly stated each of those rights, powers, privileges, and immunities and as though each of them had been specifically accepted by the City or granted to it by the people of the City or by the legislature of the State. The powers contained herein from previously enacted Charters shall be deemed a part of the powers of the City. The City is further empowered to assess, levy, and collect taxes of all types for any and all lawful municipal purposes.

Section 4. Responsibility to All People. The City shall exercise its power to ensure the equal protection, treatment, and representation of all persons without discrimination including,

but not limited to, age, citizenship status, color, familial status, gender identity or expression, marital status, mental disability, national origin, physical disability, race, religion, religious observance, sex, sexual orientation, and source or level of income. Corvallis is a community that honors diversity and diverse interests, and aspires to be free of prejudice, bigotry, and hate.

[This section added by general election November 7, 2006.]

**Section 5. Construction of the Charter.** In this Charter no mention of a particular power, right, privilege, or immunity shall be construed to be exclusive or to restrict the scope of the powers, rights, privileges, or immunities which the City would have if the particular power was not mentioned. The Charter shall be liberally construed to the end that the City may have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to the laws and to the municipal home-rule provisions of the constitution of the State of Oregon.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 6. Exercise of Powers.** All rights, powers, privileges, and immunities of the City shall be exercised in the manner prescribed in this Charter, or, if the manner be not prescribed in this Charter, then in the manner provided by ordinance or resolution of the Council or the laws of the State of Oregon.

[As amended by general election November 7, 2006 (section renumbered).]

### **CHAPTER 3 Form of Government**

**Section 7. Where Powers Vested.** Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 8. Council.** The Council shall be composed of nine Councilors, one from each ward. The term of office of Councilors shall be two years. There shall be elected one Councilor from each ward at each general municipal election. The Councilors in office at the time this Charter is amended shall continue in office until the election of Councilors at the first general municipal election after adoption of this amended Charter section.

[As amended by special election May 27, 1971; and general election November 7, 2006 (section renumbered).]

Section 9. Wards.

(a) For the purpose of municipal representation, the City of Corvallis shall be divided into nine wards designated by the City Council by ordinance not later than five days or earlier than 30 days before the first date on which candidates may file for each election as Councilors.

(b) The Council must, by ordinance, revise the description of any wards or ward in order to conform to the one person, one vote principle. Ward boundaries shall conform to the principles of neighborhood groupings, compactness of area, and regularity of boundaries insofar as can reasonably be attained.

[As amended by Ordinance No. 69-22, February 17, 1969, adopted by Charter amendment special election March 18, 1969; special election May 27, 1971; special election November 7, 1995; and general election November 7, 2006 (section renumbered).]

Section 10. Mayor. At the biennial general election held in 1954 and every fourth year thereafter, a Mayor shall be elected for a term of four years.

[As amended by Ordinance No. 54-6, March 1, 1954, adopted by Charter amendment special election May 21, 1954; and general election November 7, 2006 (section renumbered).]

Section 11. Council-appointed Positions. The offices of City Manager, Municipal Judge, and City Attorney are hereby created. The Council shall fill each of these offices by appointment as the need so arises.

[As amended by special election November 7, 1995; and general election November 7, 2006 (section renumbered).]

Section 12. Other Officers and Employees. The Council may create such additional appointive offices as it deems necessary. No person may fill more than one appointive office without approval of the Council.

[As amended by Ordinance No. 59-1, January 19, 1959, adopted by Charter amendment special election February 19, 1959; special election May 23, 1972; special election November 7, 1995; and general election November 7, 2006 (section renumbered).]

Section 13. Salaries. The compensation for the services of each City officer and employee shall be whatever amount the Council fixes.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 14. Officers Generally.**

(a) **Qualifications.** No person is eligible to fill an elective office of the City unless s/he is a qualified elector of the City and unless s/he has resided in the City one year immediately preceding any election at which s/he is a candidate.

(b) **Conflicts of interest.** Conflicts of interest are prohibited. All officers of the City are subject to the strictures, limitations and penalties of all applicable laws.

[As amended by special election held May 23, 1972; and general election November 7, 2006 (section renumbered).]

**CHAPTER 4  
Council**

**Section 15. Meetings.** The Council shall hold a regular meeting at least once each month at a time and place in the City which it designates and shall adopt rules for the government of its members and proceedings. The Mayor upon his or her own motion may, or at the request of three members of the Council shall, by giving lawful notice, call a special meeting of the Council for a time not earlier than 24 hours nor later than 72 hours after the notice is given. In case of an actual emergency, a meeting may be held upon such notice as is appropriate under the circumstances, with the minutes describing the nature of the emergency justifying less than 24 hours notice.

[As amended by general election November 7, 2006.]

**Section 16. Quorum.** A majority of the members of the Council shall constitute a quorum for it to do business, but a smaller number may meet and compel the attendance of absent members in a manner provided by ordinance.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 17. Journal.** The Council shall cause a journal of its proceedings to be kept. Upon the request of any of its members the ayes and nays upon any question before it shall be taken and a record of the vote entered in the journal.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 18. Meetings to Be Public.** All deliberations and proceedings of the Council shall be public, except as provided by State law.

[As amended by special election, November 7, 1995; and general election November 7, 2006 (section renumbered).]

**Section 19. Mayor's Functions at Council Meetings.** The Mayor shall be chair of the Council and preside over its deliberations. S/he shall not vote except in the case of a tie vote of the members of the Council present at the meeting. S/he shall have authority to preserve order, enforce the rules of the Council, and determine the order of business under the rules of the Council.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 20. President of the Council.** At its first meeting after this Charter takes effect and thereafter at its first meeting of each odd-numbered year, the Council by ballot shall elect a president and a vice-president from its membership. In the Mayor's absence from a Council meeting, the president shall preside over it; in the absence of both the Mayor and the president, the vice-president shall preside. Whenever the Mayor is unable, on account of absence, illness, or other causes to perform the functions of the office, the president of the Council shall act as Mayor; in the absence of both the Mayor and the president, the vice-president shall act as Mayor.

[As amended by special election, November 7, 1995; and general election November 7, 2006 (section renumbered).]

**Section 21. Vote Required.** Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.

[As amended by general election November 7, 2006 (section renumbered).]

## **CHAPTER 5 Powers and Duties of Officers**

**Section 22. Mayor.** The Mayor shall appoint the committees provided under the rules of the Council. S/he shall sign all approved records of proceedings of the Council. S/he shall sign all ordinances passed by the Council within three days after their passage, unless s/he veto the same. If s/he vetoes an ordinance, s/he must, within 10 days from receipt thereof, return same to the City Recorder with a statement of the reasons for not approving it, and if the Mayor does not so return it, such ordinance shall become law, unless otherwise provided in such ordinance. Upon the first regular meeting of the Council after the return of such ordinance from the Mayor not approved, the City Recorder shall deliver the same to the Council, with the message of the Mayor, which must be read. Such ordinance shall then be put upon its passage again, and if two-thirds of all the members constituting the Council, as then provided by law, vote in the affirmative, it shall become a law unless otherwise provided in such ordinance, without the approval of the Mayor and not otherwise. But if no vote is taken at such meeting on the passage of such ordinance, it shall be deemed to have failed to become a law because not approved by the Mayor. The Mayor shall also, upon approval of the Council, endorse all bonds of officers of the City.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 23. City Manager.**

(a) **Qualifications.** The City Manager shall be the administrative head of the government of the City. S/he shall be chosen by the Council without regard to political considerations and solely with reference to executive and administrative qualifications. S/he need not be a resident of the State at the time of appointment, but promptly thereafter shall become and during her or his tenure remain a resident of the City. Before taking office, the Manager shall file with the Mayor a bond for faithful performance of his or her duties as Manager, payable to the City in the amount determined by the Council by ordinance, the premium of which the City shall pay. The bond shall be to the satisfaction of the Council.

(b) **Term.** The Manager shall be appointed for an indefinite term and may be removed at the pleasure of the Council. Upon any vacancy occurring in the office of Manager subsequently to the first appointment pursuant to this Charter, the Council at its next meeting shall adopt a resolution of its intention to appoint another Manager. No such appointment shall be made until at least four weeks elapse after the resolution is adopted. Not later than six months after adopting the resolution, the Council shall appoint a Manager to fill the vacancy.

[As amended by special election, November 7, 1995.]

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

(1) S/he shall devote her or his entire time to the discharge of official duties, attend all meetings of the Council, unless excused therefrom by the Council or the Mayor, keep the Council advised at all times of the affairs and needs of the City, and make reports annually, or more frequently if requested by the Council, of all the affairs and departments of the City.

(2) S/he shall see that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits and privileges granted by the City are observed.

(3) S/he shall appoint all appointive City officers and employees except as this Charter otherwise provides, and shall have general supervision and control over them and their work, with power to transfer an employee from one department to another, and shall exercise supervision and control over the departments, to the end of obtaining the utmost efficiency in each of them. S/he shall have no control; however, over the Council or the judicial activities of the Municipal Judge.

[As amended by general election November 7, 2006.]

(4) S/he shall act as purchasing agent for all departments of the City.

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(5) S/he shall be responsible for preparing and submitting to the Budget Commission the annual budget estimates and such reports as that body requests.

(6) S/he shall supervise the operation of all public utilities owned and operated by the City and shall have general supervision over all City property.

(7) S/he shall perform such other duties as may be required by this Charter or as the Council may require.

(d) Seats at Council meetings. The Manager and such other officers as the Council designates shall be entitled to sit with the Council, but shall have no vote on questions before the Council. The Manager may take part in the discussion of all matters before it.

(e) Manager pro tem. In case of the Manager's absence from the City, or a temporary disability to act as Manager, or of the Manager's discharge by the Council, or resignation, the Council shall appoint a Manager pro tem, who shall possess the powers and duties of the Manager. No Manager pro tem, however, shall have the power to appoint or remove any City officer or employee except with the approval of three-fourths of the members of the Council. No Manager pro tem shall hold the position as such for more than six months, and no appointment of a Manager pro tem shall be renewed.

(f) Interference in administration and elections. Neither the Mayor nor any 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 of any officer or employee or in 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 him or her the matter of specific appointments to any City office or employment. A violation of the foregoing provisions of this section shall forfeit the office of the offender. Nothing in this section shall be construed, however, as prohibiting the Council, while in open session, from discussing with or suggesting to the Manager, fully and freely, anything pertaining to the City affairs or the interests of the City.

[As amended by general election November 7, 2006.]

(g) Ineligible persons. No person related to the Manager or his or her spouse by consanguinity or affinity with the third degree, nor the spouse, shall hold any appointive office or employment with the City.

[As amended by special election May 23, 1972; general election November 6, 1984; Subsection (e) by primary election May 17, 1988; Subsections (b) and (c) by special election November 7, 1995; and general election November 7, 2006 (section renumbered).]

**Section 24. Municipal Judge.** The Municipal Judge shall be the judicial officer of the City. The Judge shall be appointed and may be removed by the Council. The Judge shall hold within the City a court known as the Municipal Court for the City of Corvallis, Benton County, Oregon. Except on nonjudicial days, the Court shall be open for the transaction of judicial business. All area within the City and all property owned or controlled by the City shall be within the territorial jurisdiction of the Court. The Municipal Judge shall exercise original and exclusive jurisdiction of all crimes and offenses defined and made punishable by ordinances of the City and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by an ordinance of the City. The Municipal Judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the City, to commit any such person to jail or admit her or him to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in Court on the trial of any cause before the Municipal Judge, 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. Notwithstanding any other provision of this section to the contrary, the functions of the Municipal Judge and Municipal Court may be fulfilled by a State court when so appointed and designated by the Council. The City may have the duties of the Municipal Judge performed by the regular and pro-tempore judges of a State court.

When not governed by ordinance or this Charter, all proceedings in the Municipal Court for the violation of a City ordinance shall be governed by the applicable general laws of the State governing justices of the peace and justice courts.

[As amended by general election held November 6, 1984; and general election November 7, 2006 (section renumbered).]

## **CHAPTER 6 Elections**

**Section 25. General Elections.** A general municipal election shall be held biennially in the City of Corvallis at the same time that the general biennial election for State and county officers is held in the State of Oregon, and at each general election the successors shall be elected for all elective offices whose terms of office expire prior to the next biennial election.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 26. Applicability of State Laws.** Except as the same may be inconsistent with the provisions of this Charter, all the laws of this State regulating and governing elections and proceedings and matters incidental or relating thereto or connected therewith shall apply to and govern elections under this Charter.

[As amended by special election held May 19, 1981; and general election November 7, 2006 (section renumbered).]

Section 27. Qualifications of Electors. No person shall vote at any City election unless s/he is a qualified elector of the State of Oregon and a resident of the City.

[As amended by special election held May 19, 1981; and general election November 7, 2006 (section renumbered).]

Section 28. Special Elections. The Council shall have the power to call special elections. A special election shall be called by ordinance setting forth the purpose for which such special election shall be called and the proposition(s) to be voted on the day on which such election shall be held.

[As amended by special election held May 19, 1981; and general election November 7, 2006 (section renumbered).]

Section 29. Nominations. Effective January 1, 1955, all elective officers of the City of Corvallis shall be elected on a nonpartisan ballot. The Council shall provide by ordinance the mode of nominating elective officers by petition, which shall be the sole and exclusive method of nominating such elective officers.

[As amended by special election held May 21, 1954; and special election held May 19, 1981; and general election November 7, 2006 (section renumbered).]

Section 30. Notice of Elections. The City Recorder shall give notice of all general or special elections by publication thereof in the City official newspaper once a week for two successive and consecutive weeks, within 30 days next preceding such election. Such notice shall state the officers to be elected, and/or measures to be voted upon as herein provided and, in case of a special election, the place designated for holding such election and the time thereof. Any error not affecting the substantial rights of voters shall not invalidate any election.

[As amended by special election held May 19, 1981; and general election November 7, 2006 (section renumbered).]

Section 31. Canvass of Election Results. To canvass the results, the City Recorder shall call to her or his assistance two qualified electors of the City, not of the same political party, and they three shall then canvass the returns of the election. A written statement of the canvass shall be made and signed by the canvassers, or a majority of them, and filed with the City Recorder. Such writing must contain a statement of the whole number of the votes cast at such election and the number given for any person for any office and the name of the persons elected and to what office and also the number of votes for or against any measure submitted to the people.

[As amended by special election held May 19, 1981; and general election November 7, 2006 (section renumbered).]

Section 32. Initiative and Referendum. Initiative petitions shall be signed by a number of legal voters equal to 15 percent of the votes cast for Mayor at the last preceding municipal

election. Referendum petitions shall be signed by a number of legal voters equal to 10 percent of the votes cast for Mayor at the last regular preceding municipal election.

[Added by special election held May 19, 1981; and general election November 7, 2006 (section renumbered).]

## **CHAPTER 7 Vacancies in Office**

**Section 33. What Creates Vacancy.** An office shall be deemed vacant upon the incumbent's death, incompetence, conviction of a felony, resignation or absence from the City for 30 days without the consent of the Council in case of the Mayor or Councilor; upon the incumbent's ceasing to possess the qualifications necessary for the office; or upon the failure of the person elected or appointed to an office to qualify therefor within three days after the time for the term of office to commence; and in case of the Mayor or a Councilor, upon absence from meetings of the Council for 60 days without the consent of the Council.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 34. Filling of Vacancies.** Vacancies in elective offices which occur 120 or more days prior to the first day of the new term shall be filled by special election among the represented constituency. The special election shall be held within 60 days after a vacancy is declared when possible, or at the next scheduled State election date thereafter. Should vacancy occur leaving fewer than 120 days remaining in the term, the candidate who receives the most votes for that office in the regular election shall assume office immediately upon validation of the vote.

[As amended by special election held May 21, 1954; special election held November 2, 1976; special election held May 19, 1981; and special election held November 7, 1995; and general election November 7, 2006 (section renumbered).]

## **CHAPTER 8 Ordinances**

**Section 35. Enacting Clause.** The enacting clause of all ordinances hereafter enacted by the Council shall be "The City of Corvallis ordains as follows:".

[As amended by general election November 7, 2006 (section renumbered).]

**Section 36. Passage.** The procedure for passing ordinances shall be such as the Council by ordinance determines. When an ordinance is passed, the Recorder shall endorse it with the date of its passage and his or her name and title of office, and within three days thereafter the

Mayor shall sign it with the date, his or her name and the title of the office, unless s/he vetoes or does not return such ordinance as provided in Section 22 hereof.

[As amended by general election November 7, 2006 (section renumbered).]

Section 37. **When Ordinances Take Effect.** An ordinance enacted by the Council shall take effect on the tenth day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect, and, in case of an emergency, it may take effect immediately.

[As amended by general election November 7, 2006 (section renumbered).]

## **CHAPTER 9 Public Improvements**

Section 38. **Condemnation.** Any necessity of taking property for the City by condemnation shall be determined by the Council and declared by a resolution of the Council describing the property and stating the uses to which it is to be devoted.

[As amended by general election November 7, 2006 (section renumbered).]

Section 39. **Acquisition and Disposition of Property.** 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 protecting, preserving, or facilitating any improvement, for the purpose of bringing about such development of property along or in the vicinity of an improvement as will make the development harmonious with and adjusted to the improvement, or for any combination of such purposes. The City shall also have power to acquire by condemnation property in excess of that needed for the actual improvement and to sell or lease the excess with such building and use restrictions and conditions as will tend to make its development harmonious with and adjusted to adjacent public improvements. The City shall have power to provide for the payment of any part or all of the cost of land or other property acquired for public use, of the cost of constructing, reconstructing, repairing, operating, or maintaining any structure or work in the nature of a public facility or improvement, including a public utility, and of the cost of any other public work or service by levying and collecting assessments upon the property specifically benefited thereby.

[As amended by general election November 7, 2006 (section renumbered).]

Section 40. **Improvements.** Street, sewer, sidewalk, and such other public improvements as the Council deems necessary may be undertaken on the motion of the Council or on petition of the owners of two-thirds of the property to benefit specially from the improvements. A remonstrance of the owners of two-thirds of the benefitted property to be specifically affected by a street improvement shall defeat a motion or petition to improve such street, in which event no further action to effect the improvement shall be taken for six months. The procedure for making street, sidewalk, sewers, and for vacating, altering, opening or

abandoning street and other public improvements shall be governed by ordinance or the applicable general laws of the State in the absence of ordinance.

[As amended by Ordinance No. 54-6, March 1, 1954, adopted by Charter amendment special election May 21, 1954; and general election November 7, 2006 (section renumbered).]

**Section 41. Special Assessments.** The procedure for levying, collecting and enforcing the payment of special assessments for public improvements or other services to be charged against real property shall be governed by ordinance.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 42. Public Improvement Contracts.** All public improvement contracts shall be subject to the limitations of State law.

[As amended by Charter amendment special election May 23, 1972; and special election, November 7, 1995; and general election November 7, 2006 (section renumbered).]

## CHAPTER 10 Miscellaneous

**Section 43. Existing Ordinances Continued.** All ordinances of the City consistent with this Charter and in force when it takes effect shall remain in effect until amended or repealed.

[As amended by special election, November 7, 1995; and general election November 7, 2006 (section renumbered).]

**Section 44. Continuation of Rights and Liabilities.** No right or liability of the City existing at the time this Charter takes effect shall be impaired or discharged by adoption of this Charter, except as this Charter otherwise provides.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 45. Repealing Clause.** All Charters and Charter amendments of the City enacted prior to the time that this act takes effect, except as herein otherwise provided, are hereby repealed.

[As amended by general election November 7, 2006 (section renumbered).]

**Section 46. Provisions of Prior Charters Retained.** The following provisions of prior Charters are hereby retained:

- (a) Authorizing additional tax levy for fire department. In addition to all other or different powers or authority contained in the Charter of the City of Corvallis authorizing the City to levy, assess and collect taxes, the Council is hereby authorized

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and empowered to assess, levy and collect each year and include in the general tax levy each year such additional special tax levy as in the judgment of the Council shall be required, upon all property in the City not exempt from taxation, not to exceed two mills upon the dollar valuation of property assessed, for the purpose of providing additional funds for the equipment, maintenance and conducting of the fire department (to be added to the "fire department fund"). Said levy shall be permitted in addition to and in excess of the constitutional 6 percent limitation upon the City's tax levy.

[1915 Charter, Section 112; 1929 Charter, Section 112A; 1942 Charter, Section 112A]

(b) Authorizing special tax for recreation program. In addition to all other or different powers and authority contained in the Charter of the City of Corvallis, Oregon, authorizing the City to assess, levy and collect taxes, the Council is hereby authorized and empowered to assess, levy and collect each year and include in the general tax levy each year such additional special tax levy as in the judgment of the Council shall be required upon all property in the City not exempt from taxation, not to exceed one mill upon the dollar valuation of property assessed for the purpose of providing additional funds for organizing, administering and conducting a recreational program for said City. Said levy shall be permitted in addition to and in excess of the constitutional 6 percent limitation upon the City's tax levy.

[1944 Charter, Section 272, as subsequently amended]

(c) Authorizing one year special tax levy. In addition to all other and different powers and authority contained in the Charter of the City of Corvallis, Oregon, authorizing said City to assess, levy and collect taxes, the Council of said City is hereby authorized and empowered to assess, levy and collect each fiscal year, and include in the general tax levy each fiscal year for one year, beginning with the next tax levy after the adoption hereof, such additional special tax levy as in the judgment of the Council shall be required, upon all property in said City not exempt from taxation not to exceed five mills upon the dollar valuation of property assessed for the purpose of providing additional funds for any and all legal municipal purposes. Said levy shall be permitted in addition to and in excess of the constitutional 6 percent limitation upon the City's tax levy.

[1909 Charter, Section 112, as subsequently amended]

(d) Authorizing tax levy for general municipal purposes. The Council has power and authority within the City of Corvallis to assess, levy and collect taxes upon all property, both real and personal, not exempt from taxation. The Council shall levy the amount of taxes necessary to provide for the payment during the ensuing fiscal year of all properly authorized demands upon the treasury, and the tax necessary to pay any interest accruing during the year on the bonded indebtedness of the City and any sinking fund levy lawfully provided for subject to the general laws of the State of Oregon.

[As amended by Ordinance No. 54-6, March 1, 1954, adopted by Charter amendment special election May 21, 1954; 1909 Charter, Section 112.]

(e) Authorizing additional tax levy for fire and street departments. In addition to all other or different powers or authority contained in the Charter of the City of Corvallis authorizing the City to levy, assess and collect taxes, the Council is hereby authorized and empowered to assess, levy and collect each year and include in the general tax levy each year such additional special tax levy as in the judgment of the Council shall be required upon all property in the City not exempt from taxation, not to exceed two mills upon the dollar valuation of property assessed, for the purpose of providing additional funds for the equipment, maintenance and conducting of the fire department (to be added to the "fire department fund") and for the maintenance and construction of City streets (to be added to the "street department fund"), not more than one and one-half mills thereof to be used for the fire department and not more than one-half mill thereof to be used for the street department. Said levy shall be permitted in addition to and in excess of the constitutional 6 percent limitation upon the City's tax levy.

[1948 Charter, Section 276, as subsequently amended]

(f) Water user charge. In addition to all other different powers and authority contained in the Charter of the City of Corvallis, Oregon, the Council is hereby authorized and empowered to establish and collect just and equitable charges upon water users, both within and outside the City, and also upon premises served by sewer, either or both, to provide funds to acquire, construct, equip, operate and maintain within and without the City limits of Corvallis sewage disposal plant or plants, sewers, equipment and appurtenances necessary, useful or convenient for a complete sewer system and disposal plant, including maintenance and extension of the present sewer system.

[1944 Charter, Section 273, as subsequently amended; and general election November 7, 2006 (section renumbered).]

Section 47. Franchises. No franchise shall be granted by the City of Corvallis for a period in excess of 20 years.

[As amended by general election November 7, 2006 (section renumbered).]

Section 48. Amendments. An amendment to the Charter of the City of Corvallis, or new or supplemental Charter, may be proposed and submitted to the legal voters of the City by resolution of the Council. No amendment of the Charter shall be effective until it is approved by a majority of the votes cast thereon by the legal voters of the City. The ballot title of such amendment shall be the same as prepared and submitted with such amendment, or new or supplemental Charter, by the resolution of the Council.

[As amended by special election held May 19, 1981; and general election November 7, 2006 (section renumbered).]

**Section 49. Time of Effect of Charter.** This Charter shall take effect December 1, 2006.

[As amended by special election, November 7, 1995; and general election November 7, 2006 (section also renumbered.)]

**Section 50. Authorizing a Continuing Special Tax Levy.** In addition to all other and different powers and authority contained in the Charter of the City of Corvallis, Oregon, authorizing said City to assess, levy and collect taxes, the Council of said City is hereby authorized and empowered to assess, levy and collect each fiscal year not to exceed five years and include in the general tax levy each fiscal year not to exceed five years beginning with the next tax levy after the adoption hereof, such additional special tax levy as in the judgment of the Council shall be required, upon all property in said City not exempt from taxation, not to exceed \$38,500.00 per fiscal year (approximately three and one-half mills upon the dollar valuation of property assessed) for each of the aforesaid five years for the purpose of providing additional funds for the construction, equipping, maintenance and manning of a new fire station and other additional fire equipment, and thereafter the said Council of said City is hereby authorized and empowered to assess, levy and collect each fiscal year and include in the general tax levy each fiscal year beginning with the next tax levy after the expiration of five years from the next tax levy after the adoption hereof, such additional special tax levy as in the judgment of the Council shall be required, upon all property in said City not exempt from taxation, not to exceed \$16,500.00 per fiscal year thereafter (approximately one and one-half mills upon the dollar valuation for property assessed) for the purpose of providing additional funds for the maintenance and manning of said new fire station. Such said tax levies to be in addition to and in excess of the constitutional 6 percent limitation upon the City's tax levy. Any and all provisions of the Charter and ordinances of said City of Corvallis, Oregon, which shall conflict with the provisions hereof are hereby repealed.

[As amended by Ordinance No. 53-34, September 21, 1953, adopted by Charter amendment special election October 13, 1953; and general election November 7, 2006 (section renumbered).]

**Section 51. Authorizing Special Tax for Park and Recreational Program.** In addition to all other or different powers and authority contained in the Charter of the City of Corvallis, Oregon, authorizing the City to assess, levy and collect taxes, the Council is hereby authorized and empowered to assess, levy and collect each year and include in the general tax levy each year, such additional special tax levy as in the judgment of the Council shall be required upon all property in the City not exempt from taxation and not to exceed \$18,000.00 in any tax year (approximately one and one-half mills upon the dollar valuation of property assessed), for the purpose of providing additional funds for acquiring, improving and administering public parks for said City and conducting recreational programs therefor. Said levy shall be permitted in addition to and in excess of the constitutional 6 percent limitation upon the City tax levy.

[As amended by Ordinance No. 55-48, November 21, 1955, adopted by Charter amendment special election held December 15, 1955; and general election November 7, 2006 (section renumbered).]

**Section 52. Services to Property Outside Corporate City Limits.** The City shall furnish no services or enter into any agreement or contract to furnish such services to property outside the corporate limits of the City unless the City Council shall have first adopted an ordinance approving the same. Any such ordinance shall contain a provision that it shall not become effective until the expiration of 30 days after its passage and approval by the Mayor. The Council shall make provision for and hold public hearing prior to the adoption of any such ordinance.

[Charter amendment adopted by special election held November 5, 1974; and general election November 7, 2006 (section renumbered).]

**Section 53. Vote on Annexations.** Unless mandated by State law, annexation, delayed or otherwise, to the City of Corvallis may only be approved by a prior majority vote among the electorate.

[Charter amendment adopted at general election held November 2, 1976; and general election November 7, 2006 (section renumbered).]

**Section 54. Appeals to the City Council.** In instances where the City Council has delegated authority for rendering decisions following public evidentiary hearings, any decision by that delegated authority may be appealed to the City Council by petition of 10 registered voters who are residents of the City of Corvallis. The City Council shall conduct a de novo hearing, basing its decision upon testimony given by proponents, opponents and staff as well as the record developed by the hearing authority.

[Charter amendment adopted at general election November 2, 1976; and general election November 7, 2006 (section renumbered).]

**Section 55. Limiting Property Tax Levies.** The City Council may not levy a property tax for general City operations of more than:

- (a) To retire bond principal or interest,
- (b) Levied serially for capital acquisition, construction, reconstruction, maintenance, and general operations specifically authorized by the voters,
- (c) Millage levies,
- (d) To finance an improvement or service in a special district created by the City Council,
- (e) Any other property tax levy approved by the voters.

[Charter amendment adopted at a general election held November 2, 1982; and general election November 7, 2006 (section renumbered).]

**Section 56. Downtown Development District.** The Council of the City of Corvallis is authorized to establish, and from time to time to change the boundaries of a downtown development district which shall be established to provide:

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1. Public parking facilities in the district;
2. Public transportation in, to, and from the district;
3. Local and public improvements; and
4. Economic promotion and development of the district.

The Council is also authorized to tax persons, property, and economic enterprise in the district and to establish one or more agencies to assist the City in the exercise of these powers.

[Added November 8, 1983; and general election November 7, 2006 (section renumbered).]

**Section 57. Urban Renewal Plan.** Any Urban Renewal Plan or amendment approved by the City Council shall contain the following provisions:

1. Any collection or use of tax increment funds for any purpose whatsoever must be approved in advance by a majority vote at a City election.
2. Any collection or use of tax increment funds shall be considered a Substantial Change in the Plan.

[Charter amendment adopted at a primary election held May 21, 1991; and general election November 7, 2006 (section renumbered).]

**Section 58. Sections Deleted from Prior Charter and Sections Renumbered.** Section 3, "Boundaries;" Section 25, "Recorder;" Sections 28, 30, 31, 35, 37, and 38 [all previously repealed]; Section 51, "Water Commission Abolished, Funds Preserved;" Section 52 [previously repealed]; Section 56 [previously repealed]; Section 59, "Authorizing Construction of Water Treatment Plant, Transmission System, Distribution System Improvements, and Bond Issue Therefor;" Section 60, "Authorizing Construction of Sewage Collection and Treatment Facilities and Bond Issue Therefor;" Section 62, "Repeal of Section 56 of the Charter of the City of Corvallis;" Section 63, "Authorizing Construction of Water Treatment Plant, Transmission System, Distribution System Improvements, and Bond Issue Therefor;" Section 64, "Authorizing Construction of Sewer Collection and Treatment Facilities and Bond Issue Therefor;" Section 66, "Authorizing Acquisition of Lands for and the Construction, Equipping, Maintaining and Manning of a New Fire Station, and Bond Issue Therefor;" Section 67, "Authorizing Construction of Reservoirs and Water Source, Transmission and Distribution System Construction and Improvements and Bond Issue Therefor;" Section 68, "Authorizing Construction of Small Plant Hangar at Corvallis Municipal Airport and Bond Issue Therefor;" Section 69, "Authorizing the Construction of Pumping Stations, Interceptor Sewers, Trunk Sewers and Lateral Sewers in the Downtown and South Corvallis Area and Bond Issue Therefor;" Section 70, "Authorizing the Acquisition of Land for and the Construction and Equipping of a New City Library and Bond Issue Therefor;" Section 71, "Authorizing Special Tax Levy for Art Center or Art Appreciation and Promotion within the City of Corvallis and Authorizing the City of Corvallis to Enter into Contract for the Purpose Thereof;" Section 72,

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"Authorizing the Modification, Expansion, and Equipping of Existing Primary Sewage Treatment Facilities and Construction and Equipping of Secondary Sewage Treatment Facilities for the City of Corvallis, and Bond Issue Therefor;" Section 73, "Authorizing the Acquisition, Construction, and Installation of a Fire Alarm System in the City of Corvallis, Construction and Acquisition of a Fire Engine by the City of Corvallis, and a Bond Issue Therefor;" Section 74, "Authorizing Special Tax Levy for Public Park Land Acquisition and Development, Improvement, Equipping, Maintenance, and Administration of Public Parks;" Section 75, "Authorizing Special Tax Levy for Fire Department and Police Department of the City of Corvallis;" Section 75A, "Authorizing the Construction, Reconstruction, and Replacement of Water Reservoirs and Water Treatment, Transmission, and Distribution System Improvements and a Bond Issue Therefor;" Section 76, "Authorizing the Construction and Reconstruction of Hangar Facilities at Corvallis Municipal Airport and a Bond Issue Therefor;" Section 77, "Authorizing Special Tax Levy for Art Center for Art Appreciation and Promotion and Authorizing the City of Corvallis to Enter into Contract for the Purchase Thereof;" Section 78, "Authorizing Special Tax Levy to Provide Capital Improvements for an Art Center, and Authorizing the City of Corvallis to Enter into Contracts for the Purpose Thereof;" Section 79, "Authorizing Water Treatment Plant Intake Expansion and Other Works for City Water Department and a Bond Issue Therefor;" Section 80, "Authorizing a One Year Special Tax Levy;" Section 80A, "Authorizing Sewage Treatment Plant Expansion, the Handling of Industrial Waste and Wet Weather Overflows and a Bond Issue Therefor;" Section 81, "Authorizing Ten Year Special Tax Levy;" Section 82, "Authorizing Construction, Reconstruction and Replacement of Water Treatment, Transmission, Distribution and Storage System Improvements, and a Bond Issue Therefor;" Section 83, "Authorizing a Special Bus Service Tax Levy;" Section 85, "Authorizing a Special Tax Levy Outside the Constitutional 6 Percent Limitation;" Section 86, "Authorizing Special Tax Levy Outside the Constitutional 6 Percent Limitation;" Section 87, "Authorizing Special Tax Levy for Fire Department Capital Outlay, Operation and Maintenance;" Section 90, "Authorizing the Construction and Development of Walnut Boulevard from Witham Hill to Harrison Boulevard with All Necessary Appurtenances and a Bond Issue Therefor;" Section 91, "Authorizing Special Tax Levy for Arts Center for Arts Appreciation and Promotion;" Section 92, "Authorizing Special Tax Levy Outside the Constitutional 6 Percent Limitation;" Section 93, "Authorizing the Purchase of Land Commonly Known as I.V. Hill for Park and Open Space Purposes and a Bond Issue Therefor;" Section 94, "Authorizing Special Tax Levy for Transit Capital Outlay, Operation and Maintenance;" Section 95, "Authorizing Funds for the Land Acquisition, Design and Engineering, and Preliminary Construction of Highway 34, Eastside Bypass and Other Appurtenant Costs and a Bond Issue Therefor;" Section 96, "Authorizing Funds for Installation of Fuel Storage Tanks, Construction of Railroad Grade Crossings, Rehabilitation, Installation of Improvements, and Construction of Additions to Existing Buildings; Construction and Installation of Park Improvements; Land Acquisitions for Parks; Street Improvements and Pedestrian Amenities; Traffic Signals; Bridge Construction; Street Widening and Reconstruction; Street Right-of-Way Acquisition and Construction; Bikepath Improvement and Construction and Other Appurtenant Costs and a Bond Issue Therefor;" Section 97, "Authorizing Funds for the Rehabilitation and/or Replacement of Sanitary Sewer Trunks and Submains and Laterals; and the Construction of Water Transmission Facilities; the Rehabilitation and Repair of Equipment and Facilities of City Water Treatment Plants; Installation of Water Reservoir and Pump Station; Construction and Improvement of Storm Sewer Facilities; Airport Paving and T-Hangar Construction and Other Appurtenant Costs

and Bond Issue Therefor;" Section 99, "Authorizing Funds for Rehabilitation, Installation of Improvements, and Construction of Additions to Existing City Buildings; Construction and Installation of Park Improvements; Land Acquisition for Parks and Libraries; Street Improvements; Traffic Signals; Street Widening and Reconstruction; Street Right-of-Way Acquisition and Construction; Bridge Construction; and Other Appurtenant Costs and a Bond Issue Therefor;" Section 100, "Authorizing Funds for the Rehabilitation and/or Replacement of Sanitary Sewer Trunks and Submains and Laterals; the Design and Construction of Water Transmission Facilities; the Rehabilitation and Repair of Equipment and Facilities at City Water Treatment Plants; Rehabilitation of Water Reservoir and Pump Station; Construction and Improvement of Storm Sewer Facilities; and Other Appurtenant Costs and a Bond Issue Therefor;" Section 101, "Authorizing Special Tax Levy for Transit Capital Outlay, Operation, and Maintenance;" Section 102A, "Authorizing a Three Year Special Tax Levy on the Downtown Development District;" Section 103, "Authorizing Funds for the Rehabilitation and/or Replacement of Sanitary Sewer Trunks, Submains and Laterals; Replacement of the Sequoia Creek Storm Drain; and Other Appurtenant Costs and a Bond Issue Therefor;" Section 104, "Authorizing Funds for Rehabilitation, Installation of Improvements, and Construction of Additions to the Senior Citizens Center; Street Reconstruction and Sidewalk/Pedestrian Improvements; and Other Appurtenant Costs and a Bond Issue Therefor;" Section 105, "Authorizing Special Tax Levy for Transit Operation, Maintenance, and Capital Outlay;" Section 106, "Authorizing a Three Year Special Tax Levy on the Downtown Development District;" Section 107, "Authorizing Funds for Renovation of the Majestic Theatre; and Other Appurtenant Costs and a Bond Issue Therefor;" and Section 108, "Authorizing Special Tax Levy for Arts Center for Arts Appreciation and Promotion." Section of this current Charter are renumbered accordingly.

[Added by special election, November 7, 1995; and general election November 7, 2006 (section renumbered).]

**Section 59. Sale, transfer or use change of parks and natural areas.**

1. Sale or transfer of city-owned parks or natural areas, or any change of use of city-owned parks or natural areas to a use not associated with parks or natural areas, shall only be approved by a prior vote among the electorate.
2. Land that has been acquired for park or natural area purposes shall not be used for any other purposes unless the use is strictly temporary in nature and is compatible with park or natural area use. Such temporary use shall not be subject to vote of the electorate if the temporary use does not exceed 2 years.

[Added by special election, May 16, 2017.]