

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON '00 MAR -2 A10 :48

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of the Adoption of an Ordinance )  
 Referring to the Voters the Question of Whether )  
 the Yamhill County Term Limits Ordinance, ) ORDINANCE No. 677  
 Ordinance 587, Should be Amended; Referred )  
 for the May 16, 2000 Election. )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on February 17, 2000, commissioners Ted Lopuszynski, Thomas E.E. Bunn and Robert Johnstone being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

- A. Under ORS 203.035(1), the electors of a county "may by ordinance exercise authority within the county over matters of county concern, to the fullest extent allowed by Constitutions and laws of the United States and this state" as though the specific powers were listed in the statutes.
  - B. In March, 1996 the Board referred Ordinance 587 to the voters for the May, 1996 primary election to establish term limits for elective county offices. Ordinance 587 was approved by the voters in the May, 1996 election and thereafter became operative.
  - C. The Board has been requested to amend Ordinance 587 to make term limits applicable only to county commissioners. Because the voters adopted Ordinance 587, it is appropriate for the voters to decide whether Ordinance 587 should be amended.
  - D. This ordinance should be submitted to the voters at the May 16, 2000 primary election.
- NOW, THEREFORE,

THE PEOPLE OF YAMHILL COUNTY ORDAIN AS FOLLOWS:

Section 1. TERM LIMITS FOR COUNTY COMMISSIONERS.

No person shall serve more than 3 consecutive terms of office as a Yamhill County Commissioner.

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Section 2.      **CALCULATION OF "TERM."**

A period of service less than the full statutory term of office shall not constitute a term under Section 1 except when either of the two following conditions exist:

- a.      When a person is elected to fill a vacancy in office; or
- b.      When a person is appointed to fill a vacancy in office and 2 years or more remains in the term of office to which the person is appointed.

Section 3.      **APPLICATION OF ORDINANCE.**

Terms of service beginning on or after January 1, 1997 shall count toward the limits established in Section (1).

Section 4.      **ELIGIBILITY FOR ELECTION OR APPOINTMENT; DUTY OF COUNTY ELECTIONS OFFICER .**

- a.      The county elections officer shall not accept for filing a statement of candidacy for a person seeking election as county commissioner if serving a term in such office would cause the person to violate the limits established in Section (1).
- b.      A person seeking appointment as county commissioner is not eligible for appointment if serving a term in such office would cause the person to violate the limits established in Section (1).

Section 5.      **REPEAL OF ORDINANCE 587.**

Ordinance 587, approved by the voters May 21, 1996, is hereby repealed.

Section 6.      **REFERRAL OF MEASURE TO VOTERS; EFFECTIVE DATE.**

- a.      This ordinance shall be referred to the voters as a county measure in the primary election of May 16, 2000.
- b.      This ordinance shall become effective only if approved by a majority of the voters at the primary election of May 16, 2000. If approved by the voters, this ordinance shall become effective upon the first date allowed by the Oregon Constitution.

Section 7.      **SEVERABILITY.**

All sections, subsections and paragraphs of this ordinance are severable. If any section, subsection or paragraph is ruled invalid for any reason by the court of last resort, the other portions of this ordinance shall be unaffected.

APPROVED by the Yamhill County Board of Commissioners for referral to the voters following the first reading of this Ordinance on February 17, 2000 with Commissioners Lopuszynski, Bunn and Johnstone all voting aye.

DONE at McMinnville, Oregon on February 17, 2000.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN  
County Clerk

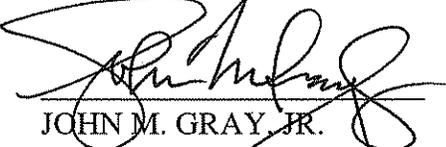
By:   
Deputy KELLYE FETTERS



Ted Lopuszynski  
Chairman TED LOPUSZYNSKI

Thomas E. E. Bunn  
Commissioner THOMAS E. E. BUNN

FORM APPROVED BY:

  
JOHN M. GRAY, JR.  
Yamhill County Counsel

Robert Johnstone  
Commissioner ROBERT JOHNSTONE

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