ORDINANCE NO. 471

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH PLAINS, OREGON, AMENDING SECTIONS 1.30.040 AND 1.30.070 OF THE MUNICIPAL CODE TO PERMIT ALTERNATIVE NOMINATING PROCEDURES DURING DECLARED STATES OF EMERGENCY, AND DECLARING AN EMERGENCY

WHEREAS, nomination petitions for City elective offices require the signatures of at least 25 City electors, or a minimum of 1% of City electors participating in the last Gubernatorial election; and

WHEREAS, due to the COVID-19 pandemic, there is currently a declared State of Emergency within the City; and

WHEREAS, the COVID-19 pandemic makes the solicitation of and collection of signatures unsafe and creates a risk to the health and safety of City residents; and

WHEREAS, such risks create the need for an alternative method for completing nomination petitions for City elective offices.

Now, therefore:

THE CITY OF NORTH PLAINS ORDAINS AS FOLLOWS:

Section 1. Sections 1.30.040 of the North Plains Municipal Code is hereby amended by adding the underlined language below as follows:

1.30.040 Nomination Petition or Declaration of Candidacy.

A. An eligible elector may become a candidate for an elective City position by filing a nomination petition in a form prescribed by the Secretary of State and available from the Recorder pursuant to ORS 249.061.

B. Except as permitted under Section 1.30.040.E, a nomination petition must contain signatures of not fewer than 25 City-qualified electors, or a minimum of 1% of City Electors participating in the last Gubernatorial election, as follows:

1. The signatures need not all be attached to one paper, but each separate paper of the petition must be attached to an affidavit of the circulator showing the number of signers and stating that each signature is the genuine signature of the person.
2. Each signature must have next to it the signer’s residence, by its street and number or other description.

3. The Recorder must certify the signatures in the nomination petition for genuineness by comparing them and the other required information with the elector registration cards on file with the County Clerk.

4. After the petition is filed with the Recorder, the Recorder has 10 days to verify the signatures, and attach to the petition a certificate stating the number of signatures believed genuine.

C. Declarations of candidacy are not permitted or accepted within the City of North Plains from candidates interested in filing for City Council or Mayoral positions.

D. Individuals filing nomination petitions must comply with State Campaign Finance Reporting requirements pursuant to ORS 260.

E. During any time period in which a State of Emergency has been declared within the City by the federal government, the Governor or the City Council, a nomination petition may be accompanied by a fee in lieu of the signatures required by Section 1.30.040.B. The fee in lieu shall be twenty-five dollars ($25.00) unless a different amount is established by resolution of the City Council.

Section 2. Sections 1.30.070 of the North Plains Municipal Code is hereby amended by adding the underlined language below as follows:

1.30.070 Deficient Petitions.

If a nomination petition is not signed by the required number of qualified electors, or during a declared State of Emergency is not accompanied by a fee in lieu of the required number of signatures, the Recorder will notify the candidate within five days after the filing. The Recorder will return it immediately to the candidate, and state in writing how the petition is deficient. The deficient petition may be amended and filed again as a new petition, or a substitute petition for the same candidate may be filed within the time requirements for filing petitions.

Section 3. The City Council deems and desires it necessary for the preservation of the health, peace and safety of the City of North Plains that this Ordinance take effect at once. Therefore, an emergency is hereby declared, and accordingly this Ordinance
shall be in full force and effect from and after its passage and approval.

**ADOPTED** by the North Plains City Council this 3rd day of August, 2020.

CITY OF NORTH PLAINS, OREGON

By: ____________________________

Teri Lenahan, Mayor

ATTEST:

By: ____________________________

Lori Lesmeister, City Recorder