

MULTNOMAH COUNTY CHARTER, Vol. 1, Bk. 2
-Charter - Preamble and Chapter I
through Chapter X

1/8

CHARTER

OUTLINE -
OF -
CHARTER CONTENT -
FOR -
CONSIDERATION .
BY -
HOME RULE CHARTER COMMITTEE
OF -
MULTNOMAH COUNTY.

PREAMBLE

We, the people of Multnomah County, Oregon, in recognition of the dual role of the county as a unit of local government and as an agency of the state, and in order to avail ourselves of local determination in county affairs to the full extent permissible under the constitution and laws of the state, by this charter confer upon the county the following powers, subject it to the following restrictions, and prescribe for it the following procedures and governmental structure.

CHAPTER I
PRELIMINARIES

1.010 NAME. The name of the county as it operates under this charter shall continue to be Multnomah County.

1.050 NATURE AND LEGAL CAPACITY. From the time this charter takes effect, the county shall continue to be an agency of the state and a body politic and corporate.

1.090 BOUNDARIES. The boundaries of the county as it operates under this charter shall be the boundaries now or hereafter prescribed for the county by the laws of the State of Oregon.

1.130 COUNTY SEAT. The seat of government of the county as it operates under this charter shall continue to be in the City of Portland.

CHAPTER II
POWERS OF THE COUNTY

- 2.010 GENERAL GRANT OF POWERS.
- 2.050 CONSTRUCTION OF POWERS.
- 2.090 VESTING OF POWERS.
- 2.130 COUNTY POWERS INSIDE CITIES.
- 2.170 INTERGOVERNMENTAL COOPERATION.
- 2.210 TRANSFER OF FUNCTIONS.

CHAPTER II

POWERS

2.010 General Grant of Powers. Except as this charter provides to the contrary, the county shall have authority over matters of county concern to the full extent now or hereafter granted or allowed by the constitutions and laws of the United States and the State of Oregon, as fully as though each particular power comprised in that authority were specifically enumerated in the charter.

2.050 Construction of Powers. In this charter no mention of a particular power shall be construed to be exclusive or to restrict the authority that the county would have if the particular power were not mentioned. The charter shall be liberally construed, to the end that, within the limits imposed by the charter and by the law of the United States and the state, the county have all powers necessary or convenient for the conduct of its affairs, including all powers that counties may now or hereafter assume under the statutes of the state and under the provisions of the state constitution concerning county home rule. The powers shall be construed to be continuing powers.

2.100 Powers Inside Cities. Except as this charter provides to the contrary, no power granted the county by this charter may extend to a matter of purely municipal concern, but the powers granted the county by this charter shall extend, even inside city limits, to matters of general concern to the county.

CHAPTER III
GOVERNING BODY

- 3.010 COMPOSITION: Size, Terms, Basis of Representation
- 3.050 QUALIFICATIONS OF MEMBERS.
- 3.070 NOMINATION AND ELECTION OF MEMBERS.
- 3.090 VACANCIES.
- 3.130 COMPENSATION.
- 3.170 ORGANIZATION OF GOVERNING BODY.
- 3.210 POWERS OF GOVERNING BODY.
- 3.250 RESTRICTIONS ON GOVERNING BODY.
- 3.270 PROCEDURES OF GOVERNING BODY. Meetings, Rules, Voting, and Journal
- 3.271 ACTS REQUIRED TO BE BY ORDINANCE.
- 3.275 ORDINANCE PROCEDURE.
- 3.277 EMERGENCY ORDINANCES.
- 3.279 CODE OF TECHNICAL REGULATIONS.

CHAPTER III

GOVERNING BODY

3.010 Membership. The governing body of the county shall be a board of county commissioners consisting of a chairman and four commissioners, each nominated and elected from the county at large for a term of four years.

3.050 Qualifications of Members. A member of the board shall be a citizen of the United States and a registered elector of Multnomah County for one year immediately prior to being nominated to run for the board.

3.100 Vacancies. The board shall immediately fill by appointment any vacancy on the board. Appointed members of the board shall have the same qualifications as elected members of the board.

3.150 President. At its first meeting each calendar year the board shall choose from its members a president to preside at board meetings whenever the chairman is absent.

3.200 Powers. Except as this charter or the provisions of the constitution and laws of the state regarding the initiative and referendum provide to the contrary, the legislative power of the county is vested in and exercisable only by the board. Other powers of the county not vested in other officers and agencies of the county shall be vested in the board but may be delegated by it.

3.250 Meetings: Procedure. The board shall adopt and publish rules for the conduct of its meetings. It shall keep a journal of its proceedings. The journal shall be accessible to the public during regular office hours.

3.300 Meetings: Notice. Notice stating the time and place of a board meeting and containing an agenda of all action to be considered at the meeting shall be posted at least 72 hours before the meeting in a conspicuous place in the county court house, with copies available to interested persons. Regular board meetings shall be scheduled by the board in accordance with its rules of procedure, but the chairman or three members may call special meetings of the board. Except the enactment of emergency ordinances, no action of the board shall be effective until approved at a regular meeting of the board.

3.350 Quorum. Attendance of a majority of the board shall be necessary for the transaction of board business. Approval of a majority of the board is required for board action.

3.400 Ordinances. All legislative action by the board shall be by ordinance. The enacting clause for an ordinance enacted by the board shall be, "The Board of County Commissioners of Multnomah County ordains as follows," and the enacting clause for an ordinance approved by the voters of the county shall be, "The People of Multnomah County ordain as follows." An ordinance, before being enacted, shall be fully and distinctly read during public meetings of the board on two different days at least seven days apart, except that the board may direct that either or both of the readings be by title only, provided a copy is available for each board member and for each person at the meeting who desires a copy.

3.450 Emergencies. To meet a public emergency affecting life, health, or property, the board may suspend all rules of its procedure except the requirement of a quorum and enact an ordinance to deal with the emergency. An emergency ordinance shall be subject to review, confirmation, amendment, or repeal at the next regular public meeting of the board and shall cease to have legal effect sixty days after being enacted.

3.500 Board Members and Administrative Personnel. Except for purposes of inquiries, no board member may give directions or orders to an administrative officer or employee of the county, but shall deal with them solely through the chairman of the board.

Brd.
Members
+
Adm.
Personnel

CHAPTER IV
COUNTY OFFICERS IN GENERAL

4.010 OTHER COUNTY OFFICERS.

4.050 DESIGNATION AND TERMS.

4.090 QUALIFICATIONS.

4.130 COMPENSATION.

4.170 VACANCIES.

CHAPTER IV
ADMINISTRATION

4.010 Chief Executive. The chairman of the board of county commissioners shall be the chief executive officer of the county.

4.050 Chief Executive: Powers and Duties. The board chairman shall preside over meetings of the board and have a vote on each issue before the board. He shall have power to appoint administrative officers and employees of the county, but his appointment of department heads shall be subject to the board's approval. He may transfer functions from one department to another or withhold functions for his own supervision. He shall execute the ordinances of the county and the policies of the board. He may delegate his powers, but he shall retain full responsibility for the acts of his subordinates.

4.100 Intergovernmental Cooperation. The chairman of the board of county commissioners, with the approval of the board, may arrange by contract--

- (1) for one or more functions of the county to be performed in cooperation with one or more other governmental agencies,
- (2) for one or more functions of the county to be performed by one or more other governmental agencies, and
- (3) for the county to perform one or more functions of other governmental agencies.

In this section the phrase "other governmental agencies" means governmental agencies of the State of Oregon and units of local government, including cities.

4.150 Administrative Departments. For the purposes of rendering county services and administering county affairs the following administrative departments are established, subject as hereinafter provided to control by the board of county commissioners and the chairman of the board:

- (1) The department of judicial administration, charged with clerical and ministerial duties related to the courts.
- (2) The department of public safety, charged with the duties of law enforcement and responsible for protecting the public from physical hazards such as fire and disaster.
- (3) The department of finance, charged with the custody and accounting of county funds, the acquisition, management, and disposal of county property, the assessment of property for purposes of taxation, and the collection of taxes.
- (4) The department of records and elections.
- (5) The department of medical services.
- (6) The department of public works.
- (7) The department of public services.
- (8) The department of administrative services.

4.200 Changes in Departments. The board of county commissioners may establish additional administrative departments, combine any two or more of the departments into a single department, separate departments so combined, and abolish any such department, except that the board may make no change in any of the first three departments listed without the approval of the voters of the county. The board chairman may allocate administrative functions of the county as he sees fit but shall keep the board advised as to any change he makes in the allocation of functions as as to organizational changes that he makes in the administration of the government of the county.

CHAPTER V
EXECUTIVE DEPARTMENTS

- 5.010 EXECUTIVE HEAD.
- 5.050 POWERS AND DUTIES.
- 5.080 ADMINISTRATIVE DEPARTMENTS.
- 5.130 ALLOCATION OF FUNCTIONS.
- 5.170 PURCHASING.
- 5.190 PERSONNEL ADMINISTRATION.
- 5.230 ADVISORY BOARDS AND COMMISSIONS.

CHAPTER VI
FISCAL AFFAIRS

- 6.010 BUDGET FORMULATION.
- 6.013 CAPITAL BUDGET PROJECTION.
- 6.050 BUDGET EXECUTION.
- 6.053 CONTINGENCY FUND.
- 6.058 PAYMENTS AND OBLIGATIONS.
- 6.090 AUDITING.
- 6.130 INDEBTEDNESS.

CHAPTER VII
PUBLIC IMPROVEMENTS

7.010 HEARINGS AND REMONSTRANCES.

7.050 BIDDING AND CONTRACTS.

7.090 ASSESSMENTS.

CHAPTER VIII
SERVICE DISTRICTS

8.010 FORMATIONS.

8.050 ALTERATIONS OF BOUNDARIES.

8.090 FINANCING.

CHAPTER IX

ELECTIONS

9.010 NOMINATION OF OFFICERS.

9.050 ELECTION OF OFFICERS.

9.090 RECALL.

9.130 INITIATIVE AND REFERENDUM.

CHAPTER X
TRANSITIONAL PROVISIONS

10.010 CONTINUATION OF ORDINANCES.

10.050 INCUMBENTS IN OFFICE.

10.090 EFFECTIVE DATE.