

## COMPLETING CONNECTIONS FOR CLACKAMAS COUNTY BYLAWS TEMPLATE FOR A VILLAGE

*The following is a guide for communities that have received County approval to develop their village governance system. Each community is encouraged to tailor the bylaws to fit its own circumstances. Please note the elements followed by an asterisk (\*) are either required by county ordinance or state law.*

### ARTICLE I: NAME

The name of this village shall be \_\_\_\_\_.

### ARTICLE II: PURPOSE

The general purpose of villages in Clackamas County is to give those individuals 18 years and older who live, own property or a business within the geographic boundaries of the village a forum for considering a broad range of issues affecting the livability and quality of life in their area; and an organized way to express issues of concern and coordinate community-based activities.

The specific purpose of \_\_\_\_\_ (*name of village*) is to \_\_\_\_\_.  
(*Refer to application.*)

### ARTICLE III: ACTIVITIES

The village shall undertake the following: (*Refer to application.*) *Examples of activities include but are not limited to: enhanced communications, community-building, representation to other jurisdictions, economic development, park and trail/recreational planning, downtown beautification, maintenance, community development, strategic planning, public transit and land use review. (The latter may be undertaken only after agreement with the CPO.)*

### ARTICLE IV: BOUNDARY

**Section 1. Proposed.** The boundary of the village is \_\_\_\_\_. (*Map is attached.*)

**Section 2. Changes.** The boundary may be changed after discussion with neighboring organizations, jurisdictions and service providers, a majority vote of the citizens at a town hall meeting, and review and approval by the Board of County Commissioners (BCC.)

### ARTICLE V: MEMBERSHIP \*

Membership shall be open to all those at least 18 years of age who live within the boundary of the village or non-residents who own property or a business within the village.

## ARTICLE VI: BOARD OF DIRECTORS

The village Board is the representative voice of its citizens and serves in an advisory capacity to the BCC on issues of village concern. Any village citizen shall be eligible for the Board. The names of all nominees shall be reviewed by the BCC prior to election at a village town hall meeting. \*

**Section 1. Number.** Following approval by the BCC, there shall be \_\_\_\_ Directors, elected by a majority vote at an annual town hall meeting. (*May be no less than five.*)

**Section 2. Eligibility.** If any, to be determined by the village.

**Section 3. Nomination.** Qualified individuals must submit their names to a designated party at least ten days prior to the town hall meeting.

### **Section 4. Duties.**

The primary duties of the Board of Directors are:

- a. Work with citizens to carry out the village's activities.
- b. Gather citizen input on all actions requiring a vote by the Board.
- c. Conduct all appropriate administrative functions of the village, including yearly budget and record keeping.
- d. Conduct quarterly town hall meetings.
- e. Provide an annual report of activities to the citizens of the village and the BCC.
- f. Represent the village to other jurisdictions and the BCC.
- g. Undertake any other duties determined by the citizens.

**Section 5. Term and Election.** The term of office for Directors shall be \_\_\_\_ (*two or four*) years. (*The terms of Directors should be staggered so that each year, approximately one-half expire.*) The Board shall be chosen by a majority of village citizens present at an annual town hall meeting.

**Section 6. Officers.** The Board shall choose a chair, vice-chair, secretary and treasurer from its members.

**Section 7. Duties of Officers.** The duties of each is as follows:

- a. **Chair:** The chair shall preside over all meetings of the \_\_\_\_\_ village and shall co-sign, with the treasurer, all authorized expenditures, appoint committee chairs and be responsible for the performance of such duties as prescribed in these bylaws or designated by citizens at a town hall meeting. The chair shall be an ex-officio member of all committees.
- b. **Vice-Chair:** The vice-chair shall perform the duties of the chair in his/her absence or disability. The vice-chair may co-sign for authorized expenditures if either the chair or treasurer is unable to perform this duty.
- c. **Secretary:** The secretary shall keep accurate records of all meetings of the village. The minutes shall be made available to the Clerk of the Board of County Commissioners and to any

citizen or the public as required by the Oregon Public Records and Meetings Law (ORS 192.) The secretary shall handle all correspondence of the village and be responsible for any other duties delegated by the Board of Directors.

- d. **Treasurer:** The treasurer shall maintain an accurate record of all income and expenses of the village and co-sign authorized expenditures. The treasurer may maintain a bank account, if applicable, and must present a statement of accounts at every meeting. The treasurer's records shall be made available to any citizen or the public as required by the Oregon Public Records Law.

**Section 8. Selection of Officers.** The officers shall be selected at the first meeting of the village Board and subject to reelection according to Article VI, Section 3.

**Section 9. Vacancies.** A vacancy will occur when a Director is no longer a citizen of the village, dies, resigns, is removed, or has more than two (2) unexcused absences from village Board meetings. The vacancy shall be filled by appointment by a majority of the remaining Directors. The person appointed to fill the vacancy shall serve the remainder of the unexpired term until the next town hall meeting, at which time a majority of citizens present at the meeting shall elect a successor.

**Section 10. Quorum and Action.** A quorum at a Board meeting shall be a majority of the number of Directors present when the meeting is called to order. Action will be taken by a majority vote of the Directors present.

**Section 11. Regular Meetings.** Regular meetings of the Board of Directors shall be held at the time and place to be determined by the Board but no less than quarterly. The village shall provide notice and hold open meetings in accordance with the Oregon Public Meetings Law. The village Board will meet with citizens (at least quarterly) at town hall meetings to give citizens an opportunity to identify, discuss and vote on community issues. All such town hall meetings shall be open, but only citizens of the village, as defined in Article V of these bylaws, may vote.

**Section 12. Special Meetings.** Special meetings of the Board of Directors shall be held at the time and place to be determined by the Board. Notice of such meetings, describing the date, time, place and purpose of the meeting, shall be delivered to each Director personally or by telephone, e-mail or U.S. postal service, not less than five days prior to the special meeting. Special meetings shall be held in accordance with Oregon's Public Meetings Law.

**Section 13. Public Meetings and Public Records.\*** All records of the village are county records and considered public unless exempt from disclosure by the Oregon Public Records Law. The village shall comply with Oregon's Public Records Law. This includes providing adequate notice, opening the meetings to the public, voting and keeping minutes. All requests for records should be referred to the Clerk of the Board of County Commissioners for processing.

**Section 14. Compensation.** Directors shall not be paid for services on the Board, but may be reimbursed for Board-approved expenses related to their village duties. All requests for reimbursement must be accompanied by a receipt.

## ARTICLE VII: COMMITTEES

**Section 1. Committees.** The Board of Directors may establish such committees as necessary and desirable to conduct the affairs of the village. Such committees shall be advisory to the Board.

## ARTICLE VIII: ANNUAL MEETING

**Section 1.** The Board shall hold an annual town hall-style meeting for the following purposes:

- a. Election of Directors.
- b. Report to the citizens.
- c. Approve activities to be undertaken by the village.
- d. Other matters as proposed by the citizens or the Board of Directors.

**Section 2.** Written notice of the annual town hall meeting shall be sent to residents and property owners within the village boundary at least ten days prior to the meeting. Additional notice shall be in area newspapers, flyers and through other means.

**Section 3.** The meeting shall be public, but only citizens of the village may vote.

**Section 4.** A simple majority of citizens present at the town hall meeting may conduct all village affairs as noted in Section 1.

**Section 5.** All votes shall be by paper ballot at the town hall meeting, unless otherwise determined. No proxy or absentee votes are allowed.

## ARTICLE IX: FUNDING

**Section 1. Taxation and other fees.** To the extent permitted by law, the village may request that the county impose taxes within the boundaries of the village sufficient to support the delivery of an enhanced level of service that would not otherwise be provided from county funds. The village may request that the county form a county service district with a permanent tax rate or may employ any other taxing power allowed by state law. Other financing options include:

- Local Improvement District (LID)
- Serial Levy
- Tax Increment Financing (TIF)

If the village Board proposes a new tax, fee, or county service district, it must first seek approval by a majority vote at a town hall meeting. If approved, the proposed tax, fee, or county service district, must be submitted to the BCC for consideration. All proposals which include the imposition of new taxes must first be approved at a town hall meeting by a majority vote, followed by an election of all registered voters in the village ordered by the BCC.

**Section 2. County Funding.** Limited funding for village activities shall be provided by Clackamas County as deemed appropriate and feasible by the BCC.

**Section 3. Grants and other fundraising.** The village may accept contributions or raise funds, including grants, through the voluntary efforts of its citizens. The village also may enter into agreements for the sharing of revenue with the county.

## **ARTICLE X: COUNTY LIAISON**

A designated County staff liaison shall be the primary contact between the county and village. Other County staff shall work with the village as needed and available.

## **ARTICLE XI: LOCAL BUDGET LAW; CONTRACTS**

The village shall cooperate with the county and comply with ORS 294.305 to 294.565, to the extent required by law.

The village has no authority to enter into contracts unless expressly authorized in writing by the BCC or its designee. All Clackamas County contracts are subject to the rules of the Clackamas County Local Contract Review Board.

## **ARTICLE XII: LIABILITY; RISK MANAGEMENT \***

Village Directors acting within the scope of authority granted by the organization's bylaws and county policies are considered agents of the county for claims made against the organization, officers or members for the purposes of the Oregon Tort Claims Act, ORS 30.260 to 30.302. When acting in the capacity of a Community Planning Organization (CPO), the Board will not be considered an agent of the county.

The village Board of Directors must obtain approval from the county Risk Manager prior to undertaking public fund-raising activities.

## **ARTICLE XIII: INDEMNITY \***

Clackamas County shall indemnify the Directors of the village to the fullest extent allowed by Oregon law.

## **ARTICLE XIV: DISSOLUTION \***

Dissolution of the village may be initiated by a petition of 15% of the citizens of the village filed with the Clerk of the BCC, or by resolution of the BCC.

Within 30 to 50 days from the initiation of dissolution, the BCC shall hold a public hearing on the issue. If, after the public hearing, the BCC finds that dissolution is in the best interests of the citizens of the village or the county, or that the village has failed to regularly follow its adopted bylaws or meet the requirements of County Ordinance No. 06-2005, the BCC may declare the village dissolved and enter a Board order to that effect.

Dissolution of a village shall not affect any existing CPO.

**ARTICLE XV: AMENDMENTS TO BYLAWS**

These bylaws may be amended or repealed, and new bylaws adopted, by a majority vote of the citizens at a town hall meeting. Prior to the adoption of the amendment, the citizens of the village shall be given at least thirty (30) days notice of the date, time, and place of meeting at which the proposed amendment is to be considered in the following manner \_\_\_\_\_ (*direct mail, newspaper, etc.*). The notice shall state that one of the purposes of the meeting is to consider a proposed amendment to the bylaws and shall contain a copy of the proposed amendment. All changes to the bylaws must be approved by the BCC before they become effective.

**ARTICLE XVI: SEVERABILITY\***

Invalidity or unenforceability of one or more provisions of these bylaws shall not affect any other provision of these bylaws.

Date Adopted: \_\_\_\_\_