

Chapter 266

1961 REPLACEMENT PART

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GENERAL PROVISIONS

266.010 "County court" defined. As used in this chapter, "county court" includes board of county commissioners.

266.020 Canvass, certification and return of vote. The vote cast at any and all elections under this chapter shall, unless otherwise provided, be canvassed, certified and returned within the time and in the manner provided by the laws relating to elections in irrigation districts in this state.

266.030 Limitation on power of city to change park and recreation district boundaries. Notwithstanding the provisions of ORS 222 510 to 222.580, a city or town may not enlarge or reduce the boundaries of a park or recreation district formed under this chapter nor shall either extinguish, enlarge or reduce its boundaries by any act of such city or town without the approval of a majority of the electors of the district voting for such extinguishment, enlargement or reduction at a duly called election.

[1961 c 587 §4]

266.040 to 266.100 [Reserved for expansion]

ORGANIZATION OF PARK AND RECREATION DISTRICTS

266.110 Petition for organization. (1) Whenever not less than 25 percent of the resident freeholders or not less than 200 resident freeholders, whichever is less, of the proposed district desire to form a park and recreation district within a county, they may present to the county court a petition in writing signed by them, stating the name of the proposed district, the number of members to be on the district board, whether three or five, setting forth the boundaries thereof, and praying that the lands included within the boundaries be organized as a park or recreation district under this chapter.

(2) Each of the petitioners must be a resident and freeholder within the proposed district.

(3) When all or any part of the proposed district is within the incorporated limits of any city or town, the petition shall be accom-

panied by a certified copy of a resolution of the governing body of the city or town, approving formation of the district.

(4) The petition shall be accompanied by a good and sufficient undertaking in form and amount to be approved by the county court, conditioned that the petitioners will pay all expenses of the organization of the district, including publication of notices as required, expense of preparation and delivery of ballots, fees of election officers, and any and all expenses which may be incurred on the part of the county in the formation, election and organization of the park or recreation district.

(5) The petition must be verified by the affidavit of one of the petitioners.

[Amended by 1957 c 57 §1, 1961 c 587 §1]

266.115 Examination of petition; notice of hearing. (1) The county court shall examine the petition and if it finds that the petition satisfies the requirements of ORS 266 110, it shall set a date for a hearing on the petition and direct the county clerk to give notice of the hearing by:

(a) Posting a notice of the hearing in three public places in the proposed district not less than 20 days before the hearing; and

(b) Publishing a notice of the hearing once a week for two successive weeks preceding the hearing in a newspaper of general circulation published within the proposed district. If a newspaper is not so published, the publication shall be made in a newspaper of general circulation published within the county.

(2) The notice of hearing shall state:

(a) That a petition has been filed for establishment of a park and recreation district.

(b) The name and boundaries of the proposed district

(c) The time and place set for the hearing on the petition

(d) That all persons interested may appear and be heard.

[1961 c 587 §3]

266.120 Hearing on petition. At the time stated in the notice, the county court may hear the petition and adjourn from time

to time. The county court shall not modify the boundaries of the proposed district as set forth in the petition so as to exclude from the proposed district any land which would be benefited by formation of the district, nor shall any lands which will not, in the judgment of the court, be benefited by the district be included within the district.

266.130 Proceeding when lands improperly omitted from district and owners do not appear. If the county court concludes that any lands have been improperly omitted from the proposed district and the owners thereof have not appeared at the hearing, the court shall by order continue the further hearing of the petition and direct that notice be given to all such non-appearing landowners, requiring them to appear before the court and show cause why their lands should not be included in the proposed district. The notice must be given either by publication in the same manner as the original petition and for the same period, or by personal service on each non-appearing landowner. If the notice is given by personal service, service must be made at least 10 days prior to the date fixed for the further hearing. The court may grant further continuance by order entered upon its journal to the end that a further hearing may be had.

266.140 Order of county court upon final hearing. Upon the final hearing of the matter, the county court, if it approves the petition as originally presented or in a modified form, shall make an order describing the exterior boundaries of the district, as determined by the county court, and ordering that an election be held in the proposed district. The order must fix the day of the election, which must be held not less than 30 days from the date of the order, and must state that at such election three members of the park and recreation board will be voted for. This order shall be entered in the journal of the county court, and shall be conclusive evidence of the due presentation of a proper petition, and of the fact that each of the petitioners was, at the time of the signature and presentation of such petition, a resident and freeholder within the limits of the proposed district.

266.150 Posting and publication of order. A copy of the order described in ORS 266.140 shall be posted for four successive

weeks prior to the election in three public places within the proposed district, and shall be published for four successive weeks prior to the election in some newspaper published in the proposed district, if there is one, and if not, in some newspaper published in the county. It is sufficient if the order is published once a week. The notice must be published for the periods and times prescribed in this section in each county in which is situated any of the lands within the district.

266.160 Polling places; election board; election arrangements; manner of holding election; ballots. (1) The county court, at least 15 days prior to the election, shall select one, and may select two, polling places within the proposed district. It shall appoint a board of election for each precinct within the proposed district, to be composed of three qualified persons, residents of the district, and make all suitable arrangements for the holding of the election.

(2) The election shall be held in the manner provided by the laws of this state for holding and conducting elections in irrigation districts in this state.

(3) The ballot shall contain the words: "I vote in favor of the creation of (name of district) Park and Recreation district," "I vote against the creation of (name of district) Park and Recreation district," or words equivalent thereto.

266.170 Qualifications for voters at organization election. Every qualified elector resident within the proposed district for the period requisite to enable him to vote at a general election is entitled to vote at the election provided for by ORS 266.160.

266.180 Returns of election and declaration of result; court order. (1) The returns of the election shall be made by the county court of the county in which the proposed park and recreation district is situated, canvassed, and the result declared by the county court.

(2) If a majority of the votes cast at such election is in favor of a park and recreation district, the court shall make, and cause to be entered in its journal, an order that a park and recreation district of the name and with the boundaries stated in the order calling the election and setting forth such boundaries has been duly established. The order shall be conclusive evidence of the fact and regularity of all prior proceedings

of every kind or nature provided for by law, and of the existence and validity of the park and recreation district.

(3) If a majority of the votes cast is against the park and recreation district, the court shall, by order entered in its journal, so declare.

266.190 to 266.300 [Reserved for expansion]

PARK AND RECREATION BOARD

266.310 Officers of district; qualifications. (1) The officers of the district shall be a park and recreation board of three or five members, to be elected by the duly qualified electors of the district at large, and a secretary, to be appointed by the board.

(2) Every qualified elector resident within the proposed district for the period requisite to enable him to vote at a general election is qualified to be a member of the board or officer of the district.

[Amended by 1957 c 57 §2]

266.320 Nomination and election of board members at organization election; terms of office. (1) At the election for the organization of the district there shall be elected the first members of the park and recreation board. The number to be elected shall be three or five, according to the number set forth in the petition for organization.

(2) Candidates for members of the board may be nominated by the petition of not less than 10 resident freeholders within the limits of the proposed district. The nominating petition shall be filed with the county court at least 15 days prior to the election.

(3) The successful candidates and their respective terms shall be determined in the manner provided in subsections (6) and (7) of ORS 450.045.

(4) Each of the directors shall hold office until election and qualification of his successor.

[Amended by 1957 c 57 §3]

266.325 Increasing number of board members. A district having a three-member board may increase the number of members to five in the manner set forth in ORS 450.062, except that the annual election and commencement of terms shall be as provided in ORS 266.330.

[1957 c 57 §7]

266.330 Annual election of board members. (1) An election shall be held in the

park and recreation district on the second Tuesday in November of each year, at which a successor shall be elected for each of the members of the park and recreation board whose terms regularly expire on the following first Tuesday in January. If one board member is to be elected, the candidate receiving the highest vote shall be elected. If two board members are to be elected, the candidates receiving the first and second highest vote shall be elected.

(2) Each officer elected shall hold office from the first Tuesday in January next after such election, for three years, and until his successor is elected and qualified

[Amended by 1957 c 57 §4]

266.340 Oath of office of board members; surety bond. A board member so elected shall take the oath of office within 10 days after receiving his certificate of election. He shall provide a good and sufficient surety bond, to be furnished by a surety company authorized to do business in this state, in the sum of \$1,000, the premium on which shall be paid by the district. The bond shall be approved by the county court, recorded in the office of the county clerk and thereafter filed with the secretary of the park and recreation board. All official bonds provided for in this section shall be in the form prescribed by law for official bonds of county officers.

266.350 Compensation of board members. Every member of the park and recreation board shall receive for each attendance of meetings of the board \$2, and shall receive no other compensation from the district.

266.360 Filling vacancies on board. A vacancy in the membership of the park and recreation board shall be filled for the unexpired term by appointment by a majority of the members of the board. If a majority of the membership of the board is vacant, the vacancies shall be filled promptly by the county court of the county in which the district, or the major portion of the area thereof, lies.

[Amended by 1957 c 57 §5]

266.370 Board as governing power; president and secretary; signing documents; meetings. (1) The park and recreation board shall be the governing power of the district and shall exercise all powers thereof.

(2) At its first meeting or as soon thereafter as may be practicable, the board shall choose one of its members as president and shall appoint a secretary who need not be a member of the board. In case of the absence, or inability to act, of the president or secretary, the board shall, by order entered upon the minutes, choose a president pro tempore, or secretary pro tempore, or both, as the case may be.

(3) All contracts, deeds, warrants, releases, receipts and documents of every kind shall be signed in the name of the district by its president and shall be countersigned by its secretary.

(4) The board shall hold such meetings either in the day or evening, as may be convenient, requisite or necessary.

266.380 to 266.400 [Reserved for expansion]

POWERS AND DUTIES OF PARK AND RECREATION DISTRICTS

266.410 General district powers; penalty for violating board regulations. Every park and recreation district formed under this chapter shall have power:

- (1) To have and use a common seal.
- (2) To sue and be sued by its name.
- (3) To construct, reconstruct, alter, enlarge, operate and maintain such lakes, parks, recreation grounds and buildings as, in the judgment of the park and recreation board, are necessary or proper, and for this purpose to acquire by lease, purchase, gift, devise, condemnation proceedings or otherwise such real and personal property and rights of way, either within or without the limits of the district as, in the judgment of the park and recreation board, are necessary or proper, and to pay for and hold the same.
- (4) To make and accept any and all contracts, deeds, leases, releases and documents of any kind which, in the judgment of the board, are necessary or proper to the exercise of any power of the district, and to direct the payment of all lawful claims or demands
- (5) To assess, levy and collect taxes to pay the cost of acquiring sites for and constructing, reconstructing, altering, operating and maintaining any lakes, parks, recreation grounds and buildings that may be acquired, or any lawful claims against said district, and the running expenses of the district.
- (6) To employ all necessary agents and assistants, and to pay the same.
- (7) To make and enforce all necessary

and proper regulations for the removal of garbage and other deleterious substances, and all other sanitary regulations not in conflict with the Constitution or the laws of Oregon.

(8) To make and enforce rules and regulations governing the conduct of the users of the facilities of lakes, parks, recreational grounds and buildings within the district. Violation of any such regulations or ordinances is a misdemeanor punishable upon conviction by a fine not to exceed \$100 or imprisonment not to exceed five days, or both.

(9) To prohibit any person violating any rule or regulation from thereafter using the facilities of the district for such period as the board may determine.

(10) To call, hold and conduct all elections, necessary or proper after the formation of the district, including but not limited to special elections for annexation of territory, and in holding all elections within the district:

(a) To give notice thereof by posting at least three notices in public places within the district not less than 15 days prior to the date of the election, setting forth in the notice the resolution of the board calling the election, and stating the time, place and purposes of the election.

(b) To divide, by resolution, the district into one or more voting precincts for the purpose of each election.

(c) To appoint three judges and a clerk of election for each voting precinct thus created.

(d) To provide proper ballot boxes and facilities for voting, keeping the polls open from 2 p. m. to 8 p. m.

(e) To canvass the votes cast at each election within 10 days thereafter at a meeting held for that purpose.

(f) To declare the results of such election by resolution.

(11) To enlarge the boundaries of the district by annexation of territory, including territory located in whole or in part within the limits of any city, but any such annexation must be after proceedings had as required by ORS 222.110 to 222.180 so far as applicable, and no territory located within the limits of a city may be annexed unless prior to the holding of the election affecting such territory the common council or governing body of such city has by resolution approved the inclusion of such territory in the territory to be annexed, and a certified

copy of the resolution has been filed with the clerk of the district board.

(12) To compel all residents and property owners within the district to connect their houses and habitations with the street sewers, drains or other sewage disposal system.

(13) To establish and collect reasonable charges for the use of the facilities of the district and issue appropriate evidence of the payment of such charges

(14) Generally to do and perform any and all acts necessary and proper to the complete exercise and effect of any of its powers or the purposes for which it was formed

[Amended by 1961 c 587 §5]

266.420 Levy and collection of taxes.

On the first Monday of June of each year the board shall meet at its usual place of business within the district and, by resolution, determine and fix the amount of money to be levied and raised by taxation, for the purposes of the district, designating the number of dollars and cents so to be raised. The total amount in dollars and cents shall not exceed 10 mills on the dollar on all taxable property in the district. The resolution shall separately state the amount of money to be raised for acquisitions of sites, for construction, reconstruction and alteration and for operation and maintenance. The provisions of ORS 310.050 to 310.070 and 310.090 shall apply in the levying and collection of taxes on the real and personal property in the district, so far as applicable. All provisions of Oregon laws as to the collection of taxes and delinquent taxes and the enforcement of the payment thereof, so far as applicable, shall apply to the collection of taxes for park and recreation purposes.

266.430 Sinking funds. The park and recreation board, by resolution duly adopted, may establish sinking funds for the purpose of defraying the costs of acquiring land for park and recreation sites, and for acquiring or constructing buildings or facilities thereon or therein. Any such fund may be created through the inclusion annually within the tax budget of the district of items representing the yearly instalments to be credited thereto. The amount of these items shall be collected and credited to the proper fund in the same manner in which taxes levied or revenues derived for other purposes for the district are collected and credited. The bal-

ances to the credit of the funds need not be taken into consideration or deducted from budget estimates by the levying authority in preparing the annual budget of the district. None of the moneys in such funds shall be diverted or transferred to other funds, but if unexpended balances remain after disbursement of the funds for the purpose for which they were created, such balances, upon approval by resolution of the park and recreation board, shall be transferred to the operation and maintenance fund of the district.

266.440 Handling by county treasurer of tax moneys collected for park and recreation purposes. The tax collector shall pay over to the county treasurer all moneys collected by him for park and recreation purposes, as fast as collected. The county treasurer shall keep the moneys in the county treasury as follows:

(1) He shall place and keep in a fund called the operation and maintenance fund of park and recreation district (naming it) the moneys levied by the board for that fund.

(2) He shall place and keep in a fund called the construction fund of park and recreation district (naming it) the moneys levied by the board for construction, reconstruction and alteration.

(3) The treasurer shall pay out moneys from said funds only upon the written order of the board, signed by the president and countersigned by the secretary, which order shall specify the name of the person to whom the money is to be paid and the fund from which it is to be paid, and shall state generally the purpose for which the payment is made. The order shall be entered in the minutes of the park and recreation board.

(4) The treasurer shall keep the order as his voucher, and shall keep a specific account of his receipts and disbursements of money for park and recreation purposes.

(5) The treasurer and sureties upon his official bond shall be liable for the due performance of the duties imposed upon him by ORS 266.420 to 266.440 and 266.470.

266.450 Entry, publication or posting and taking effect of general regulations and orders of board. (1) Any general regulation of the board shall be entered in the minutes, and shall be published once in some newspaper published within the district, if there

is one, and if there is no such newspaper, then the regulation shall be posted for one week in three public places within the district. A subsequent order of the board that such publication or posting has been duly made shall be conclusive evidence that publication or posting has been made properly.

(2) Orders not establishing a general regulation need not be published or posted, unless otherwise provided by this chapter, but shall be entered in the minutes, and the entry shall be signed by the secretary of the board.

(3) A general regulation shall take effect immediately upon the expiration of the week of publication or posting thereof. An ordinary order shall take effect upon the entry in the minutes.

266.460 District attorney to aid board; special counsel. The board may instruct the district attorney of the county to commence and prosecute any and all actions and proceedings necessary or proper to enforce any of its regulations or orders, and may call upon the district attorney for advice as to any park and recreation subject. The district attorney shall obey such instructions and shall give advice when called on therefor by the board. The board may at any time employ special counsel for any purpose.

266.470 Disposition of fines. All fines for violation of any regulation or order of the board shall, after expenses of the prosecution are paid therefrom, be paid to the secretary of the board, who forthwith shall deposit the same with the county treasurer, who shall place the same in the operation and maintenance fund of the district

266.480 Power to contract bonded indebtedness for certain purposes. Every park and recreation district organized under this chapter shall have the power to contract a bonded indebtedness for the purpose of providing funds with which to acquire land, rights of way, interests in land, buildings and equipment; to improve land and develop parks and recreation grounds; to construct, reconstruct, improve, repair and furnish buildings, gymnasiums, swimming pools and recreational facilities of every kind; to acquire equipment of all types, including vehicular equipment necessary for and in the use, development and improvement of the lands and facilities of the district; to pay the costs, expenses and attorney fees incurred in the issue and sale of the bonds; to

fund or refund outstanding indebtedness, or for any one or combination of any such purposes, and to provide for the payment of the same as set forth in ORS 266.490 to 266.580.

266.490 Bond election notice at discretion of board or on petition; petition and notice forms. For the purpose of providing funds with which to put into effect one or any combination of any of the purposes authorized under ORS 266.480, the governing board of any park and recreation district may, whenever a majority thereof so decides, or shall, upon the petition of 10 legal voters thereof, in substantially the following form:

_____, Oregon _____, 19____.
To the governing board of _____
Park and Recreation District of _____
County, Oregon:

We, the undersigned legal voters, respectfully request you to submit to the legal voters the question of contracting a bonded indebtedness in the sum of \$_____ for the purpose of _____ in and for the park and recreation district, and that you call a park and recreation district bond election for that purpose.

direct the secretary to give a notice of election in substantially the following form:

**PARK AND RECREATION DISTRICT
BOND ELECTION NOTICE**

State of Oregon
County of _____ }
Park and Recreation District _____ } ss.

Notice hereby is given that, at the park and recreation district bond election hereby called, to be held at _____, in and for _____ Park and Recreation District of _____ County, Oregon, _____ the _____ day of _____, A. D. 19____, between the hours of 2 p. m. and 7 p. m. there will be submitted to the legal voters thereof the question of contracting a bonded indebtedness in the sum of \$_____ for the purpose of _____ in and for the park and recreation district.

The vote shall be by ballot upon which shall be the words "Bonds Yes" and "Bonds No." The voter shall place a cross (X) between the word "Bonds" and the word "Yes," or between the word "Bonds" and the word "No," whichever indicates his choice.

The polls for the reception of the ballots cast for or against the contraction of the indebtedness will, on the day and date and at the place aforesaid, be opened at the hour of 2 p. m. and remain open until the hour of 7 p. m. of the same day, at which hour they shall be closed.

By order of the governing board of _____ Park and Recreation District of _____ County, Oregon, made this _____ day of _____, A. D. 19____, _____, Chairman.

Attest:

_____, Secretary.

266.500 Publication or posting bond election notice; election officials and their duties. (1) The notice of election shall be published in a newspaper published and of general circulation in the district, in at least two issues thereof, the first publication to be not less than 15 days preceding the election and the second publication to be not less than eight days preceding the election. If no newspaper is published in the district and of general circulation therein, the notice shall be posted for 15 days prior to the election in three public and conspicuous places in the district, one of which shall be the place of election.

(2) Immediately prior to opening the polls, the legal voters present shall convene, the chairman or some other member of the governing board calling the meeting to order, and elect three judges and a clerk, who shall conduct the election and, when the polls are closed, canvass the vote and certify the result to the governing board and the county treasurer

266.510 Issuance of bonds; bond conditions; signatures and attestation. (1) If a majority of the ballots cast is "Bonds — Yes," the governing board shall, without a further vote of the legal voters and as soon as practicable, issue the negotiable coupon bonds of the district, not exceeding in par value the amount stated in the notice of election and for the purpose therein named, bearing not to exceed legal interest per annum, payable semiannually, redeemable at such time or times as the members of the board may, at the time of providing for the issuance thereof, determine, but due and payable not to exceed 20 years from date.

(2) The aggregate amount of such bonded indebtedness for the purposes provided for in ORS 266.480 shall in no case

exceed 10 percent of the total assessed valuation of all taxable property of the park and recreation district.

(3) All bonds must recite that they are issued under the provisions of ORS 266.480 to 266.580. All bonds shall be signed by the chairman of the governing board, attested by the secretary and registered by the county treasurer. The interest coupons thereto annexed shall be signed by the chairman and secretary, by their original or engraved facsimile signatures.

266.520 Advertisement and sale of bonds. (1) All park and recreation district bonds authorized by vote of the electors at a legally called park and recreation district meeting shall be advertised for sale by the governing board for at least two weeks in a newspaper printed in the county in which the issuing district is situated

(2) All bids shall be in writing and publicly opened at the time and place specified in the advertisement.

(3) The bonds shall be sold by the board to the highest bidder but if the bids are not satisfactory the board may reject any or all of them and readvertise as provided in this section. No bonds shall be sold for less than par and accrued interest.

266.530 Registration and delivery of bonds; disposition of proceeds. (1) The county treasurer shall register each bond issued pursuant to ORS 266.480 in a book kept for that purpose in his office, noting the park and recreation district, amount, date, time and place of payment, rate of interest and such other facts as may be deemed proper.

(2) The county treasurer shall cause the bonds to be delivered promptly to the purchasers upon payment therefor, and shall hold the proceeds of the sale of the bonds subject to the order of the district governing board to be used solely for the purpose for which the bonds were issued.

(3) When the bonds have been so executed, registered and delivered, their legality shall not be open to contest by the park and recreation district or by any person or corporation for or on its behalf, for any reason whatever.

266.540 Additional taxes for payment of bond interest and principal; fund and other security measures. (1) The governing board shall ascertain and levy annually,

in addition to all other taxes, a direct annual ad valorem tax on all taxable property in the park and recreation district, which tax shall be outside of and in addition to the 10 mill annual levy limitation contained in ORS 266.420, and which tax shall be for an amount sufficient to pay the interest accruing on the bonds promptly when and as it becomes due.

(2) In the calendar year next preceding the date fixed by the board after which the bonds are redeemable and annually thereafter, until full payment of the bonds, the board shall, in addition to the interest tax provided for in subsection (1) of this section and for all other taxes, levy on said property, a direct annual ad valorem tax, which shall be outside of and in addition to the 10 mill annual levy limitation contained in ORS 266.420, and for an amount sufficient to raise a percentum of the principal of the bonds as will, in equal annual installments, be sufficient to retire all the bonds by the time they mature.

(3) The funds derived from such tax levies shall be retained by the county treasurer without being paid to the park and recreation district or to any officer thereof, and shall be kept by him in a separate fund to be known as and designated "_____ Park and Recreation District bond interest and sinking fund," which shall be irrevocably pledged to and used solely for the payment of the interest accruing on and the principal of the bonds when due, so long as any of the bonds or the coupons thereto appertaining remain outstanding and unpaid. The interest earnings of this fund shall be credited thereto and become a part thereof.

(4) For greater certainty the board shall in each year include the tax required by this section to be levied for the year in the annual estimate for the park and recreation district for that year. Said tax shall in each year be certified, extended upon the tax rolls and collected by the same officers in the same manner and at the same time as taxes for general county purposes for the county in the year are certified, extended and collected.

(5) For failure to retain and account for the funds, as provided in this section, the county treasurer shall be liable upon his official bond.

266.550 Procedure in event board fails to levy bond tax. If the governing board fails or refuses to levy the tax necessary for

the interest or sinking fund, the county treasurer shall ascertain and certify the amount necessary to the county court. The county court shall then levy a tax sufficient to raise the sum so required and ascertained by the county treasurer. The proper county officer having power to extend county taxes shall extend such tax upon the tax roll of the county upon the taxable property of the park and recreation district. The proper county officer whose duty it is to collect taxes shall collect such tax according to law, and shall pay the funds so collected into the county treasury to the credit of the bond interest and sinking fund of the park and recreation district to be used in the payment of the bonds and interest.

266.560 Redemption of bonds; failure to present bonds for payment. (1) Whenever the amount of any sinking fund created under ORS 266.480 and 266.540 equals the amount, principal and interest, of any bond then due or subject under the pleasure or option of the park and recreation district to be paid or redeemed, the county treasurer of the county in which the park and recreation district is located shall notify the holder of the bond and shall publish a notice in the newspaper published nearest to the district.

(2) The county treasurer shall, within 30 days from the date of the notice, redeem and pay any bond then redeemable and payable, giving priority according to the date of issuance numerically, upon presentation of any such bond at the place of payment specified therein.

(3) In case any holder of such bonds fails to present them at the time mentioned in the notice the interest thereon shall cease, and the county treasurer shall thereafter pay only the amount of the bond and the interest accrued thereon up to the last day of the time of redemption mentioned in the notice.

(4) When any bonds are so redeemed or paid, the county treasurer shall cause them to be canceled and write across the face thereof "redeemed" and the date of redemption, and shall deliver them to the governing board of the park and recreation district, taking its receipt therefor.

266.570 Liability of county treasurer for funds entrusted to him. Each county treasurer, and the sureties on his official bond as such, shall be liable to any park and recreation district in his county for any funds

placed in the hands of such treasurer, under the provisions of ORS 266.480 and 266.580.

266.580 Payment of bond principal and interest; payment of collection commission.

(1) The principal of and the interest on the bonds shall be payable in lawful money of the United States of America at the office of the treasury of the county in which the district is situated or at the fiscal agency of the State of Oregon in the city of New York, at the option of the purchaser thereof.

(2) The county treasurer must cause to be paid out of any money in his hands belonging to the park and recreation district the interest on or principal of, as the case may be, any bond issued pursuant to ORS 266.480 promptly when and as the same becomes due at the place of payment designated in the coupons or bonds.

(3) All coupons or bonds so paid must be immediately reported to the governing board.

(4) No county treasurer or governing board shall pay to the purchaser of any

bond issued pursuant to ORS 266.480 or to any agency representing such purchaser, any commission whatsoever for collection of the interest on or principal of any bond so issued.

(5) The county treasurer shall not be required to remit to the purchaser of any bonds or coupons the amount necessary to redeem such bonds or coupons until the day they are due.

266.590 Validation of certain bond issues. All proceedings taken prior to March 18, 1949, in the authorization and issuance of bonds by any park and recreation district pursuant to ORS 266.480 to 266.580 hereby are validated, ratified, confirmed and approved, notwithstanding any defects and irregularities in the proceedings or any part thereof, and notwithstanding that the amount of the bonded indebtedness to be incurred was not stated upon the ballot used in the election authorizing the issuance of the bonds.

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law
Done at Salem, Oregon,
on December 1, 1961

Sam R. Haley
Legislative Counsel

CHAPTERS 267 TO 270

[Reserved for expansion]