

(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 the 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.

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 poll 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 222.150 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.

266.420 LEVY AND COLLECTION OF TAXES. On the first Monday of June 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 one-fourth of one percent (.0025) of the true cash value of all taxable property within the district, computed in accordance with ORS 308.207. The resolution shall separately state the amount of money to be raised for acquisitions of sites for construction, reconstruction and alteration and for the 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 for 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 balances 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.