

ORDINANCE NO. 51-O-004

AN ORDINANCE CREATING THE OFFICE OF CITY ATTORNEY; PRESCRIBING THE QUALIFICATIONS THEREFOR; PRESCRIBING THE JURISDICTION AND DUTIES THEREOF; PROVIDING THE COMPENSATION THEREFOR; AND DECLARING AN EMERGENCY. [Effective October 23, 1951]

Sections:

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| Section 1. | Establishment of office of city attorney. |
| Section 2. | Oregon State Bar member. |
| Section 3. | Jurisdiction of city attorney. |
| Section 4. | Powers and duties of city attorney. |
| Section 5. | Compensation of city attorney. |
| Section 6. | Emergency clause. |

The city of Brookings ordains as follows:

Section 1. Establishment of office of city attorney. There is hereby established the office of city attorney.

Section 2. Oregon State Bar member. The city attorney shall be an active member of the Oregon State Bar in good standing.

Section 3. Jurisdiction of city attorney. The city attorney shall have general control and supervision of all civil actions and legal proceedings in which the city of Brookings may be a party or may be interested and have full charge and control of all the legal business of all departments, commissions and bureaus of the city, or of any office thereof, which requires the services of an attorney or counsel in order to protect the interests of the city. No city officer, commission, bureau or the head of any department of the city shall be represented by any other counsel or attorney at law unless authorized or directed by official action of the council taken at one of its meetings and entered in the minutes.

Section 4. Powers and duties of city attorney. The powers and duties of the city attorney shall be as follows:

A. When required by the city council, the city attorney shall appear for the city in any court or tribunal in any cause in which the city is a party to or in which the city is directly interested.

B. The city attorney shall consult with and advise the city council on all questions of law submitted to him by the city council, and the city attorney shall consult with and advise other officers of the city on questions of law directly affecting the city and submitted to him/her by an officer of the city. The city attorney shall not be required to render opinions or give legal counsel to others than the city council and other officers of the city.

C. The city attorney, when requested by the council to do so, shall prepare contracts, bonds, leases and other legal forms and writings for the use of the city.

D. The city attorney shall represent the city in the prosecution in the municipal court of any person charged with the violation of any city ordinance only when the accused is represented by counsel, or the nature of the case is such as to cause three members of the council to file a written request with the city attorney to appear and prosecute the case.

E. The city attorney, upon request of the city council, shall prepare ordinances and resolutions.

F. The City Attorney, either in person or by deputy, shall attend all regular monthly meetings of the Council unless excused by the Mayor and the Council and shall attend all other special meetings, work study sessions and events as may be directed by the City Manager, Mayor or the Council. [As amended by Ordinance No. 91-O-004.A, effective September 13, 1991]

Section 5. Compensation of city attorney. For the performance of the duties of the office, the city attorney shall receive as compensation such remuneration as the city council may, from time to time, authorize.

Section 6. [Emergency clause]