

**MANGUM
CITY CHARTER**

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PREAMBLE:

We, the people of the City of Mangum, under and by virtue of the authority of the Constitution of the State of Oklahoma, do ordain and establish this charter for the City of Mangum, Oklahoma.

ARTICLE 1. NAME, BOUNDARIES, POWERS, RIGHTS AND LIABILITIES

SECTION 1. NAME, BOUNDARIES.

The municipal corporation now existing and known as the City of Mangum, shall remain and continue to be a body politic and corporate under the same name and with the same boundaries, with power and authority to change its boundaries, in manner authorized by law, provided that the plat of the City of Mangum, as now prepared and approved by said City, is hereby adopted together with all additions to said City and the plats thereof and all dedications to streets, alleys and public ways.

SECTION 2. POWERS, RIGHTS, LIABILITIES.

(a) By the name of the City of Mangum, the City shall have perpetual succession, and shall own, possess, and hold all property, real and personal theretofore owned, possessed or held by the City of Mangum, and shall assume and dispose of all trusts in any way connected therewith.

(b) Shall succeed to all rights and liabilities and shall acquire all benefits and shall assume and pay all bonds, obligations and indebtedness of said City of Mangum; by that name may sue and be sued, defend, plead and be impleaded, in all courts and places, and in all matters and proceedings may have and use a common seal and alter the same at pleasure; may purchase, receive, hold and enjoy or sell and dispose of real and personal property.

(c) May receive bequests, gifts and donations of all kinds in trust for public, charitable or other purposes; and do all things and acts necessary to carry out the purposes of such gifts, bequests and donations, with power to manage and sell, lease or otherwise dispose of the same in accordance with the terms of the gift, bequest or donation.

(d) Shall have the power, within or without its territorial limits, to construct, condemn and purchase, acquire, lease and to maintain, conduct and operate waterworks, light plants, telephone systems, power plants, transportation systems, heating plants, and any other public utilities or works or ways, in whole or in part, and everything required therefore, for the use of said City and the inhabitants thereof, and any such systems, plants, works, or ways or any contracts in relation or connections therewith that may exist and which said City may desire to purchase in whole or in part,

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the same or any part thereof may be purchased by said City, which may enforce such purchase by proceedings at law, as in taking land for public use by right of eminent domain, and shall have the power to issue bonds upon the majority of votes cast by the taxpaying electors, at any special or general election, in such amounts as is provided by state law.

(e) The legislative, executive and judicial power of the City shall extend to all matters of local and municipal government, it being the intent thereof that the specifications of particular powers by any other provision of this charter shall never be construed as impairing the effect of the general grant of powers of local government hereby bestowed.

(f) The City shall also have all powers, privileges and functions which, by or pursuant to the constitution of this state have been or shall be granted to, or exercised by, any city of the first class.

(g) The form of government provided in this article shall be known as the "Commission-Manager Plan" and shall consist of four commissioners, who shall be elected at large and in the manner hereafter provided, and who shall constitute the governing body with powers as hereinafter provided to pass ordinances, to adopt regulations, and to appoint a chief administrative officer to be known, as the "City Manager", and exercise all powers hereinafter provided.

ARTICLE 2. ELECTIONS**SECTION 1. ELECTIONS.**

A first municipal election shall be held on the third Tuesday in March of each year hereafter, and a second municipal election shall be held on the first Tuesday in April of each year hereafter, and all other municipal elections that may be held shall be known as Special Municipal Elections.

SECTION 2. QUALIFICATIONS OF ELECTORS.

An elector shall be a resident in good faith of the State twelve months, and a registered voter within the election precinct six months prior to any general or special election.

SECTION 3. REGISTRATION.

No person shall be permitted to vote in any municipal election without registering and residing within the corporate limits of the City of Mangum. The registration shall be the same as is now provided by the general laws of the State of Oklahoma.

SECTION 4. JUDGES AND CLERKS.

The judges and clerks of any election, general or special, shall be provided by resolution.

Election Precincts

SECTION 5.

From and after the adoption of this charter and the approval thereof by the Governor of the State of Oklahoma, the entire incorporated City of Mangum, Oklahoma, shall constitute one election precinct for all city election purposes, until such time as the Board of Commissioners may find it necessary to divide the city into more precincts. Provided, however, that this shall in no wise affect the wards of the said city for the purpose of school elections or general state or county elections.

SECTION 6.

The elective officers of the City of Mangum shall consist of four Commissioners and a Mayor, all of which shall be elected at large.

SECTION 7.

The government of the City of Mangum shall be divided into four divisions, designated as follows: Division of Public Highways; Division of Public Utilities; Division of Finance; and Division of Police, Fire, Cemetery, Sanitation and Judiciary.

SECTION 8. Historical Reference Only

On the first Tuesday in April of 1933, there shall be elected a Commissioner of Finance, a Commissioner of Police, Fire, Cemetery, Sanitation and Judiciary, and a Mayor, each of whom shall serve for a term of two years, and until his successor qualifies.

SECTION 9. Historical Reference Only

The first Tuesday in April, 1934, there shall be elected a commissioner of Public Highways, a Commissioner of Public Utilities and a Chief of Police, each of whom shall serve a term of two years and until his successor qualifies.

SECTION 10. Historical Reference Only

Within five days after this Charter amendment has been ratified by a majority of the qualified electors of the City of Mangum, and approved by the Governor of the State of Oklahoma, the Mayor of said city shall by proclamation call first special election and a second special election to be held in all respects according to the terms of this Charter amendment for the purpose of electing a Chief of Police for said City who shall serve until the first Tuesday in April, 1934, and until his successor qualifies.

SECTION 11.

All elective officers shall qualify and take office within twenty days after their election in accordance with Article 2, Section 20.

SECTION 12.

The board of commissioners shall provide a ballot and proper marking device, and voting places where each elector may vote, and the ballot shall then be folded, and no designation or identification placed on said ballot except the number corresponding to the number of the tally sheet.

SECTION 13.

Should any voter cast more than one vote at any election for the same office, the ballot so voted will be considered mutilated and void and shall in no event be counted.

SECTION 14. NOMINATION BY PETITION.

“All persons desiring to become candidates for any elective office of the City of Mangum, shall, not later than 5:00 o'clock p.m., on Friday, the 18th day prior to said first municipal election, file with the City Clerk a statement of such candidate accompanied by a petition of at least twenty-five electors residing within the limits of said City. Said petition shall be verified by the person, and/or persons circulating the same and he or they shall make oaths that the names appearing on said petition are genuine and

signed by the parties whose names appear thereon, and that the persons whose names are signed to said petition are qualified electors residing within the said City. Immediately upon the expiration of the time of filing statement of candidates, the Board of Commissioners of said City shall cause the names of such candidates to be printed upon ballots upon which there shall be no designation, emblem or sign of any particular political party, it being the intention of this Charter to free the City from all partisan politics.”

First and Second Municipal Elections

SECTION 15.

The name of all candidates to be elected at any special municipal election, first municipal election, or second municipal election, shall be placed upon a ballot to be prepared and printed for such election by the Board of Commissioners of the City of Mangum, to conform to the requirements of this Charter.

SECTION 16.

All candidates for Mayor shall be placed under the designation for Mayor, and like designation on said ballot shall be made for the Commissioners, and all other elective offices.

SECTION 17.

After the ballots have been printed for the first municipal election, to be held the third Tuesday in March of each year, and delivered to the election officers and all votes have been cast and the polls are closed, the election officers shall proceed to count the votes. Should there be no candidate for any office who has received an absolute majority of all votes cast in said first municipal election, then the Board of Commissioners shall cause the names of the two candidates who receive the highest number of votes at said first municipal election to be placed upon the official ballot as candidates for said office at the second municipal election to be held on the first Tuesday in April of each year; and after the ballots for said second municipal election have been printed and delivered to the election officers and all the votes have been cast and the polls are closed, the election officers shall proceed to count the votes, and the candidate who has received the highest number of votes cast at said second municipal election shall then be declared elected and entitled to receive a certificate of election for said office.

Should there be only one candidate for any office, then that candidate would be declared elected and entitled to receive a certificate of election.

SECTION 18.

Provided further, that if special elections are held to fill vacancies in said city, they shall be held on days fixed by the Mayor by proclamation, which proclamation shall be issued and published in the same manner as provided in this Charter for all elections.

SECTION 19. ELECTION PROCLAMATION.

Provided further, that the first municipal election held on the third Tuesday in March of each year and the second municipal election held on the first Tuesday in April of each year shall be called by the same proclamation, the publication of which shall be at least twenty (20) days before said first municipal election; and provided further, that a first special municipal election to fill vacancies in said city and a second special municipal election to fill vacancies in said city shall be held in all respects and the returns shall be made by the election board as in the first municipal election and the second municipal election, and shall be called by the Mayor in one proclamation, to be published, however, at least twenty (20) days before the first special election; and provided further, that the second special election shall be not less than ten (10) nor more than twenty (20) days after the first special election.

SECTION 20.

The said Board of Commissioners shall within three (3) days after said election, subject to any objections, meet and canvass the returns and issue a certificate under the signature of the Mayor, attested by the City Clerk, with the seal of the City of Mangum attached, designating the office to which said candidate has been elected.

SECTION 21.

All provisions of the Charter, amended charter, and ordinances of the City of Mangum, Oklahoma, in conflict with the provisions of this amendment to the charter shall be and are hereby modified and repealed, and if any section or part thereof, sentence, clause or phrase of this amendment for any reason is held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this amendment. (Article 2 adopted June 14, 1932).

ARTICLE 3. RECALL FROM OFFICE**SECTION 1.**

Every elective officer of the City of Mangum may be recalled from office at any time by the electors of said City by a petition filed with the City Clerk equal in number to forty-five percent of the entire vote cast at the last preceding general election within said City for governor. Provided, however, that the electors petitioning for such recall shall file with the said clerk a bond with good and sufficient sureties, to be approved by the Mayor of said City, in the sum of not less than \$1,000, or shall in lieu of said bond deposit the sum of one thousand (\$1,000.00) dollars in cash with the City Clerk to defray the expense of said elections, in the event said recall does not prevail; but in the event said recall receives a majority of the vote cast at such election, then in that event the bond so filed shall be inoperative and void, and such deposit, if any, shall be repaid.

The completed petition with all required signatures must be returned to the City Clerk within 60 days of the original filing date of said petition.

SECTION 2.

The elective officers herein provided for may be removed from office in the following manner: Whenever a petition signed by a number of qualified electors of the City equal to forty-five per centum (45%) of the total number of votes cast in said City at the last preceding state election, demanding the removal of one of the elective officers, shall have been filed with the Clerk, it shall be the duty of the Mayor within ten days to issue a proclamation for the purpose of such recall only; provided that said petition for removal shall contain a correct statement of the grounds for which the removal is sought; provided further, no recall petition shall be filed against a Commissioner or Mayor within six months after he takes office nor in the case of any officer reelected in a recall until six months after that election, and in case the Mayor is the officer sought to be removed then the Vice-Mayor shall call such election, setting forth therein the question to be voted on at such election, such proclamation to be published in a newspaper of general circulation in said City. After the calling of such election the said petition shall remain in the office of the City Clerk. Such elections shall be held not later than fifty (50) days after the filing of such petition. The signatures to such petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street number. Some persons shall make oath before an officer competent to administer oaths, that the statements in such petition are true, and some person or persons shall make oath to each paper containing signatures that each signature appended to such paper is the genuine signature of the person whose name purports to be thereunto subscribed. The form of the ballot at such special election shall be: "Shall (name of officer) be removed from office of (name of office)?" "Yes" "No" if a majority of the duly qualified electors voting at such election shall vote "Yes", such officer shall be deemed removed, and his office vacated; if a majority of such voters shall vote "No", such officer shall continue to serve as such. Such special elections shall in all respects to conducted, returned, and the results thereof declared as general elections of the City.

*ARTICLE 4***SECTION 1. AS AMENDED.**

Any proposed ordinance, charter or charter amendments may be submitted to the Board of Commissioners of the City of Mangum by petition of qualified electors equal in number to at least forty-five per centum (45%) of the last preceding vote for all candidates for Governor within such City, by filing the same with the City Clerk, and such proposed ordinance, charter or charter amendment shall be adopted without alteration by the Board of Commissioners within twenty (20) days thereafter, or the Board of Commissioners may refer such proposed ordinance, charter or charter amendment without alteration to the qualified electors of said City at an election which shall be called within thirty (30) days, and held not less than sixty (60) days nor more than ninety (90) days after such petition is filed if a special election for some other purpose or a general election is held within said period of such proposed ordinance, charter or charter amendments shall be submitted at such election.

Alternative ordinances, charter or charter amendments may be submitted at the same election, and if two or more conflicting measures be approved at such election, then the one that receives the greater number of affirmative votes shall be adopted in all particulars as to which there is a conflict.

SECTION 2.

The procedure hereunder to carry into effect the "Initiative and Referendum" herein shall be such as shall be provided by ordinance. (Adopted March 16, 1920.)

*ARTICLE 5. QUALIFICATIONS***SECTION 1.**

"Strike all of said section 1" March 16, 1920.

SECTION 2.

No person shall be eligible for the office of commissioner or Mayor unless he/she is a qualified elector.

SECTION 3. AS AMENDED.

Each Commissioner and the Mayor shall receive a monthly salary, payable at the end of the month.

SECTION 4. AS AMENDED.

If any vacancy occurs in the office of any Commissioner or the Mayor, a special election shall be called within twenty days thereafter to fill such vacancy for the unexpired term of such Commissioner or Mayor.

Provided, if there is to be a general election within three (3) months after the occurrence of any such vacancy then no special election shall be called but such vacancy shall be filled at such election.

A vacancy shall be deemed to exist when a Commissioner or Mayor fails to qualify as herein provided, dies, resigns, removes from the city, is convicted of a felony or is judicially declared a lunatic.

SECTION 5.

See Article 2, Section 7

SECTION 6. BONDS.

The terms and conditions of the Board to be executed by the City Commissioners, shall be governed by ordinance.

SECTION 7. LEGISLATIVE POWERS.

The Board of Commissioners shall, except as otherwise provided by this charter, be vested with all the legislative powers of the City.

SECTION 8. JUDGES AND THEIR ELECTION.

The Board of Commissioners shall be the judges of the election and qualifications of its own members, subject to review by the courts in case of contests, as provided by law. See Article 2, Section 20.

SECTION 9. RULES.

The Board of Commissioners shall provide its own rules of procedure, may punish its members for disorderly conduct, and compel their attendance at its meetings.

SECTION 10. MEETINGS.

“All meetings of the Board of Commissioners shall be held in any place designated by the Board of Commissioners. Regular meetings shall be held on the first Tuesday of each month, unless it is a holiday. The Board of Commissioners shall prescribe the time of its meetings and the manner in which special meeting shall be called, a majority of its members shall constitute a quorum to transact business, but a less number may adjourn to a definite date. The Board of Commissioners shall comply with the Oklahoma Open Meeting Act, the same being Title 25, Oklahoma Statutes, Section 301-314, as it applied to all public bodies, and shall keep a journal of its proceedings which shall be a public record.”

SECTION 11. ORDINANCES AND RESOLUTIONS.

In all regular meetings the Board of Commissioners shall act by ordinance, resolution or motions and at special meetings, by resolution or motion.

SECTION 12. PUBLICATION.

Every ordinance after the same shall have been passed by a majority vote of the Board of Commissioners shall be published once in full in a newspaper circulated within the City of Mangum, and shall be in full force and in effect within thirty (30) days after its first publication. Provided, however, if said ordinance is passed with the emergency clause attached, then in that event it shall become law immediately after its first publication.

SECTION 13. RECORD OF ORDINANCE.

All ordinances shall within three (3) days after the date upon which they become effective be recorded in a book kept for that purpose marked "Ordinances of the City of Mangum", and shall be authenticated in said book by the signature of the Mayor and City Clerk, and shall be consecutively numbered.

SECTION 14. CONTRACTUAL POWERS.

"The Board of Commissioners shall have no power to make any contract of any kind or nature whatsoever, or to make any lease of City property, the operation of which shall extend beyond a period of three years from the date of said contract or lease; the Board of Commissioners shall have the authority to sell personal property belonging to the City of a value not exceeding \$5,000.00, but any personal property of a value exceeding \$5,000.00 shall be sold by a sealed bid or public auction; and the Board of Commissioners shall have the power to grant or otherwise dispose of any title or right of the City to any real estate, or to dispose of any franchise or easement along, on or under or over the streets and alleys of said City or right of any way for any railway or street railway.

SECTION 15. AS AMENDED.

The Mayor shall not have the right to vote on any question coming before the Board of Commissioners except in case of tie vote when he/she shall cast a deciding vote, nor shall he/she have the power of veto.

SECTION 16. DELETED IN ITS ENTIRETY.**SECTION 17. AS AMENDED.**

The Mayor shall preside at all meetings of the Board of Commissioners and shall exercise such jurisdiction, rights, powers and duties as are now or may be provided by law and the ordinances of the City. The Board of Commissioners shall have the authority to appoint from the Board of Commissioners a Vice-Mayor at the first meeting of the Commissioners after the general election each year, the Vice-Mayor to be appointed for one year; with such Vice-Mayor having the authority to exercise all rights, powers and duties as now vested in the Mayor when said Mayor is absent or unavailable.

SECTION 18. AS AMENDED.

The Board of Commissioners, by a majority thereof, shall appoint a City Manager who shall be the executive head of the city government. Such City Manager may be discharged at any time by a majority vote of the Board of Commissioners.

SECTION 19.

The City Manager shall have the following powers and duties:

1. As Amended. To appoint and remove all officers and employees necessary to carry out the duties imposed upon him/her by this charter or by the ordinances of the City. The City Manager shall not appoint or employ a relative.
2. The City Manager shall in accordance with the laws of Oklahoma, and subject to the provisions and control of the Board of Commissioners in all matters, and the ordinances of the City, manage and have charge of the alleys, lanes, bridges, viaducts and other public highways, of water works, sewers, drains, ditches, culverts, canals, streams and water sources, gutters and curbing, of all public buildings, of boulevards, avenues, squares and other public places and grounds belonging to said City or dedicated to public use; the cleaning, sprinkling and lighting of public streets and buildings, the collection and disposal of waste, and the preservation of all tools, appliances and personal property belonging to the City. He shall have supervision of issuing building permits, inspect all plumbing, wiring and weights and measures. The City Manager shall also have charge of the enforcement of the obligation of privately owned and operated public utilities enforceable by the City and shall have the management and control of all public utilities owned by the City.

3. The City Manager shall keep the Board of Commissioners fully advised as to the financial conditions and needs of the City and make such monthly reports showing the financial condition of the city as may be specifically required by ordinance.

4. The City Manager shall be ex-officio city treasurer and shall deposit the funds of the City in equal amounts, as near as practicable, in the various banks in the city, at the highest rate of interest attainable and shall give bond, not less than double the amount of funds entrusted to the City Manager, with some surety company as security on said bond, and said bond may be enlarged or reduced from time to time under the direction of the Board of Commissioners.

5. To perform such other duties as may be required by ordinance.

SECTION 20. AS AMENDED.

The City Manager shall receive such salary as may be provided by the Board of Commissioners.

SECTION 21. AS AMENDED.

The Board of Commissioners shall by a majority vote, appoint a City Attorney who shall hold office at the pleasure of the Board of Commissioners and shall be the legal adviser of all officers of the City and shall have such powers and perform such duties as are now or may hereafter be imposed or granted by ordinance and shall receive such compensation as may be provided by the Board of Commissioners.

SECTION 21A. AS AMENDED.

The Board of Commissioners shall by a majority vote appoint a City Clerk who shall hold office until removed by a majority vote of the City Commissioners. Such City Clerk shall have such duties as are now or may be provided by law and the ordinances of the City and shall receive such compensation as may be provided by the Board of Commissioners; shall have the power and authority to administer oaths upon any claim against the City, shall give good and sufficient bond in such sum as may be required by the Board of Commissioners, conditioned that the City Clerk shall faithfully perform the duties of the office, said bond shall be approved by the Mayor. (Adopted March 16, 1920.)

SECTION 22. OATH OF OFFICE.

All officers of the City shall take an oath or affirmation to support the constitution of the United States, constitution of the State of Oklahoma, the charter and ordinances of the City and faithfully to perform the duties of the office upon which they are about to enter.

SECTION 23. BONDS.

All officers and employees who handle city funds, or officers holding positions of responsibility, shall give bond in such amount as may be required by the Board of Commissioners by ordinance or resolution, and the City shall pay the premium on all such bonds.

SECTION 24. NO EXTRA COMPENSATION.

“No officer or employee shall receive any pay, compensation, money or thing of value, or derive any benefit, profit or advantage, directly or indirectly from, or by reason of any dealings with or service for the city, by themselves or by others, except as lawful compensation or salary as such officer or employee. Provided, that the City may, upon a majority vote of the Board of Commissioners, purchase an insurance policy or policies commonly referred to as public officials and employees liability insurance covering the Mayor, City Commissioners, Police Chief, and other City officials and employees, with such coverage as is deemed proper by the Board of Commissioners.”

ARTICLE 6. FINANCE, APPROPRIATION AND TAXATION**SECTION 1. FISCAL YEAR.**

The fiscal year of the City shall commence on the 1st day of July, and end on the last day of June of each year.

SECTION 2. CLAIMS AGAINST THE CITY.

Demand for any money against the City shall be approved, allowed, audited or paid according to the laws of the State of Oklahoma, the City of Mangum Accounting and Financial Policies and the City of Mangum Personnel Policies and Procedures Manual as approved by the Board of Commissioners.

SECTION 3. PURCHASING AND SALES AGENT. AS AMENDED.

Except in cases of emergency, the City Manager shall procure competitive proposals and bids from competitive dealers for supplies when the estimated cost of such supplies exceeds the sum of \$5,000.00. Such competitive bids and proposals shall be kept on file in the office of the City Clerk.

SECTION 4. BILLS.

See Article 6, Section 2.

SECTION 5. ISSUANCE OF WARRANTS.

See Article 6, Section 2.

SECTION 6. ACCOUNTING BASIS.

The business of the City shall be conducted in accordance with generally accepted accounting principles, and purchase orders shall not be drawn, upon the order of the City Manager or Board of Commissioners in excess of the estimate made and approved for any fund according to the appropriation for the funds for the fiscal year, and any violation of this section of the charter shall be a misdemeanor.

SECTION 7. FUNDS.

The funds of the City shall be as set forth by law and the appropriations set by the Board of Commissioners.

SECTION 8. ADOPTION OF NEW LAWS.

Until the Board of Commissioners shall, otherwise, by ordinance, provide, the Statutes of the State of Oklahoma, now or hereafter in force, shall govern the making of assessments by the assessor of the county, in which the City is situated, the making of equalization, and the collection of taxes by the treasurer of said county for and on behalf of the City and also the certification and collection of all delinquent charges, assessments and taxes.

SECTION 9. CERTIFICATION OF ASSESSMENT.

It shall be the duty of the City Manager to procure, as soon as available each year, a certificate from the county assessor of the total amount of property of the City of Mangum, as shown by the assessment rolls in the County Assessor's office.

SECTION 10. ANNUAL GENERAL CITY ESTIMATE.

Within seven (7) days prior to July 1st of each year, or on such date as shall be fixed by the Board of Commissioners, the City Manager shall submit to the Board of Commissioners his/her annual budget, setting forth in detail for their information, an estimate for the probable expenditure for the city government for the next ensuing fiscal year for all purposes; also an estimate of the probable income from fines, license, water and all other sources of revenue.

SECTION 11. NO LIABILITY WITHOUT APPROPRIATION.

Except as herein otherwise specifically provided, the City expenditures in any one year shall not exceed the amount provided in the annual appropriation for that year, and no contract involving the expenditure for any improvement to be paid out of the general or special fund of the City, or for defraying the expense and liabilities of the City shall exceed in any one year, the amount provided in the annual appropriation to be paid out of the said general and special funds so appropriated and set apart, but the several funds shall be maintained for, used and applied to the particular purposes specified in the annual appropriation.

It shall be unlawful for any officer of the City to incur or contract any expense or liability for or on behalf of the City unless such appropriation shall have been made concerning such expense. Such contract shall be null and void as to the City for any or further liability; provided, first that nothing herein contained shall prevent the Commission from providing by any casualty, accident or unforeseen contingency arising after the passage of the annual appropriation, to be determined by resolution of the Board of Commissioners before said expense is incurred. If there be any funds in the treasury not otherwise appropriated the same may be applied to the payment of such emergency expense, and second, that the provisions of this section shall not apply to or limit the authority conferred in relation to bonded indebtedness nor for moneys to be collected by special assessments for local improvements.

SECTION 12. STATUTES CONTINUED IN FORCE.

The provisions of the Statutes of Oklahoma relating to sidewalks, and all statutes and amendments relating to issuance of bonds, funding and refunding bonds shall be in full force and effect, except that no bond issue shall be made without a vote of the qualified electors of the city who are taxpayers under the law authorizing such issue.

SECTION 13. CEMETERY.

The moneys in the Cemetery fund whether derived from taxation, appropriation, sale of lots in the cemetery, or otherwise, shall be used only for the maintenance, improvements or betterment of the cemetery owned by the City and no lot shall be sold therein, or occupied unless the same has been paid for and a deed issued thereto by the City Clerk under the seal of the City.

SECTION 14. DELETED IN ITS ENTIRETY.

SECTION 15. DELETED IN ITS ENTIRETY.**SECTION 16. METHOD OF BOOKKEEPING.**

The Board of Commissioners shall provide a complete set of books for the keeping of a record of the City's business in the most approved modern plan in vogue in municipal governments, so arranged as to furnish detailed information relating to the City's business, and where daily cash balances can be had.

ARTICLE 7. HEALTH AND PUBLIC SAFETY.**SECTION 1. HEALTH.**

The Board of Commissioners may appoint a city health officer who shall be a graduate of a reputable medical college and shall be licensed to practice medicine in this state, who shall have such powers and duties as may be provided by ordinance.

SECTION 2. FIRE DEPARTMENT. AS AMENDED.

The Board of Commissioners shall by ordinance provide for the establishment and maintenance of a fire department, which shall be under the direction and control of the City Manager, consisting of such employees as may be necessary, which said fire department shall in all respects comply with the rules and regulations of the Board of Underwriters relative to Fire Insurance. (Adopted March 16, 1920.)

SECTION 3. POLICE DEPARTMENT. AS AMENDED.

The Board of Commissioners shall provide for the establishment and maintenance of a police department consisting of such employees as may be deemed necessary, which police department and employees thereof shall be under the direction and control of the City Manager. (Adopted March 16, 1920.)

ARTICLE 8. FRANCHISE, PUBLIC UTILITIES AND CONTRACTS**SECTION 1. GRANT.**

No franchise to construct and operate a public utility in any street, avenue, alley, or public place of the said city shall be granted except upon the majority vote of the taxpaying electors of said City voting at such election. The question of its being granted shall be submitted to such vote only upon deposit with the Board of Commissioners of the expense (to be estimated by the Board of Commissioners) of such submission, by the applicant for said franchise.

SECTION 2. NO EXCLUSIVE GRANT.

No franchise or privilege shall be granted for a longer period than twenty-five (25) years. No exclusive franchise or renewal shall ever be granted.

SECTION 3. CONDITIONS.

All franchises or privileges hereafter granted to construct and operate a public utility shall prescribe the kind and quality of service or product to be furnished, the maximum rate or rates to be charged therefore, shall specify on which particular-streets, avenues, alleys, and public grounds the same shall apply, and the manner in which the streets, avenue, alleys and public grounds shall be used and occupied and any other terms and conditions conducive to the public interest.

SECTION 4. TERMINATION.

All such grants and renewals thereof shall reserve to the City the right to terminate the same and to purchase all the property of the utility in the streets, avenues, alleys and public places in the City and elsewhere as may be provided in the franchise making the grant or renewal, used in or useful for the operation of the utility at such prices as may be agreed upon between the owner and the City, and in the

event of disagreement the same may at the option of the City be submitted to arbitration under the arbitration laws of the State of Oklahoma, or in the event of no arbitration agreement can be reached, then the City may obtain such property by condemnation under the eminent domain laws of the State of Oklahoma.

SECTION 5. PURCHASE PRICE.

Any sale of property by franchisee to the City, by condemnation, purchase or otherwise, shall expressly provide therein that the price to be paid by the City for any additions or improvements to the franchise property shall exclude all value of any additions or improvements to said franchise property.

SECTION 6. CONSENTS.

No consent of the owner of property abutting on any highway or public ground shall be required for the construction, extension, maintenance or operation of any public utility by original grant or renewal unless such public utility is of such a character that its construction or operation is an additional burden upon the rights of such property owner in such highways or public grounds.

SECTION 7. RIGHT TO INSERT ADDITIONAL MATTER.

The enumeration and specification of particular matters in this charter which must be included in every franchise or grant, shall never be construed as impairing the right of the City to insert in such franchise or grant, such other and further conditions, covenants, terms, restrictions, limitations, burdens, taxes, assessments, rates, fares, rentals, charges control, forfeitures, or any other provisions whatever, as the City shall deem proper, to protect the interests of the people.

SECTION 8. REGULATIONS.

The Board of Commissioners shall at all times control the distribution of space, in over, under and across all streets or public grounds occupied by public utility fixtures. All rights granted for the construction and operation of public utilities shall be subject to the continuing right of the Board of Commissioners to require such reconstruction, or relocation, change, or discontinuance of the appliances used by the utility in the streets, avenues, alleys and public places of the city, as shall in the opinion of the Board of Commissioners be necessary in the public interest.

SECTION 9. CONTRACTS FOR SERVICE.

All contracts for service between the City and the owner or manager of any such franchise shall be by ordinance, the terms of which shall be agreed to in writing by said owner or manager prior to the passage of such ordinance. No contract for service shall be made by the Board of Commissioners for a longer period than three years.

SECTION 10. POWER TO REGULATE RATES AND FARES.

All power to regulate the rates, fares, rentals and charges for service by public utility corporations is hereby reserved to the people to be exercised by them by ordinance of the Board of Commissioners or in the manner herein provided for initiating or referring an ordinance. Any right or regulation shall further include the right to require uniform, convenient and adequate service to the public and reasonable extensions of such service and of such public utility works. The granting of a franchise shall not be deemed to confer any right to include in the charge for service any return upon the value or the franchise or grant itself.

SECTION 11. ORDINANCE IN PLAIN TERMS.

No franchise, right, privilege or license shall be considered as granted by an ordinance except when granted therein in plain and unambiguous terms, and any and every ambiguity therein shall be construed in favor of the City against the claimant under such ordinance.

SECTION 12. STREET PAVING.

Every grant of any franchise or privilege, in, over, under, or along any street, avenue, alley or public place in the City for railway purposes shall be subject to the conditions that the person, firm or corporation exercising or enjoying the same shall, unless otherwise provided by ordinance, keep in repair, and pave and repave so much of said highway or public place as may be occupied by said railway or public utility as lies between the rail of each railway track, and between the lines of double track or in yard connecting with the street and for the space of two feet outside of said railway track and along said track.

SECTION 13. FRANCHISE PROVIDES FOR SAFETY, ETC.

The grant of every franchise or privilege shall be subject to the right of the City, whether in terms reserved or not, to make any regulations for the safety, welfare and accommodation of the public, including among other things, the right to require proper and adequate extensions of the service of such

grant, the right to require any or all wires, cables, conduits and other appliances to be placed in under ground, and the right to protect the public from danger or inconvenience in the operation of any work or business authorized by the grant of the franchise.

SECTION 14. BOOK OF ACCOUNT.

The City when owning any public utility shall require the City Manager to keep books of account for such public utility distinct from other city accounts and in such a manner as to show the true and complete financial result of such city ownership, or ownership and operation as the case may be. Such accounts shall be so kept as to show the actual cost to the City of the public utility owned; all cost of maintenance, extension and improvements, all operating expenses of every description in case of such city operation; such accounts shall also show reasonable allowance for interest, depreciation and insurance.

ARTICLE 9. GENERAL PROVISIONS

SECTION 1. DELETED IN ITS ENTIRETY.

SECTION 2. CIVIC BEAUTY.

The Board of Commissioners or any authorized officer shall have authority to condemn and compel to be removed signs, bill boards, shacks and dilapidated buildings whenever the same mar the beauty of the said City are condemned in accordance with the uniform ordinances, rules and regulations passed by the said Board of Commissioners.

SECTION 3.

Should this charter be approved by a majority vote of the qualified electors voting thereon, and upon filing two (2) copies thereof officially certified by the City Clerk, in the office of the secretary of State of Oklahoma, it shall thereupon be in full force and effect. All officers and other persons in the service of the City at that time shall continue to serve as such receive compensation thereof, now provided by law or by ordinance, have and exercise power, authority and jurisdiction heretofore possessed by them, until the elective officers first elected hereunder: shall qualify. Upon such qualification the terms of office of any officer or person in the service of the city at the time this charter takes effect shall immediately terminate.

SECTION 4. OUTGOING OFFICERS.

All officers of the City whose terms of office shall be terminated by the first election under this charter shall deliver and turn over to the officers upon whom their powers and duties devolve all papers, records and property of any kind in their possession or custody by virtue of their office and shall account to them or to any authority designated by the Board of Commissioners, for all funds, credits or property of any kind with which they are properly chargeable as such officials.

SECTION 5. PRESENT ORDINANCES CONTINUE IN FORCE.

All laws, ordinances, resolutions, by-laws, orders, rules or regulations in force in the City of Mangum at the time this charter takes effect, not inconsistent with its provisions shall continue in full force and effect until otherwise provided by ordinance; provided, however, that as soon as practicable the said Board of Commissioners shall revise the ordinances of the City and cause the same to be printed and published.

SECTION 6. PENALTY FOR VIOLATION.

Any person who shall violate any of the provisions of this charter for the violation of which no punishment has been provided herein, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not exceeding one thousand (\$1,000.00) dollars or by imprisonment in the city jail not exceeding thirty (30) days, or by both such fine and imprisonment.

SECTION 7. DEFINITION OF MISDEMEANOR.

The term “misdemeanor” as used in this charter, shall mean a violation thereof, or of any ordinance, of which the municipal court or magistrate thereof shall have jurisdiction.

SECTION 8. CONTINUING BONDS, ETC.

All official bonds, recognizance, obligations, contracts, and all other instruments entered into or executed by or to the City before this charter takes effect, and all taxes, fines, penalties, forfeitures, incurred or imposed due or owing the city, shall be enforced and collected and all writs, prosecutions, actions and causes of action, except as herein otherwise provided, shall continue without abatement and remain unaffected by this charter; and all legal acts done by or in favor of the City, shall be and remain as valid as though this charter had not been adopted.

SECTION 9. SUBMISSION OF CHARTER AMENDMENTS.

The charter may be amended at any time in the manner provided by Article 18 of the constitution of the State of Oklahoma.

SECTION 10. RESERVATION OF POWER.

The power to supersede any laws of the state now or hereafter in force, insofar as it applies to local municipal affairs, shall be reserved to the City, acting by ordinance.

ARTICLE 10. CHIEF OF POLICE**SECTION 1.**

There shall be appointed a Chief of Police by the City Manager, subject to the approval of the Board of Commissioners who shall serve at the discretion of the City Manager and Board of Commissioners.

SECTION 2.

The salary of the Chief of Police shall be any sum fixed by the Board of Commissioners of said city.

SECTION 3.

The Chief of Police shall be a certified Law Enforcement officer and meet the requirements set forth in the City of Mangum, Oklahoma, Code of Ordinances.

SECTION 4.

The City Manager shall, with the approval of the Board of Commissioners, appoint and discharge such additional policemen as he/she shall deem necessary to keep the peace and enforce the ordinances of the City of Mangum; the salaries of such additional policemen so appointed by the City Manager, and approved by the Board of Commissioners, shall be fixed by the Board of Commissioners.

SECTION 5.

The Board of Commissioners shall make the necessary provisions for the payment of the salaries for the Chief of Police and the appointed policemen and shall maintain such offices and equipment for the use of such officers herein designated as is necessary in order that they may render the most efficient service possible.

SECTION 6. DELETED IN ITS ENTIRETY.

SECTION 7. DELETED IN ITS ENTIRETY.

SECTION 8.

All provisions of the Charter, amended charter and ordinances of the City of Mangum, Oklahoma, in conflict with the provisions of this amendment to the charter shall be and are hereby modified and repealed and if any section or part thereof, sentence, clause or phrase of this amendment for any reason is held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this amendment. (Article 10 adopted April 7, 1931.)

***CERTIFICATE OF FREEHOLDERS** Historical Reference Only*

**STATE OF OKLAHOMA
COUNTY OF GREER,
CITY OF MANGUM - ss:**

Be it known that the City of Mangum, County of Greer, State of Oklahoma, containing a population of more than two thousand (2,000) inhabitants, at an election held on Tuesday, the 4th day of August, 1914, under the provisions of Section 3 (a) of Article 18, of the Constitution of the State of Oklahoma, did, pursuant to law, elect the undersigned eight (8) freeholders, two (2) being elected from each of the four wards of said City, being all the freeholders so elected, to prepare, suggest and propose a charter for said City, to be executed in duplicate and filed within ninety days from the date of said election, one copy of which is to be filed with the chief executive officer of said City, and the other to be filed with the register of deeds of said county.

The undersigned members of said board of freeholders do hereby certify that in pursuance of the constitution and laws of the State of Oklahoma, we did meet and organize and in perfecting said organization did unanimously elect T.P. Clay to act and preside as chairman of said board, and did at the same time unanimously elect Scott L. Reeburgh to act as secretary of aid board, and from day to day and from time to time have meetings, and have proposed, formulated, adopted and filed a proposed charter within ninety days from the date of our election consisting of the various Article, Sections and Subdivisions embraced and contained, and all thereof within and upon the foregoing and preceding thirty pages, as the charter for adoption by the qualified electors of said City of Mangum, and do hereby proposed the foregoing, consisting of thirty pages, as the charter of the said City of Mangum, which we, and each of us do hereby sign in duplicate, as and for the charter of the said City of Mangum.

In Witness Whereof, we have hereunto set out hands in duplicate on this the 18th day of September, A.D. 1914.

PERCY CORNELIUS,
SCOTT L. FREEBURGH,
First Ward.

H.M. FERGUSON,
H.D. HENRY,
 Second Ward.

S.A. BROOME,
F.S. GENTRY,
 Third Ward.

T.P. CLAY,
ZACK T. PRYSE,
 Fourth Ward.

CERTIFICATE OF CHAIRMAN Historical Reference Only

I, T.P. Clay, chairman of the board of freeholders, elected on Tuesday, the 4th day of August, 1914, to serve as a board of freeholders, to prepare and propose a charter for the City of Mangum, Greer County, Oklahoma, do hereby certify that the within and foregoing is the original of the said proposed charter executed in duplicate, and the several Articles, Sections and Subdivisions thereof, and the proposition to be submitted to the qualified electors of said City, as regularly and properly adopted by the board of freeholders of said City, to be submitted to the people of Mangum, for ratification or rejection, and within the time and manner prescribed by the constitutional provisions applicable thereto, and do hereby certify that the same and all parts thereof were written, enacted and proposed within ninety days from the date of the election of the said freeholders, as provided by law, and that all interlineation therein contained and all the erasures and words stricken out were made and done before the same was signed by the freeholders, or either of them, and that the same is a true, correct and exact charter, as proposed and adopted by said board.

Given under my hand this 18th day of September, 1914.

T.P. CLAY, Chairman of the Board of Freeholders of the City of Mangum

Attest:

SCOTT L. FREEBURGH, Secretary of the Board of Freeholders, of the City of Mangum

Approved this 18th day of November, A.D. 1914.

LEE CRUCE, Governor of the State of Oklahoma.

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER OF THE CITY OF MANGUM
Historical Reference Only

**STATE OF OKLAHOMA,
COUNTY OF GREER,
CITY OF MANGUM - ss:**

I, G.F. Border, Mayor within and for the City of Mangum, County of Greer, State of Oklahoma, do hereby certify that the above and foregoing Charter was on the 10th day of November, 1914, duly submitted to the qualified electors of the City of Mangum, at a special election called for that purpose, in accordance with the Constitution and laws of the State of Oklahoma, and that at such election the said Charter was duly adopted by the vote of the said electors voting at said election and thereafter on the 18th day of November, 1914, the said Charter was submitted to and duly approved by the Governor of the State of Oklahoma, and that the above and foregoing thirty pages contain said Charter as the same was proposed, adopted and approved.

One of the duplicates is now on file in my office, after having been duly recorded in Book 7, Pages 428 to 447, inclusive, in the office of the Register of Deeds of Greer County, Oklahoma, and that the other duplicate thereof has been transmitted to the office of the Secretary of State of the State of Oklahoma.

In Witness Whereof, I have hereunto set my hand and caused the official seal of the City of Mangum to be attached on this, the 20th day of November, A.D. 1914.

G.F. BORDER, Mayor of the City of Mangum, Greer County, Oklahoma.

(SEAL)

Attest:

JOHN T. TOMME, City Clerk