



<b>SECTION:</b>	<b>General Provisions</b>	<b>POLICY #:</b>	<b>101</b>
<b>TITLE:</b>	<b>Administrative Policies and Procedures Authorization</b>	<b>PROCEDURE #:</b>	
		<b>ORDER #:</b>	<b>12-45</b>
<b>DEPT:</b>	<b>Board of Commissioners' Office</b>	<b>DIVISION:</b>	
<b>ADOPTED:</b>	<b>5/12</b>	<b>REVIEWED:</b>	<b>REVISED:</b>

**PURPOSE:** Marion County Board of Commissioners establishes administrative policies and procedures to provide written rules for actions, achieve consistency and uniformity in the handling of business affairs, and communicate policy roles and responsibilities. Administrative policies:

- Establish principles that mandate or constrain actions;
- Ensure compliance with applicable state and federal laws and regulations;
- Are applied county-wide; and,
- Are approved by the Marion County Board of Commissioners.

**AUTHORITY:** The Marion County Board of Commissioners may establish rules and regulations in reference to managing the interest and business of the county under ORS 203.010, 203.035, 203.111, and 203.230.

Oregon Revised Statutes

**203.010 General powers of county as body politic and corporate.** Each county is a body politic and corporate for the following purposes:

- (1) To sue and be sued;
- (2) To purchase and hold for the use of the county lands lying within its own limits and any personal estate;
- (3) To make all necessary contracts; and
- (4) To do all other necessary acts in relation to the property and concerns of the county.

**203.035 Power of county governing body or electors over matters of county concern.**

- (1) Subject to subsection (3) of this section, the governing body or the electors of a county may by ordinance exercise authority within the county over matters of county concern, to the fullest extent allowed by Constitutions and laws of the United States and of this state, as fully as if each particular power comprised in that general authority were specifically listed in ORS 203.030 to 203.075.
- (2) The power granted by this section is in addition to other grants of power to counties, shall not be construed to limit or qualify any such grant and shall be liberally construed, to the end that counties have all powers over matters of county concern that it is possible for them to have under the Constitutions and laws of the United

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*States and of this state.*

- (3) An ordinance adopted by a county governing body that changes the number or mode of selection of elective county officers shall not take effect unless the ordinance is submitted to and approved by the electors of the county at a primary election, general election or election held on the first Tuesday after the first Monday in November of an odd-numbered year. However, an ordinance adopted under this section may not change the mode of selection of a county assessor.*
- (4) Nothing in this section shall be construed to limit the rights of the electors of a county to propose county ordinances through exercise of the initiative power. [1973 c.282 §2; 1981 c.140 §1; 1985 c.756 §1; 1995 c.712 § 87; 2007 c.155 §12]*

**203.111 County governing body; legislative authority; quorum.** *Unless otherwise provided by county charter, a county court shall be the governing body and shall exercise general legislative authority over all matters of county concern and shall consist of the county judge and two county commissioners and a majority of those persons shall constitute a quorum. [1981 c.140 §3 (enacted in lieu of 203.110)]*

**203.230 Abolishing office of county judge and establishing board of county commissioners in noncharter county; referral of order; operative date.** *(1) The county court of any county which has not adopted a county charter pursuant to ORS 203.710 to 203.770, and in which the county judge has no judicial function, may order the office of county judge abolished and create in lieu thereof a third county commissioner. The order shall transfer all powers and duties of the county court and county judge to the board of county commissioners and, unless referred to the people, shall be effective on the date specified therein. The order made under this subsection may be referred to the people of the county for their approval or rejection and, if approved, shall become operative on the date specified in the order referred. The people of the county shall vote on such order at a primary election or general election.*

The Marion County Board of Commissioners expresses the governing body’s formal, organizational position of fundamental issues or specific repetitive situations through formally adopted, written policy statements. The policy statements serve to provide rules for public officials on the conduct of county business.

**APPLICABILITY:** All county departments and employees

**GENERAL POLICY:** Administrative policies set the rules for operations for Marion County governance. The policies address specific expectations and consequences. The administrative procedures specify how the policies will be implemented and who is responsible for policy implementation.

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### **POLICY GUIDELINES:**

1. Responsibilities:

Administrative policies are reviewed and approved by the Marion County Board of Commissioners by board order. Administrative procedures are reviewed by the Board of Commissioners. A board order is not required for approval of procedures. The Board of Commissioners shall have the final authority to adopt, reject, or waive all administrative policies and any other rules and regulations for the management and operation of Marion County government.

2. Exceptions:

Departments and programs of Marion County may have administrative policies governing departmental operations. Department policies may be more restrictive than Marion County Administrative Policies and Procedures, but not less restrictive. Departmental policies and procedures may not conflict with Marion County Administrative Policies and Procedures approved by the Board of Commissioners.

3. Implementation:

Elected officials and department heads are expected to be knowledgeable of, and shall be responsible for, implementing the administrative policies and procedures within their respective departments. Elected officials and appointed department heads are encouraged to make recommendations for administrative policies and procedures and/or revisions to current policies. Observance of the administrative policies and procedures is mandatory for all county personnel and violation may result in disciplinary action.

4. Periodic Review:

This policy shall be reviewed by the Board of Commissioners' Office at least every three years, or more often if needed, and updated as necessary.

Adopted: 5/12