

**SUMMARY OF SOP FOR
INITIATIVE, REFERENDUM, SUBMITTING AN AGENDA ITEM
AND CALLING A SPECIAL MEETING**

Initiative is the power to propose ordinances (laws) to Council. If Council fails to adopt the bill, the initiative process gives the electorate the chance to adopt or reject the proposal at the next appropriate City election. Referendum, under the Charter, is the power to make Council reconsider an ordinance. If Council fails to repeal the proposal, the referendum process will give the electorate the opportunity to approve or reject the proposal at the next City election. While the Charter notes that the ballot question must be forwarded at least 35 days to the appropriate agency - the County - the County Board of Elections needs from 60 to 91 days to put the question on the ballot depending on the nature of the question. In addition to the referendum and initiative, voters can place an agenda item on the regular agenda of City Council and can call a special meeting.

1. Five (5) qualified voters file affidavit with the City Clerk's Office noting they will constitute the Petitioner's Committee and be responsible for circulating the petition (affidavit must contain names, addresses and full ordinance to be initiated or reconsidered).
2. In case of Referendum, affidavit must be filed within ten (10) days after adoption of the ordinance.
3. After five (5) days, the City Clerk shall issue petitions to the Committee.
4. Petitions must be signed by 2,000 voters. Signatures shall be in ink or indelible pencil and shall include address of the person signing and the date signed. Petitions must contain full text of the ordinance proposed or sought to be reconsidered.
5. Referendum Petitions must be filed within thirty-five (35) days after filing of an affidavit of the Petitioner's Committee.

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Initiative Petitions must be circulated and signed within a period of sixty-five (65) days from filing the affidavit.

6. The Clerk will certify the sufficiency of the petition within twenty (20) days of the filing of the petition. An insufficient petition (lack of required signatures) may be amended provided the Committee files no intent to amend the petition within two (2) days after receiving the certification and has ten (10) days to file an adequate petition. The Clerk has five (5) days to certify the sufficiency of the amended petition. If the Clerk deems it insufficient, the Petitioner's Committee may, within two (2) days, request Council to review and make a final determination on the sufficiency of the petition.
7. The Court shall act as the final arbitrator should Council deem it insufficient, and the Committee wishes to appeal.
8. When Referendum Petition is filed, the ordinance sought to be reconsidered, shall cease going into effect if the voters vote no.

9. Council Action/Ballot Question

Once deemed sufficient, Council will consider the initiative or vote for the appeal of the referred ordinance. If Council fails to adopt the proposed initiative without any change in substance within sixty (60) days or fails to repeal the referred ordinance within thirty (30) days after the petition was deemed sufficient, it shall be submitted to the voters at the next election occurring at least thirty-five (35) days after final action.

10. The Initiative or Referendum Petition may be removed prior to the forty-fifth (45th) day preceding the election at the request of four (4) of the Petitioner's Committee.

11. If the initiative is adopted by the electorate, it shall be considered adopted upon election certification. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail.

If a majority of voters support the referred ordinance, it shall be considered repealed upon certification.

12. Any initiative or referendum rejected may not be resubmitted for two (2) years from the date of the election where the ordinance was defeated. If adopted, Council shall take no action within a period of two (2) years from the date of election.

13. There can be no more than two (2) initiatives and two (2) referendum measures may be placed on the ballot at any primary. The first two (2) measures filed with the Clerk shall be the only ones on the ballot.

AGENDA ITEM

A petition signed by thirty-five (35) registered voters, and certified by the Clerk within two (2) days, may place an item on the agenda of City Council.

SPECIAL MEETING

A petition signed by two hundred (200) registered voters, certified by the Clerk within two (2) days, can request a special evening meeting to be convened within fourteen (14) days, by the President.

