

CITY OF COON RAPIDS, MINNESOTA

CHAPTER 1-500

INITIATIVE AND REFERENDUM

1-501 Powers Reserved by the People. In accordance with the provisions of this Chapter, the people of Coon Rapids reserve to themselves the power to initiate and adopt any ordinance, except an ordinance appropriating money or authorizing the levy of taxes, or any matters prohibited by law, to be referred to the voters for approval or disapproval; this power shall be called initiative. Also, the people may require an ordinance, except an ordinance appropriating money or authorizing the levy of taxes, or any matters prohibited by law, when passed by the Council, to be referred to the voters for approval or disapproval; this shall be called the referendum. [Revised 4/5/94, Ordinance 1483]

1-502 Expenditures by Petitioners. No member of any initiative referendum committee, no circulator of a signature paper, or any other person, shall accept or offer any reward, pecuniary or otherwise, for service rendered in connection with the circulation thereof, but this shall not prevent the committee from paying for legal advice and from incurring expenses for stationery, copying, printing, and notaries' fees. Any violation of the provisions of this Section is a misdemeanor.

1-503 Further Regulations. The Council may provide, by ordinance, such further regulations for the initiative and referendum, not inconsistent with this Charter, as it deems necessary.

INITIATIVE

1-504 Initiation of Measures. Not fewer than 15 registered voters may form themselves into a committee for the initiation of any ordinance, except as provided in Section 1-501. Before circulating any petition, they shall file with the City Clerk a verified copy of their proposed ordinance together with their signatures and addresses as members of such committee. They shall also attach a certified copy of the proposed ordinance to each of the signature papers herein described, together with their names and addresses as sponsors.

1-505 Form of Petition and of Signature Papers. The petition for the adoption of any ordinance shall consist of the ordinance, together with all the signature papers and affidavits thereto attached. Such petition shall not be complete unless signed by a number of registered voters equal to at least 15 percent of the total number of votes cast at the last preceding regular municipal election at which the Mayor was elected. All the signatures need not be on one signature paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be. Each signature paper shall be in substantially the following form:

Initiative Petition

Proposing an ordinance to _____ (stating the purpose of the ordinance), a copy of which ordinance is hereto attached. This ordinance is presented by the following committee of sponsors.

	Name	Address
1.	_____	_____
2.	_____	_____

The undersigned registered voters, understanding the terms and the nature of the ordinance hereto attached, petition the Council for its adoption, or, in lieu thereof, for its submission to the voters for their approval.

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____

At the end of the list of signatures shall be appended the affidavit of the circulator mentioned above. [Revised 4/5/94, Ordinance 1483]

1-506 Filing of Petitions and Action Thereon. All the signature papers shall be filed in the office of the City Clerk as one instrument. Within ten (10) working days after the filing of the petition, the City Clerk shall ascertain by examination the number of registered voters whose signatures are appended thereto and whether this number is at least 15 percent of the total number of votes cast at the last preceding regular municipal election at which the Mayor was elected. If the petition is found to be insufficient or irregular, the City Clerk shall at once in writing notify each member of the committee of sponsors of the fact, certifying the reasons for the finding. The committee shall then be given 30 days in which to file additional signature papers and to correct the petition in all other particulars. If at the end of that period the petition is found to be still insufficient or irregular, it shall be filed in the City Clerk's office and each member of the committee shall be notified in writing of that fact. The final finding of the insufficiency or irregularity of a petition shall not prejudice the filing of a new petition for the same purpose. [Revised 4/5/94, Ordinance 1483]

1-507 Action of Council on Petition. When the petition is found to be sufficient, the City Clerk shall so certify to the Council at its next meeting stating the number of petitioners and the percentage of the total number of voters which they constitute, and the Council shall at once read the proposed ordinance. The Council shall thereupon provide for a public hearing upon the ordinance. The proposed ordinance shall be finally acted upon by the Council not later than 65

days after it was submitted to the Council by the City Clerk. If the Council fails to pass the proposed ordinance, or passes it in an amended form which is unsatisfactory to the committee of sponsors as herein provided, the proposed ordinance shall be submitted by the council to the voters at the next regular municipal election. In the event the number of signers of the petition is equal to at least 30 percent of the total number of votes cast at the last regular municipal election at which the Mayor was elected, the council shall call a special election upon the measure. Such special election shall be held not less than 30 nor more than 60 days:

- (a) from the date of final action on the proposed ordinance by the Council; or
- (b) after the expiration of 65 days from the date of submission to the Council when there has been no final action. In the event a regular election is to occur within three (3) months, the Council may submit the ordinance at that election.

If the Council passes the proposed ordinance with amendments and at least a majority of the committee of sponsors express their dissatisfaction with such amended form by a statement filed with the City Clerk within ten (10) days of the passage thereof by the Council, the ordinance shall be submitted to the voters.[Revised 4/5/94, Ordinance 1483]

1-508 Initiative Ballots. The ballots used when voting upon any such proposed ordinance shall state the substance of the ordinance and shall give the voters the opportunity to vote either “yes” or “no” on the question of adoption. If the majority of the votes cast on any such ordinance vote in favor of it, it shall thereupon become an ordinance of the City. Any further number of proposed ordinances may be voted upon at the same election, but the voter shall be allowed to vote for or against each separately. In case of inconsistency between two (2) initiated ordinances approved at one (1) election, the one approved by the higher number of votes cast on the question shall prevail to the extent of the inconsistency.[Revised 4/5/94, Ordinance 1483]

1-509 Initiation of Charter Amendments. Nothing in this Charter shall be construed as in any way affecting the right of the voters under the constitution and statutes of Minnesota to propose amendments to this Charter.

REFERENDUM

1-510 The Referendum. Prior to the date when an ordinance takes effect, a petition requesting repeal of such ordinance may be filed with the City Clerk. The petition must be signed by a number of registered voters equal to at least 15 percent of the votes cast at the last regular municipal election at which the Mayor was elected. The petition shall request that any such ordinance be repealed or be submitted to the vote of the voters, thereby preventing the ordinance from taking effect. The Council shall reconsider the ordinance at its next regular meeting and vote to either repeal or reaffirm the ordinance as passed. If the ordinance is reaffirmed the Council shall immediately order a special election to be held thereon, or submit the ordinance at the next regular municipal election, pending which the ordinance shall remain suspended. If a majority of the voters voting thereon is opposed to the ordinance, it shall not become effective; but if a majority of the voters voting thereon favors the ordinance, it shall take effect after the election results are certified or on the date therein specified. [Revised 4/5/94, Ordinance 1483]

1-511 Referendum Petitions. The requirements laid down in Section 1-504 and 1-505 above as to the formation of committees for the initiation of ordinances and as to the form of

petitions and signature papers shall apply to the referendum as far as possible, but with such language changes as may be necessary. A referendum petition shall read as follows:

Referendum Petition

Proposing the repeal of an ordinance to (stating the purpose of the ordinance), a copy of which ordinance is hereto attached. The proposed repeal is presented by the following committee of sponsors:

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

The undersigned registered voters, understanding the nature of the ordinance hereto attached and believing it to be detrimental to the welfare of the City, petition the Council for its submission to the voters for their approval or disapproval.

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____

[Revised 4/5/94, Ordinance 1483]

1-512 Referendum Ballots. The ballots used in any referendum election shall conform to the rules laid down in Section 1-508 of this Charter for initiative ballots.