

Charter Subcommittee Report on Petitions and Recalls

The subcommittee recommends the following:

Petitions

Allow time to repeal ordinances after ordinance goes into effect, ordinance is not suspended.

No minimum number of requestors/initiators is required, so one person can initiate (This differs from Indy Texans process/petition where 5 persons are required)

10% or 20,000 signatures (same as current charter requirement) for repeal to be effective

Recommended process: File notice of intention to repeal with City Clerk and get signatures within 90-120 (TBD) days of ordinance effective date

Recall

Is overturning decisions of voters, therefore higher requirements than for ordinance repeal

Needed: 20% of qualified voters in a district; keep existing requirement of 10% of qualified voters for Mayor (not 20,000)

Must list at least one of the following valid reasons for recall: (from Fort Worth Charter) incompetency (gross ignorance of official duties, gross carelessness in the discharge of official duties, or inability or unfitness to promptly and properly discharge official duties because of a serious mental or physical defect that did not exist at the time of election); official misconduct (intentional unlawful behavior relating to official duties including an intentional or corrupt failure, refusal, or neglect of an officer to perform a duty imposed on the officer by law); habitual drunkenness; or conviction for any felony or misdemeanor involving official misconduct.

Financial Disclosure may be required for recall petitions

If a single source contributes as much as \$30,000, or if a total of \$100,000 or more are spent, loaned or otherwise committed, a financial disclosure must be filed with the City Clerk within eight days of meeting either threshold.

Each time either limit is triggered, a new report must be filed.

Sources:

The subcommittee reviewed the sources listed below, which are linked and/or attached.

Bryan, attached and here

https://library.municode.com/tx/bryan/codes/code_of_ordinances?nodeId=PTICH_S10IN

Fort Worth, attached and below

San Antonio, Article IV: [City-Charter-City-Code](#)

Portland, Oregon

City Charter: <https://www.portlandoregon.gov/citycode/28149>

City Code: <https://www.portlandoregon.gov/citycode/28158>

City Elections Page: <https://www.portlandoregon.gov/auditor/26642>

Fort Worth <http://fortworthtexas.gov/boards/charter/2016.pdf>

Dallas City

Charter: [http://library.amlegal.com/nxt/gateway.dll/Texas/dallas/cityofdallastexascodeofordinances?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:dallas_tx](http://library.amlegal.com/nxt/gateway.dll/Texas/dallas/cityofdallastexascodeofordinances?f=templates$fn=default.htm$3.0$vid=amlegal:dallas_tx)

Indy Texans <http://indyaustin.org/wp-content/uploads/2017/09/PetitionSlideShowIndyAustin-Referendum-2.pdf>
and attached.