

ARTICLE IV. - INITIATIVE, REFERENDUM, AND RECALL.

§ 2. - POWER OF REFERENDUM.

The people reserve the power to approve or reject at the polls any legislation enacted by the council which is subject to the initiative process under this Charter, except an ordinance which is enacted for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency, and which is adopted by the favorable votes of eight (8) or more of the councilmembers. Within 180 days of passage of an ordinance upon third reading, a petition signed by qualified voters of the city equal in number to the number of signatures required by state law to initiate an amendment to this Charter may be filed with the city clerk requesting that any such ordinance be submitted to a vote of the people for repeal or approval. A notice of intent to circulate such a petition shall be filed with the city clerk prior to doing so.

§ 6. - POWER OF RECALL.

The people of the city reserve the power to recall any member of the council and may exercise such power by filing with the city clerk a petition, signed by qualified voters of the territory from which the council member is elected equal in number to at least 20 percent of the qualified voters of the territory from which the council member is elected, or 10% citywide for the mayor, demanding the removal of a mayor or council member. A notice of intent to circulate such a petition shall be filed with the city clerk prior to doing so, and shall be treated as a ballot measure from the date such notice is filed. The petition shall be signed and verified in the manner required for an initiative petition, shall contain one of the following grounds for which the removal is sought: 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 intoxication; or conviction for any felony or misdemeanor involving official misconduct. One of the signers of each petition paper shall make an affidavit that the statements therein made are true.