ORDINANCE NO. 20120628-089

AN ORDINANCE ORDERING AN ELECTION TO BE HELD IN THE CITY OF AUSTIN ON NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING A PROPOSED CHARTER AMENDMENT TO THE VOTERS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. A charter amendment election shall be held in the City on November 6, 2012 at which the ballot shall be prepared to permit voting "yes" or "no" on the following proposition:

Proposition___

Shall the city charter be amended to reduce the number of signatures needed for a citizen initiated ordinance or referendum?

PART 2. If Proposition ___ is approved by the majority of voters voting at the election, Article IV , Sections 1 and 2, of the City Charter are amended to read as follows:

§ 1 POWER OF INITIATIVE.

The people of the city reserve the power of direct legislation by initiative, and in the exercise of such power may propose any ordinance, not in conflict with this Charter, the state constitution, or the state laws except an ordinance appropriating money or authorizing the levy of taxes. Any initiated ordinance may be submitted to the council by 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 [~~at least ten (10) percent of the qualified voters of the city~~].

§ 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 five [~~(5)~~] or more of the councilmembers. Prior to the effective date of any ordinance which is subject to referendum, 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 [~~at least ten (10) percent of the qualified voters of the city~~] may be

filed with the city clerk requesting that any such ordinance be either repealed or submitted to a vote of the people. When such a petition has been certified as sufficient by the city clerk, the ordinance specified in the petition shall not go into effect, or further action thereunder shall be suspended if it shall have gone into effect, until and unless it is approved by the voters as herein provided.

PART 3. If Proposition ___ is approved by the majority of voters voting at the election, Article IV, Sections 3 and 4, of the City Charter are repealed and replaced with a new Section 3 to read as follows:

§ 3 FORM AND VALIDATION OF A PETITION.

A petition under Section 1 or Section 2 of this article is subject to the requirements prescribed by state law for a petition to initiate an amendment to this Charter, and shall be in the form and validated in the manner prescribed by state law for a petition to initiate an amendment to this Charter.

PART 4. If Proposition ___ is approved by the majority of voters voting at the election, Article IV, Section 5, is renumbered as Section 4, and the remaining sections of Article IV are renumbered accordingly.

PART 5. This ordinance takes effect on July 9, 2012.

PASSED AND APPROVED

June 28, 2012 §

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Lee Leffingwell
Mayor

APPROVED:

Karen M. Kennard
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk