

Memo

To: Ramsey City Charter Commission
From: William K. Goodrich, City Attorney
Date: March 26, 2012
Re: Charter Commission Amendments

For your information, the following is the procedure required by State Statute to amend the City Charter.

The amendment procedure is prescribed by Minnesota Statute 410.12. There are four methods by which the Charter may be amended.

Charter Amendment Procedures

1. Charter Commission Proposed Amendment. Requires a voter election.
2. Petition by Voters for Amendment. – An amendment petition signed by voters equal in number to five percent of the total votes cast at the last State General Election can put in process a voter election on the proposed amendment. Requires a voter election.
3. Amendment Proposed by City Council Ordinance. – The City Council can submit a proposed ordinance to the Charter Commission proposing a charter amendment and within 60 days of presentation, the Charter Commission shall review the proposed amendment. Within the said 60 days, the Charter Commission can extend the time for its review by an additional 90 days. The Charter Commission can approve or reject the proposed amendment or suggest a substitute amendment. The City Council can then submit for election its original amendment or the Charter Commission's amendment. Requires a voter election.

4. Amendment by Ordinance – The Charter Commission may recommend an amendment to the City Council, which may adopt the recommendation in the form of an ordinance. The recommended ordinance cannot be enacted until after the City Council has conducted a public hearing on it and it must be adopted by a unanimous vote of the City Council. This procedure does not require a voter election, except that the ordinance is not effective for 90 days after its passage in order to allow for a referendum petition which must be presented within 60 days of the ordinance's adoption by the Council.

Please note historically this is the amendment most often used by the City to amend its charter.