

TIGARD MUNICIPAL CODE

Chapter 1.12 INITIATIVE AND REFERENDUM.

(Chapter 1.12 repealed and replaced by Ord. 95-09).

Sections:

- 1.12.010 Adoption Of State Law.**
 - 1.12.020 Appeal Of One Subject Determination.**
 - 1.12.030 Procedure For Elector Dissatisfied With Ballot Title For City Measure.**
 - 1.12.040 Filing Deadline For Initiative Petitions.**
 - 1.12.050 Authorization to Submit Explanatory Statements Relating to Municipal Legislation Referred or Initiated by Petition.**
 - 1.12.060 Chief Petitioners for Initiative, Referendum, or Recall Petitions to be Electors of the City of Tigard. (Ord. 07-16)**
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- 1.12.010 Adoption Of State Law.**

Except as provided in this chapter, the general laws of the state concerning initiative and referendum shall apply for any initiative or referendum of a city measure. (Ord. 95-09)

1.12.020 Appeal Of One Subject Determination.

Any elector dissatisfied with a determination of the City Elections Officer under ORS 250.270(1) may petition the City Council seeking to overturn the determination of the City Elections Officer. If the elector is dissatisfied with a determination that the initiative measure meets the requirements of section 1 (2)(d), Article IV of the Oregon Constitution, the petition must be filed

with the City Elections Officer not later than the seventh business day after the ballot title is filed with the City Elections Officer. If the elector is dissatisfied with a determination that the initiative measure does not meet the requirements of Section 1 (2)(d), Article IV of the Oregon Constitution, the petition must be filed with the City Elections Officer not later than the seventh business day after the written determination is made by the City Elections Officer. The review by the City Council shall be the first and final review, and shall be conducted expeditiously to insure the orderly and timely circulation of the petition. (Ord. 95-09)

1.12.030 Procedure For Elector Dissatisfied With Ballot Title For City Measure.

Any elector dissatisfied with a ballot title filed with the City Elections Officer by the City Attorney or the City governing body, may petition the City Council seeking a different title and stating the reasons the title filed is insufficient, not concise or unfair. The petition shall be filed with the City Elections Officer not later than the seventh business day after the title is filed with the City Elections Officer. The City Council shall review the title and measure to be initiated or referred, hear arguments, if any, and certify to the City Elections Officer a title for the measure which meets the requirements of ORS 250.035 and 250.039. The review by the City Council shall be the first and final review, and shall be conducted expeditiously to insure the orderly and timely circulation of the petition or conduct of the election at which the measure is to be submitted to the electors. (Ord. 95-09).

1.12.040 Filing Deadline For Initiative Petitions.

- (1) No later than the 90th day after the prospective petition for an initiative for a city measure is filed with the City

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Recorder, the initiative petition shall be deposited with the City Recorder for signature verification. Within ten days after a duly prepared petition is deposited with the City Recorder, the City Recorder shall verify the number and genuineness of the signatures and the voting qualifications of the persons signing the petition by reference to the registration information in the office of the Washington County Clerk. If the City Recorder determines that there are an insufficient number of signatures, the petition shall be returned to the sponsor or person offering the petition for filing. The petition may be refiled at any time within 90 days of the filing of the prospective petition.

- (2) No initiative petition shall be accepted for filing unless:
- (a) It contains 100 percent of the required number of signatures;
 - (b) All signatures were obtained within 90 days after the date the prospective petition was filed;
 - (c) As circulated, it complies with the requirements of state statutes; and
 - (d) The initiative is for a legislative measure within the authority of the City. (Ord. 01-19 §4)

1.12.050 Authorization to Submit Explanatory Statements Relating to Municipal Legislation Referred or Initiated by Petition.

When directed by the Tigard City Council, the City Manager, City Attorney or City Recorder is

authorized to prepare explanatory statement(s) for the Washington County Voters' Pamphlet for matters relating to municipal legislation referred or initiated by petition. (Ord. 06-17). **501.12.050**

1.12.060 Chief Petitioners for Initiative, Referendum, or Recall Petitions to be Electors of the City of Tigard.

No petition for initiative, referendum, or recall filed with the city shall be valid unless all chief petitioners are electors of the city at the time of filing and remain electors of the city through the entire, initiative, referendum, or recall process, including the election. (Ord. 07-16)■