

Chapter VIII. Initiative and Referendum

Sec. 8.1 Initiative, Power and Scope.

The electors shall have the power to propose to the Council any ordinance or other measure, in accordance with this Chapter, except an ordinance or resolution appointing or removing officials, specifying the compensation or hours, of work of officials or employees.

Sec. 8.2 Initiative, Petition Procedure.

If the Council fails to adopt such ordinance or measure within sixty days after a petition making such a proposal has been filed with the Town Clerk, the electors may adopt or reject the same at the next regular election, provided such petition shall be substantially in the form prescribed in Section 7 of this Chapter, and shall be in ink or indelible pencil, signed by not less than fifteen per cent of the electors as determined by the last completed registry list. The Town Clerk shall determine the sufficiency of the petition and, if said petition is found to be sufficient, shall certify it to the council within ten business days after receipt of the petition. No signature on such petition shall be valid unless it has been obtained within ninety days of the filing of the petition. There should be publication after the Town Council decides to submit for determination by the voters, not more than thirty days and not less than fifteen days before the date set for said referendum.

Sec. 8.3 Referendum, Power and Scope.

The Town Council may, at its discretion, and by a majority vote, submit to the voters local questions for their approval at a regular or special election. Prior to the taking of such action by the Town Council, the Council shall hold a public hearing on the matter or matters proposed and the date, time, place and subject of the public hearing shall be specified in a formal resolution of the Town Council. This section shall apply to bonding questions. There should be publication after the Town Council decides to submit for determination by the voters, not more than thirty days and not less than fifteen days before the date set for said referendum.

The electors shall have the power to approve or reject at a referendum as herein provided any ordinance or other measure passed by the Council except the following:

- (a) An ordinance or resolution appointing or removing officials, or specifying the compensation or hours of work of officials or employees;
- (b) An ordinance authorizing the issuance of bonds or notes which ordinance shall be subject to referendum only in accordance with Chapter VI, Section 9 of this Charter;
- (c) The town budget or substitute town budget;
- (d) The resolution establishing the tax rate, which resolution shall not be subject to referendum.

Sec. 8.4 Referendum, Petition Procedures, Suspension of Ordinance

Within thirty days after the enactment by the Council of any ordinance or other measure which is

subject to referendum, a petition substantially in the form prescribed in Section 7 of this Chapter, and signed in ink or indelible pencil by not less than fifteen per cent of the electors as determined by the last compiled registry list may be filed with the Town Clerk requesting that any such ordinance or other measure be either repealed or submitted to a vote of the electors. The Town Clerk shall determine the sufficiency of the petition and, if said petition is found to be sufficient, shall so certify to the Council with ten business days after receipt of the petition. If the Council fails to repeal such ordinance or other measure, the question shall be submitted to a referendum of the electors of the town conducted in accordance with the relevant General Statutes, at the next regular election following the date on which the Town Council takes its action. Upon the filing of a sufficient petition, the ordinance or measure shall remain without effect until the electors vote on the question as above provided.

Sec. 8.5 Initiative, Referendum Vote Required.

Any question placed before the voters under the procedures specified by this Chapter shall fail, unless the total number of votes cast on the question or questions is at least twenty per cent of the electors eligible to vote at the immediately preceding regular election. If twenty per cent of the eligible electors vote, the question shall pass upon a majority of those voting thereon. If the vote to repeal fails, the ordinance or measure as passed by the Council shall become effective immediately.

Sec. 8.6 Initiative and Referendum.

The form of petition for initiative or referendum shall be as follows:

WARNING: ALL SIGNATURES SHALL BE IN INK OR INDELIBLE PENCIL.

We, the undersigned electors of the Town of East Hartford, hereby present this petition (here insert the word "initiating" or the words "requesting the repeal of") the following ordinance (measure) (Here insert the text of the ordinance or measure) and we certify that we are electors of the Town of East Hartford residing at the addresses set opposite our names and that we have not signed this petition more than once.

Name Address

Sec. 8.7 Form of Question.

The form of question for any ordinance or measure placed on the voting machines in accordance with the initiative and referendum provisions of this Chapter shall be as follows: Are you in favor of the ordinance (measure) or proposed ordinance (proposed measure) relating to (here insert brief description of the ordinance or measure and its intent)?

Sec. 8.8

The provisions of this section do not apply to charter adoption, revision or amendment which is prescribed by the Home Rule Act.