

1-12-95 State Gov.
FILED JAN 12 1995

SENATE FILE 34
BY RITTMER and SORENSEN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the power of a county with a charter form of
2 government to allow eligible electors of the county to request
3 reconsideration of a county ordinance.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 34

1 Section 1. Section 331.246, Code 1995, is amended to read
2 as follows:

3 331.246 CHARTER FORM OF GOVERNMENT.

4 1. The charter form of government shall be specified in a
5 proposed charter written by a charter committee. The proposed
6 charter shall establish an elected legislative body. The
7 charter shall specify the number of members and term of office
8 pursuant to section 331.238. If the administrative offices of
9 the county, excluding an elected county executive, are
10 appointive under the charter, the board shall have at least
11 five members. The charter may establish legislative or
12 administrative organizational structure.

13 2. The charter may grant to the eligible electors of a
14 county the right to request reconsideration of a county
15 ordinance upon the filing of a valid petition as defined in
16 section 331.306. The right to request reconsideration of
17 county ordinances shall not extend to the following:

18 a. Any ordinance primarily of an administrative nature,
19 including one that sets the salaries of county officers or
20 employees.

21 b. The collection and expenditure of revenue by the
22 county.

23 c. The creation and payment of public debt.

24 d. The letting of contracts.

25 e. Any ordinance required to be enacted by state or
26 federal law.

27 f. Adoption of a county zoning ordinance or amendments to
28 the county zoning ordinance.

29 3. The charter may include the provisions necessary to
30 permit an orderly transition to the charter form of
31 government. However, the provisions shall be limited in scope
32 consistent with the intent of, and in accordance with, section
33 331.238.

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EXPLANATION

35 This bill allows a county, through the county's charter

1 form of government, to grant to eligible electors of the
2 county the right to petition to request reconsideration of a
3 county ordinance (referendum) subject to specified exceptions.

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