



Legislation Details (With Text)

File #: 47222 **Version:** 1 **Name:** Clarifying the treatment of petitions & communications received by City

Type: Ordinance **Status:** Passed

File created: 5/8/2017 **In control:** COMMON COUNCIL EXECUTIVE COMMITTEE

On agenda: 6/20/2017 **Final action:** 6/20/2017

Enactment date: 6/29/2017 **Enactment #:** ORD-17-00065

Title: Amending Section 2.04(1)(e), creating Section 2.04(1)(f), renumbering Sections 2.04(1)(f) through (s) to Sections 2.04(1)(g) through (t), and repealing and recreating Section 2.05(8) of the Madison General Ordinances to clarify the treatment of petitions and communications received by the City.

Sponsors: Ledell Zellers, Rebecca Kemble

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/20/2017	1	COMMON COUNCIL	Adopt	Pass
6/6/2017	1	COMMON COUNCIL EXECUTIVE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/16/2017	1	COMMON COUNCIL	Refer	Pass
5/8/2017	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No fiscal impact.

Title

Amending Section 2.04(1)(e), creating Section 2.04(1)(f), renumbering Sections 2.04(1)(f) through (s) to Sections 2.04(1)(g) through (t), and repealing and recreating Section 2.05(8) of the Madison General Ordinances to clarify the treatment of petitions and communications received by the City.

Body

DRAFTER'S ANALYSIS: This ordinance separates the treatment of petitions and communications received by the City. A petition is defined as a matter that requires action by the Common Council. A series of petitions that meet this description are included in the ordinance.

All other matters are communications. Those matters may be placed on the agenda by the Clerk or any member of the Council, and will simply be referred to the appropriate City board or officer, and no other action will be taken by the Council. They may also simply be sent to the Council without being placed on the agenda.

If a member of the Council wants some further action to follow a communication, a resolution or ordinance should be introduced.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (e) of Subsection (1) of Section 2.04 entitled "Order of Business" of the Madison General Ordinances is amended to read as follows:

“(e) Petitions and communications.”

2. New Subdivision (f) of Subsection (1) of Section 2.04 entitled “Order of Business” of the Madison General Ordinances is created to read as follows:

“(f) Communications.”

3. Current Subdivisions (f) through (s) of Subsection (1) of Section 2.04 entitled “Order of Business” of the Madison General Ordinances are renumbered to Subdivisions (g) through (t), respectively.

4. Subsection (8) of Section 2.05 entitled “Introduction of Business” of the Madison General Ordinances is hereby repealed and recreated to read as follows:

“(8) Petitions and Communications.

(a) Petitions. Petitions consist of any petition required by law to be acted upon by the Council. These include:

- Petitions for special referenda under Wis. Stat. § 8.55;
- Petitions for direct legislation under Wis. Stat. § 9.20;
- Protest petitions under Wis. Stat. § 62.23(7)(d)2m;
- Petitions for charter ordinances under Wis. Stat. § 66.0101;
- Petitions for annexation under Wis. Stat. § 66.0217;
- Petitions for detachment under Wis. Stat. § 66.0227
- Petition seeking a referendum contesting a boundary adjustment agreement, Wis. Stat. § 66.0301(6)(c)2;
- Petition seeking an advisory referendum on a cooperative plan, Wis. Stat. § 66.0307(4)(e);
- Petitions to attach pursuant to a cooperative plan established under Wis. Stat. § 66.0307;
- Petition to erect/remove a viaduct under Wis. Stat. § 66.0915(1);
- Petition to vacate a public way/alley, Wis. Stat. § 66.1003;
- Petition to create/terminate an architectural conservancy district, Wis. Stat. § 66.1007;
- Petition to create a Business Improvement District, Wis. Stat. § 66.1109;
- Petition to create a Neighborhood Improvement District, Wis. Stat. § 66.1110;
- Petitions on bonds or borrowing under Wis. Stat. § 67.05

And any other petitions determined by the City Attorney to be a petition requiring action by the Common Council. These shall automatically be placed on the Council agenda for action as required by law, including any necessary public hearing or notice.

(b) Communications. Any other communication to the Council or a Council member, whether labeled a communication or a petition, not requiring action by the Council, shall only be placed on the Council agenda by sponsorship by a Council member or by the City Clerk. No action on such a communication shall be made, except referral to an appropriate City officer or body. A member of the Council wishing to take further action on a communication shall sponsor a separate resolution, report or ordinance.”

EDITOR’S NOTE: Sec. 2.05(8) currently reads as follows:

“(8) Petitions or communications may be introduced in the same manner as ordinances or resolutions, or may be presented to the Clerk for inclusion on the agenda.”