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CERTIFICATE
ESTABLISHING THE PROPOSED CHARTER PLAN OF GOVERNMENT

FOR
THE CITY OF SIDNEY

Upon approval of the majority of voters, the government of the City of Sidney shall make the changes proposed under the provisions of Section 47A-3-208, Article XI, Section 3 of the Montana Constitution.

CHARTER
PREAMBLE

A democratic society will remain a free and functioning society as long as it accepts the responsibility and the authority to govern itself. The citizens of the City of Sidney, Montana, in order to preserve this basic truth, do hereby establish this charter in accordance with Article XI, Section 5, Constitution of Montana, 1972.

ARTICLE I

The City of Sidney shall have self-government powers as established in Section 6, Article XI, of the 1972 Constitution of Montana and Chapters one and Two of Part 7, Title 47A, RMC 1947.

ARTICLE II

ORGANIZATION

The government of the City of Sidney shall be organized under the following provisions of the Revised Codes of Montana, Section 47A-3-208.

Commission-executive charter form. The commission-executive charter form consists of an elected commission (which may be referred to as the "council") and one elected executive (who may be referred to as the "mayor") who is elected at large.

ARTICLE III
THE EXECUTIVE

The executive shall:

- (1) enforce laws, ordinances, and resolutions.
- (2) perform duties required of him by law, ordinance, or resolution.
- (3) administer affairs of the local government.
- (4) carry out policies established by the commission.
- (5) recommend measures to the commission.

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(The proposed charter plan of government for Sidney--continued)

- (6) report to the commission on the affairs and financial condition of the local government.
- (7) execute bonds, notes, contracts, and written obligations of the commission, subject to the approval of the commission.
- (8) report to the commission as the commission may require.
- (9) attend commission meetings and may take part in discussions.
- (10) execute the budget adopted by the commission.
- (11) appoint, with the consent of the commission, all members of boards; except, the executive may appoint without the consent of the commission temporary advisory committees established by the executive.
- (12) appoint and remove, with the consent of a majority of the commission, all employees of the local government.
- (13) prepare the budget in consultation with the commission and department heads.
- (14) exercise control and supervision of all departments and boards to the degree authorized by ordinance of the commission.

The executive may:

- (1) appoint one or more administrative assistants to assist him in the supervision and operation of the local government. Such administrative assistants shall be answerable solely to the executive.
- (2) veto ordinances and resolutions, subject to override by a majority plus one of the whole number of the commission.

ARTICLE IV
THE COUNCIL (OR COMMISSION)

The council shall:

- (1) be composed of two elected members from each district.
- (2) be elected by districts in which candidates must reside.
- (3) be elected for overlapping terms of office.
- (4) have a chairman who shall be elected by the members of the commission from their own number for a term established by ordinance.
- (5) have a presiding officer who shall be the executive and who shall decide all the tie votes of the commission, but shall have no other vote. The chairman of the commission shall preside if the executive is absent.

ARTICLE V
ELECTIONS & TERMS OF ELECTED OFFICIALS

- 1. Local government elections shall be conducted on a partisan basis.
- 2. The question of limiting the terms of elected officials shall be presented to the voters as a sub-option to be voted on. The voters will be deciding whether to limit the number of terms to two consecutive terms, after which an elected official may again serve, or whether to allow elected officials to continue serving an unlimited number of terms. The option approved by the voters shall become a part of this charter.
- 3. The term of office of elected officials shall be four (4) years.

(The proposed charter plan of government for Sidney--continued)

ARTICLE VI
FINANCE OFFICER

1. The question of whether the financial officer (also called the "treasurer") shall be appointed by the mayor with the consent of the council or continue to be elected shall be presented to the voters as a sub-option to be voted on. The option approved by the voters shall become part of this charter.

ARTICLE VII
LIMITATION OF MILL LEVY

1. The all purpose tax mill levy shall not exceed 65 mills on the dollar of taxable valuation. Such rate shall not be increased unless and until the maximum rate is increased by the state legislature, and the voters of the City of Sidney vote to implement such an increase by an amendment to this charter.

ARTICLE VIII
MISCELLANEOUS PROVISIONS

1. SEPARABILITY. If any provision of this charter is held invalid, the other provisions of this charter shall not be affected thereby. If the application of the charter, or any part of its provisions to any person or circumstances is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be effected thereby.
2. AMENDMENT. This charter may be amended as provided by state law.

We, the Study Commissioners of the City of Sidney, do hereby certify that this is the Proposed Plan of Government approved by the Sidney Study Commissioners.

In testimony whereof, we set our hands.

Done at Sidney this 29th day of July, 1976.

SEAL

ATTEST:

Louise Christensen
CITY CLERK

Richard Beukler
Elizabeth H. Brown
V. Fay Halkerson
Adelle Jo Jervsen
Alexander Jervsen
Mary J. Johnson