

PUBLISH: \_\_\_\_\_

## **2020 Charter Amendments**

### **April 14, 2020**

The following amendments to the Sioux Falls City Charter have been proposed by the City's Charter Revision Commission.

---

### **Instructions to Voters:**

Voters desiring to vote in favor of the proposed amendment should completely blacken the oval (Φ) immediately preceding the word "Yes."

Voters desiring to vote against the proposed amendment should completely blacken the oval (Φ) immediately preceding the word "No."

---

### **Amendment A**

Shall Section 2.02(b) be amended to read:

Section 2.02(b) [City Council] Eligibility.

Only the registered voters of the city who have resided in the city for at least six (6) months immediately prior to the date of election shall be eligible to hold the office of council member or mayor. Council members representing a district must also have resided in that district for at least six (6) months immediately prior to the date of election.

#### **City Attorney's Explanation of Amendment A:**

The current language is silent regarding whether candidates for district seats must reside in the district they hope to represent for a specified period of time. The proposed change, as approved and submitted by the Charter Revision Commission, would require City Council members representing a district to reside in that district for at least six (6) months immediately prior to the date of election.

*Shall the City of Sioux Falls adopt Amendment A?*

Φ Yes

Φ No

## **Amendment B**

Shall Section 8.01(d) be amended to read:

Section 8.01(d) Proposal of amendment.

Amendments to this charter may be framed and proposed:

(d) By the voters of the city, when any 15 qualified voters initiate proceedings to amend the charter by filing with the city clerk an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed charter amendment. Promptly after the affidavit of the petitioners' committee is filed the clerk shall issue the appropriate petition blanks to the petitioners' committee. The petitions shall contain or have attached thereto throughout their circulation the full text of the proposed charter amendment and must be signed by registered voters of the city in the number of at least 5 percent of the total number of registered voters at the last regular city election, or the number of signatures required by state law, whichever is greater.

### **City Attorney's Explanation of Amendment B:**

The current language is, at times, less stringent in its requirements for charter amendment than what is required by the State Constitution. Such is not permissible under State law, which requires the standards of City charter and ordinances to be at least as stringent as State law. The proposed change, as approved and submitted by the Charter Revision Commission, would ensure that the requirements set forth in the charter for voter initiation of a charter amendment are at least as stringent as those set forth in the State Constitution, thus satisfying State law.

*Shall the City of Sioux Falls adopt Amendment B?*

Φ Yes

Φ No