

Ordinance or Resolution Procedure under Home Rule Charter

Through Board of County Commissioners

- 1) Proposed ordinance or resolution provided to the Board of County Commissioners. 1st reading at a public meeting consisting of an announcement of the title. Full copies of the proposed ordinance or resolution are available to the public through the Burleigh County Auditor's Office.
- 2) Publication of the summary of the enactment in the official newspaper of the county at least 20 days before the 2nd reading.
- 3) A 2nd reading consisting of an announcement by title at the next Commission meeting after 20 days have passed since publication. Public comment can be taken and amendments may be made.
- 4) Commission vote on final passage of the ordinance or resolution can be done after the 2nd reading by roll call vote. A majority must concur for passage of the ordinance or resolution.
- 5) Upon final passage, the ordinance or resolution takes effect on the date stated in the enactment. If no enactment date is stated, the ordinance or resolution becomes effective on the first day of the month following the date of enactment.

Through Initiative

- 1) A proposed ordinance may be submitted to the Board of County Commissioners by petition.
- 2) The petition containing the proposed ordinance must be signed by at least 15% of the number of electors voting in the county for the office of governor in the preceding general election.
- 3) The petition must contain a request that the proposed ordinance be submitted to a vote of the qualified electors if it is not passed by the Board of County Commissioners.
- 4) The petition must be filed with the Burleigh County Auditor's Office.
- 5) Within 10 days after filing the petition, the Burleigh County Auditor will verify the petition was signed by the required number of qualified electors. The County Auditor shall certify the results of the verification and, if the petition is insufficient, shall state the reasons for that determination.
- 6) If the petition is verified as sufficient, the Burleigh County Auditor shall include the proposed ordinance on the agenda of the next meeting of the Board of County Commissioners. The meeting must take place within 20 days after the petition is verified by the Auditor.
- 7) If the petition is deemed insufficient, amendments may be made within 10 days. If the amendments are also deemed insufficient, a new petition may be initiated. If the amendments are sufficient, the Burleigh County Auditor shall include the proposed ordinance on the agenda of the next meeting of the Board of County Commissioners.

- 8) The Board of County Commissioners can either adopt the proposed ordinance without changes or submit the proposed ordinance to the next election if it will be held within 90 days. If there is no election scheduled within 90 days, a special election must be called.

Through Referendum (Protest of an Ordinance Adopted by Board of County Commissioners)

- 1) A petition protesting an adopted ordinance may be presented to the Board of County Commissioners no later than 4 p.m. on the 10th day after the ordinance takes effect. The petition may be filed with the Burleigh County Auditor.
- 2) The petition of protest must be signed by at least 10% of the number of electors voting in the county for the office of governor in the preceding general election.
- 3) Within 10 days after filing the petition, the Burleigh County Auditor will verify the petition was signed by the required number of qualified electors. The County Auditor shall certify the results of the verification and, if the petition is insufficient, shall state the reasons for that determination.
- 4) In most cases, the ordinance will be suspended upon the filing of the petition.
- 5) The Board of County Commissioners shall reconsider the ordinance at their next meeting and the Commission can either repeal the entire ordinance or submit the ordinance to the next election if it will be held within 90 days. If there is no election scheduled within 90 days, a special election must be called.