

NOTICE OF PUBLIC HEARING
BATH CITY COUNCIL

The City Council of the City of Bath will hold a public hearing on proposed amendments to the Charter of the City of Bath on August 2, 2023 in the Council Chambers on the third floor of the Bath City Hall. The proposed amendment to the charter of the City of Bath will be in substantially the form below:

CHARTER AMENDMENT – QUESTION 1

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SHOWN BELOW?”

[] YES [] NO

SUMMARY:

This proposed Charter amendment amends the City’s notice of publication and public hearing requirements and removes inconsistencies in the Charter.

AMEND AS FOLLOWS:

Sec.609. Council Action on Budget.

~~_____A._____ Budget Presentation. As soon as practicable but no later than seven (7) days after the budget, in written form, has been submitted to the Council at a public meeting, the City Manager shall publish in one or more newspapers of general circulation in the City of Bath a general summary of the budget and the time and place where copies of the message and budget are available for inspection by the public. [Reserved]~~

B. Public Hearing and Notice. The City Council shall set the time and place, not later than the seventh (7th) day of the last month of the fiscal year, for a public hearing on each of the budget components, ~~i.e. the operating budget component, the sewer utility fund budget component, the capital improvements budget component and such other components as may be contained in the budget.~~ The Council at its discretion may set the same date for hearing on each budget component or may set different dates for such hearings. Notice of such hearings shall be published in a newspaper of general circulation in the City of Bath not less than seven (7) days prior to any such hearing and shall contain the date, time, and place of any such hearing. Hearings occurring on the same date may be combined in one notice. (11/4/86)

~~Sec. 805. Publication. Within ten (10) days after its final enactment, an ordinance authorizing the issuance of serial bonds or notes shall be published in a newspaper having a general circulation in the City and posted in at least one public place. [Reserved]~~

Sec. 806. Effective Date. An ordinance enacted pursuant to this Chapter shall become effective twenty-one (21) days after its ~~publication in accordance with Section 805~~ final passage in accordance with Section 221.

Sec. 809. Period of Limitations.

All suits questioning the validity of an ordinance enacted under this Chapter shall be barred unless commenced within forty-five (45) days following ~~publication in accordance with Section 805~~ the Effective Date.

Sec. 1007. Consideration by Council. Whenever the City Council receives a certified initiative or referendum petition from the City Clerk, it shall proceed at once to consider such petition. A proposed initiative ordinance shall be read by title and provision shall be made for a public hearing upon the proposed ordinance in accordance with the notice and hearing provisions of Section 221 of this Charter. The City Council shall take final action on the initiative ordinance not later than sixty (60) days after the date on which such ordinance was submitted to the Council by the City Clerk. A referred ordinance shall be reconsidered by the Council and its final vote upon such reconsideration which shall be not later than sixty (60) days after the date on which such certified referendum petition was submitted to the City Council by the City Clerk shall be upon the question " Shall the ordinance specified in the referendum petition be repealed?" In the case of the referendum the entire repeal of the ordinance sought to be referred, and in the case of the initiative, the passage by the City Council of the desired ordinance shall put an end to all proceedings under said petition.

~~Sec. 1009. Publication. Whenever any ordinance is required by the provisions of this Chapter to be submitted to the voters of the City at any election, the City Council must order one (1) publication of the complete text thereof to be made in one or more should the City Council deem it best, of the newspapers published or having a general circulation in the City of Bath, such publication to be made not less than ten (10) days, nor more than fifteen (15) days prior to the election, or in lieu thereof, the City Council may cause the ordinance to be printed and mailed to each voter at five (5) days prior to the election. [Reserved]~~

Sec. 1014. Ordinance Submitted to Popular Vote. The City Council may submit, on its own initiative, a proposition for the enactment, repeal or amendment of any ordinance except as herein otherwise provided, to be voted upon at any municipal election, and should such proposition receive a majority of the votes cast thereon at such election, such ordinance shall be enacted, repealed or amended accordingly. Prior to a vote to submit to an election, the ordinance shall be read by title and provision shall be made for a public hearing upon the proposed ordinance in accordance with the notice and hearing provisions of Section 221 of this Charter.

CHARTER AMENDMENT – QUESTION 2

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SUMMARIZED BELOW?”

[] YES [] NO

SUMMARY: This amendment removes gender specific and binary pronouns throughout the City Charter without changing the meaning of the amended Charter provisions. When possible, gender specific and binary pronouns will be replaced with the noun, title or position from the same sentence, paragraph or section. Where using a pronoun is necessary, the pronouns “they” or “their” are used as the singular non-gender specific pronoun.

Section in Charter	Current	Proposed
Table of Contents	Chairman	Chair
Section 103	his (x3)	their/remove(x2)
Section 208	his	their
Section 209	his (x11)	their (x10)/ remove (1)
	He (x4) was (x2)	They (x3) were (1) remove (1)
Section 210	He was	They were
Section 212	Chairman (X10)	Chair (X10)
	He	The Chair
Section 213	His	Their
Section 215	Chairman	Chair
	His	their
Section 224	His	their
Section 225	Chairman	Chair
Section 301	His (x4)	Their (x4)
	He (x2)	The Manager/ they
Section 302	He (X8)	The Manager (x7) delete (x1)
	His (x3)	Their (x3)
	To him/ of him	Delete
Section 303	His (x2)	Their (x2)
	He	The manager
Section 304	His (x4)	Their (x4)
	That he deems	deemed

Section 402	His (x2)	Their (x2)
Section 611	Chairman	Chair
	He shall report	It shall be reported
	By him	Delete
	His	their
Section 613	He	The Manager
	He deems it	Deemed
	His	their
Section 616	Chairman	Chair
Section 810	Chairman	Chair
Section 811	Chairman (x2)	Chair (x2)
Section 904	His	their

Copies of the proposed amendments are available in the City Clerk's Office.

CHARTER AMENDMENT – QUESTION 3

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SHOWN BELOW?”

YES NO

SUMMARY: This amendment clarifies wardens and ward clerks for the city instead of for each ward.

Section 901 Elections

~~B).—There shall be a warden and ward clerk for each City ward to be appointed by City Council. The appointment shall be made on the first Wednesday in December of each year and the term of the appointment shall run for three (3) years concurrent with the Council term for that ward. Council shall appoint on the first Wednesday in December of each year, up to fifteen (15) alternate wardens and ward clerks to serve in the absence or disability of the appointed wardens and ward clerks. The wardens and ward clerks and their alternates shall have the duties and powers as prescribed by State Law.~~ **The City Council shall, by the first Wednesday in December each year, appoint a warden and a clerk for each voting place for a term of one year. No elected official of the City may serve as warden or warden clerk. Election clerks shall be appointed under the provisions in State Law. The wardens, ward clerks and election clerks shall have the duties and powers as prescribed by State Law.**

CHARTER AMENDMENT – QUESTION 4

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SHOWN BELOW?”

YES NO

SUMMARY: This amendment revises the provision for forms for petitions for nominations, initiatives and referendums and makes the forms available in the City Clerk's Office.

Sec. 904. Nomination Papers, Signatures to: Form of Petition.

The signatures to nomination papers need not all be affixed to one (1) petition, but to each separate petition there shall be attached an affidavit of the circulator hereof stating the number of signers on each petition

and that each signature of the person whose name it purports to be. With each signature shall be stated the place of residence of the signer giving the street and number of the street or other description sufficient to identify the same. The form of the nomination petition shall be provided by the City Clerk's Office.

Sec. 1003. Form of Petitions.

The petitions used to invoke the initiative or the referendum shall be on form provided by the City Clerk's Office.

On this 24th day of July 2023, I certify that I have posted an attested copy of the Ordinance at the following public places which is at least seven days prior to the public hearing:

POLICE DEPARTMENT, FIRE DEPARTMENT, CITY HALL, COURT HOUSE, LIBRARY

Darci Wheeler, City Clerk

Attested:

Darci L. Wheeler

Darci L. Wheeler, City Clerk