

TOWN CHARTER

for

The Town of West Yellowstone

Adopted by the people

November 4, 1980

Written by the Self Government Powers Committee
Ken Davis, Chairman

Charter for the Town of West Yellowstone

We the citizens of West Yellowstone, for the purpose of establishing a just form of fundamental law--one that is responsible to the public for providing equal and adequate services and protections, with efficient use of the community's revenue for all, one that provides for self-governing powers with respect to the health, safety, and welfare of every citizen and; one that utilizes the utmost flexibility to plan for the future--do establish this charter for the Town of West Yellowstone of the State of Montana.

Article I Powers of the Town

Section 1.01 Powers of the Town.

The town shall have all powers possible for a self government to have under the constitution and laws of this state as fully and completely as though they were specifically enumerated in this charter.

Section 1.02 Mill Levy.

(A) The council may levy not more than 70 mills on real and personal property through fiscal year 1983, except that mill levies exempted from the all-purpose levy for general powers municipalities shall be excluded from the 70 mill limitation. If by fiscal year 1983 the town has not successfully imposed a local option, nonproperty tax or the legislature has not authorized significant new revenue sources other than those in existence on January 1, 1981, the maximum mill levy shall be 75 mills through fiscal year 1988, except mill levies exempted from the all-purpose levy for general powers municipalities shall be exempted from the 75 mill limitation.

(B) There shall be no new kinds of taxes levied without an affirmative vote of a simple majority of votes cast in an election on the question.

(C) Should the electorate approve any kind of non-property tax, the following mill levy reduction shall occur:

In each fiscal year, anticipated receipts from a local option, nonproperty tax not in effect when this charter takes effect shall be applied to reduce the property tax mill levy for the fiscal year by an amount equal to at least 5 percent of the local option, nonproperty tax receipts for the previous fiscal year.

Section 1.03 Delegation of Authority.

The town shall have the authority to exercise those self governing powers delegated to it by the legislature of this state.

Section 1.04 Construction.

The powers of the town under this charter shall be construed liberally in favor of the town and specific mention of particular powers in the charter shall not be construed as limiting in any way the general powers stated in this article.

Article II Town Boundaries

Section 2.01 Town Boundaries.

The corporate boundaries of the town of West Yellowstone, Montana shall remain fixed and established as they exist on the date this charter takes effect, provided that the town shall have the power to change its boundaries in the manner provided by law.

Article III Organization of the Town

Section 3.01 Oath of Office.

Before beginning the duties of office, all elected town officials shall take and subscribe to the following oath of office. "I _____ do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United States, the Constitution of the State of Montana and the charter of the Town of West Yellowstone and that I will discharge the duties of my office with fidelity (so help me God)."

Section 3.02 Structure of Government.

The Town of West Yellowstone shall have a town government consisting of five council members, one of whom shall be the mayor selected in accordance with Section 3.05(A), and all of whom shall be elected at large by nonpartisan ballot. (Res. 287, approved by electorate on 11-2-93)

Section 3.03 Town Council; Composition, Powers and Meetings.

(A) There shall be a town council of the Town of West Yellowstone composed of five council members elected at large.

(B) All of the powers of the town shall be vested in the town council except where otherwise prohibited by law or this charter.

(C) The town council shall meet regularly at least once a month at such times and places as the council may prescribe. Special meetings may be held on the call of the mayor or three members of the council.

Such meetings shall be public and, whenever practicable, upon twenty-four (24) hours notice. The council may recess for the purpose of discussing, in a closed meeting, limited to its own membership, any matter which would tend to defame or prejudice the character or reputation of any person; unless the individual about whom the discussion pertains waives his right of individual privacy provided, the general subject matter for consideration is expressed in the motion calling for such session and that final action thereon shall not be taken by the council until the matter is placed on the agenda. (Res. 287, approved by electorate 11-2-93)

Section 3.04 Town Council; Election, Terms, Qualifications, Remuneration, Removal and Filling Vacancies.

(A) Council members shall be elected at large. There shall be five council members.

(B) Council members shall serve for terms of four years.

(C) Council members shall reside within the town and shall be qualified voters for the Town of West Yellowstone. A quorum shall be constituted by the actual presence of any three council members.

(D) The council shall establish by ordinance the compensation of its members and the mayor.

(E) The office of councilmen shall become vacant upon the death, resignation, or removal from office by any method authorized by law or forfeiture of said office.

(F) The council members term shall be forfeited if:

(1) The council member loses eligibility to his/her seat.

(2) Violates any expressed prohibition of this charter.

(3) Without council approval fails to attend two (2) consecutive, regularly scheduled meetings or is absent from the town for 30 days without the consent of the council.

(4) Is convicted of a felony or other offense involving moral turpitude.

(G) The council will appoint, from the qualified voters in the town, a replacement to fill the unexpired term of such vacated council seat. (Res. 287, approved by electorate on 11-2-93)

Section 3.05 The Mayor; Election, Powers, Duties, Removal and Filling a Vacancy.

(A) The mayor shall be selected from the Town Council membership by members of the council. The council member selected will serve as the mayor for one year unless selected for an additional term by the council. The mayor so selected may be removed by unanimous vote of the Town Council, and a new mayor selected.

(B) The mayor shall be the presiding officer of the council and shall vote on all issues coming before the council.

(C) The mayor shall be the chief executive officer and the ceremonial officer of the town, and shall chair all meetings of the council. The mayor shall be the town officer to execute all town resolutions, ordinances, contracts and other official documents required to be executed by law, the Town Council or town agreement. When required by the council, and in the absence of the town operations manager, the mayor shall exercise all administrative duties of the town operations manager.

(D) The office of mayor shall become vacant upon the death, resignation or removal from office by any method authorized by law or forfeiture of said office.

(E) The mayor's term shall be forfeited if:

(1) The mayor loses eligibility to his or her seat.

(2) The mayor violates any expressed prohibition of this Charter.

(3) Without Council approval the mayor fails to attend two consecutive, regularly scheduled meetings or is absent from the Town for 30 days without the consent of the Council.

(4) The mayor is convicted of a felony offense involving moral turpitude. (Res. 287, approved by electorate on 11-2-93)

Section 3.06 Deputy Mayor.

The Town Council shall elect at its first meeting of each calendar year, from the council, a council president who shall serve as deputy mayor; acting as the mayor during the absence or disability of the mayor.

Section 3.07 Operations Manager.

The Town Council shall appoint a town operations manager who shall serve as the chief administrative officer of the town. The operations manager shall implement the ordinances, resolutions, policies and directives of the Mayor and Town Council. The position description for town operations manager shall be set by ordinance. The operations manager shall administer the affairs of the town, and shall appoint, suspend or remove all employees of the town under the supervision and direction of the Mayor and Town Council, as appropriate. The council shall enter into a contract with said manager which shall specifically outline the conditions of employment. (Res. 287, approved by electorate on 11-2-93)

Section 3.08 Town Departments.

The Town Council shall have the power to establish any departments necessary to perform its duties and obligations imposed on it by law.

Article IV Boards, Commissions and Committees

Section 4.01 Boards, Commissions and Committees.

The Mayor shall appoint, with the consent of the town council, such boards, commissions or committees as it deems necessary. These bodies shall serve at the pleasure of the council and will exercise only those powers granted them by the council through specific resolution or ordinance.

Article V General Provisions; Initiative, Referendum, Recall, Severability and Amendments

Section 5.01 Initiative and Referendum.

Procedures for initiative and referendum shall be as required by Montana law.

Section 5.02 Recall Provisions.

Any member of the Town Council and the Mayor may be removed from office by the electors of the town by the procedure required by Montana law.

Section 5.03 Severability.

If any provision of this Charter is held invalid, the other provisions of this Charter shall not be effected thereby.

If the application of the Charter or any of its provisions to any person or circumstance is held

invalid, the application of the Charter and its provisions to other persons or circumstances shall not be effected thereby.

Section 5.04 Amendment of the Charter.

This Charter may be amended only as provided by Montana law. An affirmative vote, of a simple majority, of votes cast in an election on this question shall amend the Charter.

Article VI Transition

Section 6.01 Review of Existing Ordinances.

The Town Council shall review, and where necessary revise or repeal, all town ordinances and resolutions to provide for their compliance with this Charter. This shall be done by December 17, 1981.

Section 6.02 Effective Date.

Upon passage of this Charter by the electors at the November, 1980 election this Charter will become effective when a new governing body is seated as required by state law. West Yellowstone will thereby become a charter town of self government under the laws of the State of Montana.

Section 6.03 Transition Procedure for Elected Officials.

(A) Within 20 days after the election adopting this Charter the Town Council shall meet and order a special general election; or primary election if needed followed by a general election, for the purpose of electing the officials required by the new form of government. This election may be held in conjunction with another election.

(B) The order shall specify a date for the primary election if needed or the general election not more than 120 days but not less than 20 days after the election approving this Charter. If a primary election is required, the general election shall take place no longer than 60 days after said primary.

(C) The first meeting of the new council and Mayor under this Charter form of government shall be held at 10:00 AM 60 days after the election of new officers. At that time the newly elected officials shall take the oath of office prior to assuming the duties of office as required by Article III Section 3.01 of this Charter.

(D) Terms of new councilmen required by this section shall overlap. To establish their respective terms in office the new council shall, at their first meeting as required by subsection (C) of Section 6.03, draw lots. Through this procedure two councilmen will be determined that will serve until November 1983, with the remaining councilmen serving until November of 1985. The Mayor will be elected to a four year term as provided by this Charter.

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II. COMPARISON OF THE EXISTING CHARTER AND THE PROPOSED AMENDMENTS TO THE CHARTER OF THE TOWN OF WEST YELLOWSTONE, MONTANA

A. Existing Charter

The existing charter of the Town of West Yellowstone was adopted by the voters in 1980 and was amended in 1993 to establish a council-manager plan of government within the charter and to create the position of Town Operations Manger.

B. Proposed Charter Amendments

The proposed charter amendments will bring the charter into compliance with Montana law, clarify the roles of the Town Operations Manager and Mayor by deleting confusing and obsolete language.

C. Comparison of Specific Characteristics of the Existing and Proposed Forms of Government

The chart on the following page compares the characteristics of the existing charter with the characteristics of the proposed amended charter.

TOWN OF WEST YELLOWSTONE
COMPARISON OF SPECIFIC CHARACTERISTICS OF THE
EXISTING CHARTER AND THE PROPOSED AMENDED CHARTER

CHARACTERISTIC	PRESENT FORM OF GOVERNMENT	PROPOSED FORM OF GOVERNMENT	COMMENTS
FORM OF GOVERNMENT	CHARTER FORM with council manager plan of government Elected council performs policy-making functions. Appointed Operations Manager carries out policy and supervises Town Departments..	CHARTER FORM with council manager plan of government Elected council performs policy-making functions. Appointed Operations Manager carries out policy and supervises Town departments..	No change in the basic plan of government, but the amended charter clarifies the roles of the operations manager and mayor by deleting obsolete and ambiguous language.
POWERS	Self-government powers	Self-government powers	No change
GOVERNING BODY	Council with mayor as presiding officer is responsible for policy-making functions.	Council with mayor as presiding officer is responsible for policy-making functions.	No change.
Size	Five council members elected at large on a nonpartisan ballot.	Five council members elected at large on a nonpartisan ballot.	No change.
Term	Two year overlapping terms.	Two year overlapping terms.	No change.
Presiding Officer	Mayor serves as presiding officer and is selected by the council from among their own number.	Mayor serves as presiding officer and is selected by the council from among their own number	No change
CHIEF EXECUTIVE/ ADMINISTRATIVE OFFICER	The appointed Town Operations Officer serves as executive and administrative officer to carry out policy of the council and supervise all Town departments.	The appointed Town Operations Officer serves as executive and administrative officer to carry out policy of the council and supervise all Town departments.	No change.
Powers and Duties	The Town Operations Officer carries out the policies of the council, advises the council, executes the budget, and enforces laws, ordinances and resolutions.	The Town Operations Officer carries out the policies of the council, advises the council, executes the budget, and enforces laws, ordinances and resolutions.	No change.
Appointment Powers	The Town Operations Officer appoints department heads and other employees in consultation with department heads for approval by the council.	The Town Operations Officer appoints department heads and other employees in consultation with department heads for approval by the council.	No change.
Budget Preparation	Town Operations Manager prepares budget in cooperation with department heads. For approval by the Council.	The Town Operations Manager prepares budget in cooperation with department heads. For approval by the Council.	No change.

CERTIFICATE A

ESTABLISHING THE EXISTING PLAN OF GOVERNMENT

FOR THE

TOWN OF WEST YELLOWSTONE, MONTANA

If retained by the voters, the government of West Yellowstone shall remain organized under the self-government charter previously adopted and amended by the voters of the Town of West Yellowstone.

CHARTER

FOR THE TOWN OF

WEST YELLOWSTONE

(Preamble)

We the citizens of West Yellowstone, for the purpose of establishing a just form of fundamental law--one that is responsible to the public for providing equal and adequate services and protections, with efficient use of the community's revenue for all, one that provides for self governing powers with respect to the health, safety, and welfare of every citizen and; one that utilizes the utmost flexibility to plan for the future--do establish this Charter for the Town of West Yellowstone of the State of Montana.

ARTICLE I

POWERS OF THE TOWN

Section 1.01 Powers of the Town

The town shall have all powers possible for a self government to have under the constitution and laws of this state as fully and completely as though they were specifically enumerated in this Charter.

Section 1.02 Mill Levy

(1) There shall be no new kinds of taxes levied without an affirmative vote of a simple majority of votes cast in an election on the question.

(2) Should the electorate approve any kind of non-property tax, the following mill levy reduction shall occur:

In each fiscal year, anticipated receipts from a local option, non-property tax not in effect when this charter takes effect shall be applied to reduce the property tax mill levy for the fiscal year by an amount equal to at least 5 percent of the local option, non-property tax receipts for the previous fiscal year.

Section 1.03 Self-Government Authority

The Town shall have the authority to exercise those self-governing powers not prohibited by the constitution, law or this charter.

Section 1.04 Construction

The powers of the Town under this Charter shall be construed liberally in favor of the Town and specific mention of particular powers in the Charter shall not be construed as limiting in anyway the powers stated in this article.

ARTICLE II

TOWN BOUNDARIES

Section 2.01 Town Boundaries

The corporate boundaries of the Town of West Yellowstone, Montana shall remain fixed and established, as they exist on the date this charter takes affect, provided that the Town shall have the power to change its boundaries in the manner provided by law.

ARTICLE III

ORGANIZATION OF THE TOWN

Section 3.01 Oath of Office

Before beginning the duties of office, all elected Town officials shall take and subscribe to the oath of office established in Article III, Section 3 of the Constitution of Montana.

Section 3.02 Structure of Government

The governing body of the Town of West Yellowstone shall be a Town council consisting of five council members, one of whom shall be the mayor, selected from among their own number pursuant to Section 3.05(1), who shall serve as presiding officer of the council.

Section 3.03 Town Council: Composition, Powers and Meetings

(1) All of the powers of the town shall be vested in the town council except where otherwise prohibited by law or this Charter.

(2) The town council shall meet regularly at least once a month at such times and places as the council may prescribe. Special meetings may be held on the call of the mayor or three members of the council. Such special meetings shall be public and, whenever practicable, upon forty-eight (48) hours notice to the public.

(3) The council may recess for the purpose of discussing in a closed meeting limited to its own membership any matter which would tend to defame or prejudice the character or reputation of any person unless the individual about who the discussion pertains waives his right of individual privacy provided, the general subject matter for consideration is expressed in the motion calling for such session and that final action thereon shall not be taken by the council until the matter is placed on the agenda.

Section 3.04 Town Council; Election, Terms, Qualifications, Remuneration, Removal and Filling Vacancies

(A) Council members shall be elected at large. There shall be five council members.

(B) Council members shall serve for terms of four years.

(C) Council members shall reside within the town and shall be qualified voters for the Town of West Yellowstone. A quorum shall be constituted by the actual presence of any three council members.

(D) The council shall establish by ordinance the compensation of its members and the mayor.

(E) The office of councilman shall become vacant upon the death, resignation, or removal from office by any method authorized by law or forfeiture of said office.

(F) The council members term shall be forfeited if:

- (1) The council member loses eligibility to his/her seat.
- (2) Violates any expressed prohibition of this Charter.
- (3) Without council approval fails to attend two (2) consecutive, regularly scheduled meetings or is absent from the town for 30 days without the consent of the council.
- (4) Is convicted of a felony or other offense involving moral turpitude.

(G) The council will appoint, from the qualified voters in the town, a replacement to fill the

unexpired term of such vacated council seat.

Section 3.05 The Mayor; Election, Powers, Duties, Removal and Filling a Vacancy

(A) The mayor shall be selected from the Town Council membership by members of the council. The council member selected will serve as the mayor for one year unless selected for an additional term by the council. The mayor so selected may be removed by unanimous vote of the Town Council, and a new mayor selected.

(B) The mayor shall be the presiding officer of the council, and shall vote on all issues coming before the council.

(C) The mayor shall be the chief executive officer and the ceremonial officer of the town, and shall chair all meetings of the council. The mayor shall be the town officer to execute all town resolutions, ordinances, contracts and other official documents required to be executed by law, the Town council or town agreement. When required by the council, and in the absence of the town operations manager, the mayor shall exercise all administrative duties of the town operations manager.

(D) The office of mayor shall become vacant upon the death, resignation or removal from office by any method authorized by law or forfeiture of said office.

(E) The mayor's term shall be forfeited if:

- (1) The mayor loses eligibility to his or her seat.
- (2) The mayor violates any expressed prohibition of this charter.
- (3) Without Council approval the mayor fails to attend two consecutive, regularly scheduled meetings or is absent from the Town for 30 days without the consent of the Council.
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Section 3.06 Deputy Mayor

The Town Council shall elect at its first meeting of each calendar year, from the council, a council president who shall serve as deputy mayor; acting as the mayor during the absence or disability of the mayor.

Section 3.07 Operations Manager

The Town Council shall appoint a town operations manager who shall serve as the chief administrative officer of the town. The operations manager shall implement the ordinances, resolutions, policies and directives of the Mayor and Town Council. The position description for town operations manager shall be set by ordinance. The operations manager shall administer the affairs of the town, and shall appoint, suspend or remove all employees of the town under the

supervision and direction of the Mayor and Town Council, as appropriate. The council shall enter into a contract with said manager that shall specifically outline the conditions of employment.

Section 3.08 Town Departments

The Town Council shall have the power to establish any departments necessary to perform its duties and obligations imposed on it by law.

ARTICLE IV

BOARDS, COMMISSIONS AND COMMITTEES

Section 4.01 Boards, Commissions and Committees

The Mayor shall appoint, with the consent of the town council, such boards, commissions or committees, as it deems necessary. These bodies shall serve at the pleasure of the council and will exercise only those powers granted them by the council through specific resolution or ordinance.

ARTICLE V

GENERAL PROVISIONS; INITIATIVE, REFERENDUM RECALL, SEVERABILITY AND AMENDMENTS

Section 5.01 Initiative and Referendum

Procedures for initiative and referendum shall be as required by Montana law.

Section 5.02 Recall Provisions

The electors of the town may remove any member of the Town Council and the Mayor from office by the procedure required by Montana law.

Section 5.03 Severability

If any provision of this Charter is held invalid, the other provisions of this Charter shall not be effected thereby.

If the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be effected thereby.

Section 5.04 Amendment of the Charter

This Charter may be amended only as provided by Montana law. An affirmative vote of a simple majority of votes cast in an election on this question shall amend the Charter.

CERTIFICATE B
THE PROPOSED AMMENDED CHARTER
OF THE
TOWN OF WEST YELLOWSTONE
CHARTER
FOR THE TOWN OF
WEST YELLOWSTONE

(Preamble)

We the citizens of West Yellowstone, for the purpose of establishing a just form of fundamental law--one that is responsible to the public for providing equal and adequate services and protections, with efficient use of the community's revenue for all, one that provides for self governing powers with respect to the health, safety, and welfare of every citizen and; one that utilizes the utmost flexibility to plan for the future--do establish this Charter for the Town of West Yellowstone of the State of Montana.

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(2) Should the electorate approve any kind of non-property tax, the following mill levy reduction shall occur:

In each fiscal year, anticipated receipts from a local option, non-property tax not in effect when this charter takes effect shall be applied to reduce the property tax mill levy for the fiscal year by an amount equal to at least 5 percent of the local option, non-property tax receipts for the previous fiscal year.

Section 1.03 Self -Government Authority

The Town shall have the authority to exercise those self- governing powers not prohibited by the constitution, law or this charter.

Section 1.04 Construction

The powers of the Town under this Charter shall be construed liberally in favor of the Town and specific mention of particular powers in the Charter shall not be construed as limiting in anyway the powers stated in this article.

ARTICLE II

TOWN BOUNDARIES

Section 2.01 Town Boundaries

The corporate boundaries of the Town of West Yellowstone, Montana shall remain fixed and established, as they exist on the date this charter takes effect, provided that the Town shall have the power to change its boundaries in the manner provided by law.

ARTICLE III

ORGANIZATION OF THE TOWN

Section 3.01 Oath of Office

Before beginning the duties of office, all elected Town officials shall take and subscribe to the oath of office established in Article III, Section 3 of the Constitution of Montana.

Section 3.02 Structure of Government

The governing body of the Town of West Yellowstone shall be a Town council consisting of five council members, one of who shall be the mayor who shall be selected by the council from among its own number pursuant to Section 3.05(1).

Section 3.03 Town Council: Composition, Powers and Meetings

(1) All of the powers of the Town shall be vested in the Town council except as otherwise provided by law or this Charter.

(2) The Town council shall meet regularly at least once a month at such times and places as the council may prescribe. Special meetings may be held on the call of the mayor or three

members of the council. Such special meetings shall be public and, whenever practicable, called only upon forty-eight (48) hours notice to the public.

(3) A quorum of the council shall be constituted by the presence of any three (3) council members, one of whom may be the mayor.

(4) The council's presiding officer may close the council meeting to the public only as provided by law.

Section 3.04 Town Council: Election, Terms, Qualifications, Remuneration, Removal and Filling Vacancies

(1) Five council members shall be elected at large on a nonpartisan basis.

(2) Council members shall have a term of office of four years.

(3) Council members shall reside within the Town limits and shall be qualified voters of the Town of West Yellowstone.

(4) The council shall establish by ordinance the compensation of its members and the mayor.

(5) The office of council member shall become vacant upon the death, resignation, forfeiture or removal from office by any method authorized by law.

(6) When a vacancy occurs in the office of council member, the position shall be considered open and subject to nomination and election at the next general municipal election, except the term of office shall be limited to the unexpired term of the person who originally created the vacancy. Pending such election and qualification the council shall appoint from among the qualified voters in the Town a person possessing the qualifications for office required by law and this Charter, within 30 days of the vacancy to hold the office until the successor is elected and qualified.

Section 3.05 The Mayor: Election, Powers, Duties, Removal and Filling a Vacancy

(1) The mayor shall be selected from among the members of the Town council by the affirmative vote of a majority of the council.

(2) The council member selected shall serve as the mayor for one year unless selected for an additional term by the council.

(3) The mayor so selected may be removed by four (4) council member votes, whereupon, a new mayor shall be selected by the council.

(4) The mayor shall be the presiding officer of the council, shall vote as other council members and may not veto measures approved by the council. In the absence of the mayor, the council shall appoint one of the council members present to serve as presiding officer.

(5) The mayor shall be the ceremonial officer of the town and shall have no other duties or responsibilities except, when required by the council and in the absence of the town operations manager, the mayor shall perform all administrative duties of the town operations manager.

(6) The office of mayor shall become vacant upon the death, resignation or removal from office by any method authorized by law or this charter. A successor mayor shall be appointed by the council as provided in Section 3.05(1).

Section 3.06 Operations Manager

(1) The Town council shall appoint a Town operations manager who shall serve under contract as the chief executive and administrative officer of the Town.

(2) The operations manager shall implement and enforce the ordinances, resolutions, policies, directives and contracts approved by Town council. The operations manager shall administer the affairs of the Town, prepare the budget for council approval, supervise all Town departments and offices, and shall, after consultation with the appropriate department head, appoint, suspend or remove all employees of the Town under the supervision and direction of the Town council.

(3) The Town council shall enter into a contract with said operations manager, which shall specifically outline the conditions of employment. Said contract shall not exceed duration of two years unless specifically renewed by majority vote of the Town council.

(4) The Town operations manager may be removed from office by three affirmative votes of the Town council.

Section 3.07 Town Departments

The Town council shall establish by ordinance any departments necessary to perform the duties and obligations imposed upon the Town by law or this charter.

ARTICLE IV

BOARDS, COMMISSIONS AND COMMITTEES

Section 4.01 Boards, Commissions and Committees

The Mayor may appoint, with the consent of the Town council, such boards, commissions or committees, as the council deems necessary. These bodies shall serve at the pleasure of the council and will exercise only those powers granted them by the council through specific resolution or ordinance.

ARTICLE V

GENERAL PROVISIONS: INITIATIVE, REFERENDUM

RECALL, SEVERABILITY AND AMENDMENTS

Section 5.01 Initiative and Referendum

Procedures for initiative and referendum shall be as required by law.

Section 5.02 Recall Provisions

Any member of the Town council including the mayor may be removed from office by recall of the electors of the Town, as provided by law.

Section 5.03 Severability

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 of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

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