

OFFERED BY COUNCILOR MICHELLE WU



# CITY OF BOSTON IN CITY COUNCIL

## AN ORDINANCE REGARDING THE RIGHT OF FREE PETITION

*WHEREAS:* Article XIX of the Massachusetts Constitution provides citizens the right of free petition; and

*WHEREAS:* Several municipalities throughout the Commonwealth, including Chelsea, Lawrence, Winthrop, and Newton, have codified provisions bringing the right of free petition to the local level; and

*WHEREAS:* The City of Boston is committed to transparency in government and engagement with constituents of all backgrounds on the issues most important to them; *NOW*

*THEREFORE BE IT ORDERED:*

Section 1. The City of Boston Code, Ordinances, Chapter I, is hereby amended by adding at the end thereof the following new section:

**Section 1-8. Free Petition**

(a) Individual Petitions, Action Discretionary

The City Council shall receive all petitions addressed to them and signed by a resident of Boston and may, in their discretion, take such action in regard to such petitions as they deem necessary and appropriate.

(b) Group Petitions, Action Required

The City Council shall hold a public hearing with respect to every petition which is addressed to it, which is signed by at least five hundred (500) residents, as confirmed by the Elections Department, and which seeks action with regards to a measure.

The hearing shall be held by the City Council, or by a committee or subcommittee thereof, not later than three months after the petition is filed with the City Clerk, unless the petition is filed within three months prior to the end of the legislative year. Any petition filed within three months prior to the end of the legislative year but not acted upon shall be automatically refiled in the next legislative year, with a hearing required no later than three months from the date of refileing.

The City Clerk shall receive and timestamp petitions and shall issue a qualifying petition a docket number and place such item on the City Council Meeting agenda for assignment by the Council President to the appropriate committee within two weeks of its submission to the Clerk's Office unless an extension is granted by the City Council President or at the next scheduled Council Meeting following.

Hearings on two or more petitions filed under this section may be held at the same time and place, and the City Clerk shall issue notice of the hearing to the ten persons whose names appear first on the petition at least forty-eight hours before the hearing.

The City Clerk shall have the authority to outline further procedures and policies regarding the submission and acceptance of petitions.

The word "measure" as it is used in this section shall mean an ordinance passed or which could be passed by the City Council, or an order, resolution, vote, or other proceeding passed or which could be passed by the City Council, but excluding:

- (1) Proceedings relating to the organization or operation of the City Council;
- (2) An emergency measure passed in conformity with the City Charter;
- (3) A revenue loan order;
- (4) Any appropriation for the payment of the City's debts or obligations;
- (5) An appropriation of funds necessary to implement a written agreement executed under section 178B or chapter 149;
- (6) Any proceeding or part thereof, relating to the election, employment, appointment, suspension, transfer, demotion, removal, or discharge of any City officer or employee;
- (7) Any proceeding providing for the submission or referral of a matter to the registered voters of the city at an election;
- (8) Any proceeding repealing or rescinding a measure, or a part thereof, which is protested by referendum procedures; or
- (9) Any ordinance, order, resolution, vote, or other proceeding which is substantially the same as another which has been addressed by the City Council within the previous calendar year.

Section 2. The provisions of this ordinance shall be effective immediately upon passage.

Filed in Council: January 24, 2018