

**THE CHARTER OF  
THE CITY OF  
NORMAN, OKLAHOMA**

**As Amended Through January 14, 2003**

**AMENDED CHARTER  
The City Of  
NORMAN, OKLAHOMA  
PREAMBLE**

We, the people of the City of Norman, in order to secure the benefits of home rule, to encourage efficient and business-like methods in the transaction of municipal affairs, to promote civic advancement and general welfare and to protect the human rights and personal dignity of all persons do ordain and establish this Charter for the City of Norman.

**ARTICLE I. ORGANIZATION AND POWERS**

**Section 1. Organization.**

The inhabitants within the boundaries hereinafter defined, and their successors, are hereby created and organized a Municipal Corporation and body politic with perpetual succession under the name "The City of Norman," and shall succeed to own and possess all the property, rights, privileges, franchises, powers and immunities now belonging to the present corporation known as the City of Norman, and shall be liable for all debts and obligations for which said present corporation is now liable, and shall have the power to adopt a common seal and alter the same at pleasure, to sue and be sued in all courts, to make contracts, to take and acquire property by purchase, condemnation or otherwise, and to hold, lease, mortgage, convey or otherwise dispose of any of its property within or without the limits of said City, and it shall have such other powers, rights, privileges, franchises and immunities as are granted and conferred by any other parts of this Charter or by the Constitution and the laws of the State of Oklahoma.

**Section 2. Boundaries.**

The boundaries of said City, and the respective wards thereof, shall until altered as provided by law be the same as at the time of the adoption of this Charter.

**Section 3. General grant of powers.**

Said City shall also have all other powers that may hereafter be given it by the Constitution and the laws of this State, and where any provisions of this Charter shall be in conflict with any law or laws relating to cities, the provisions of this Charter shall prevail, and said City shall have the power to enact and enforce all ordinances necessary to protect health, life and property, and to define, prevent, and summarily abate and remove nuisances; and to preserve and enforce good government and order, to protect the lives, health, and the property of the inhabitants thereof.

**Article I, continued:**

**Section 4. Bequests, gifts and donations.**

Said City may receive bequests, gifts and donations of all kinds of property in fee simple or in trust for charitable or public purposes and perform all acts necessary to carry out the purposes of such bequests, gifts, donations or trusts, with power to manage, sell, lease or otherwise dispose of same in accordance with the terms of the bequest, gift, donation, or trust.

**Section 5. General grants of powers not limited.**

The legislative, executive and judicial powers of the City shall extend to all matters of local and municipal government, it being the intent hereof that the specification of particular powers by any other provision of this Charter shall never be construed as limiting or impairing the effect of the general grant of powers hereby made.

**Section 6. Former government in force.**

All existing ordinances of the City not inconsistent with this Charter or inapplicable under the municipal government provided by this Charter shall be and continue in full force and effect until amended or repealed or until they expire by their own limitations, and no existing right, action (civil or penal), suit, proceeding, or contract, shall be affected by the change in the form of government of the City; but all shall continue as though no such change had taken place; and all debts, penalties and forfeitures which have accrued, or which may hereafter accrue by virtue of anything heretofore done or existing, shall inure to the benefit of the City of Norman and may be sued for and recovered by the said City as though this Charter had not been adopted. Nothing herein, however, shall legalize or make legal any invalid indebtedness of the City heretofore contracted or incurred or impair any defense against the payment of the same, nor shall the adoption of this Charter in any wise interfere with any proceedings heretofore instituted relating to the levy and collection of taxes, special assessments, or levies of any nature, or with any proceedings to enforce the payment of the same, and all contracts heretofore entered into by the City shall remain in full force and effect and be completed under the ordinances existing at the time of the adoption of this Charter.

**ARTICLE II. CITY OFFICERS; ELECTIONS**

**Section 1. Elected Officers: Powers and duties; compensation.**

The elective officers of the City of Norman shall be a Mayor and eight (8) Councilmembers. All legislative powers except the initiative and referendum shall be vested in a Council, consisting of a Mayor, elected at-large, and eight (8) Councilmembers elected from and by the registered voters of the respective wards of the City.

**Article II, Section 1, continued:**

All references in this Charter to "Councilmembers" or "City Councilmembers" shall be construed to mean the Mayor as well as those persons elected to Council positions.

Five (5) members of the Council shall constitute a quorum, and the affirmative vote of at least five (5) members shall be necessary to adopt any motion, resolution or ordinance or pass any measure, unless a greater number is required by a specific provision of the Charter.

The Mayor shall preside at all meetings of the Council and shall perform in addition to his legislative duties such ceremonial duties as are necessary in the conduct of the City's business. The Mayor shall be recognized as the official head of the City by the courts for the serving of civil processes, and by the Governor for military purposes. In time of public danger or emergency he may, with the consent of the Council, take command of the police and maintain order and enforce the laws.

The Mayor and each of the Councilmembers shall receive, as compensation for their services, fifty dollars per month, plus ten dollars for each regular or special meeting attended, provided, however, that no Councilmember shall receive more than one hundred dollars total compensation for any given calendar month.

**Section 2. Term of office.**

The term of Councilmembers shall be for a period of two years. The terms of Councilmembers chosen to represent Council wards two (2), four (4), six (6) and eight (8) shall expire on the first Tuesday of July of the next even numbered year after their election.

The term of Councilmembers chosen to represent Council wards one (1), three (3), five (5) and seven (7) shall expire on the first Tuesday of July of the next odd numbered year after their election.

Each elected officer shall continue to hold and to perform the duties of his office until his successor is elected and qualified, unless he is removed or forfeits his office under other provisions of this Charter.

The term of office of the Mayor elected at regular elections, shall be three (3) years. The term of the Mayor shall expire on the first Tuesday of July and each three (3) years thereafter.

For the purposes of filing and election to the positions of City Council, only persons who have been duly registered to vote in accordance with state law within the City of Norman for the one year prior to the date of the general election and reside in the ward from which they seek election, on the date of their filing, shall be eligible for the City Council.

For the purpose of filing and election to the position of Mayor, only persons who have been duly registered to vote in accordance with state law within the City of Norman for the one year prior to the date of the general election, shall be eligible to seek election as Mayor.

**Article II, continued:**

**Section 3. Official oath, bond.**

The Mayor, Councilmembers, and all officers of the City, upon entering the duties of their offices, shall take the oath of office prescribed by the Constitution of Oklahoma. The City shall purchase any bonds required of the Mayor and/or Councilmembers.

**Section 4. Elections.**

All elections for municipal officers in the City of Norman shall be conducted as herein provided.

**Section 5. Primary elections.**

On the last Tuesday of March of each odd-numbered year there shall be held a primary election in each of the voting precincts of wards one (1), three (3), five (5) and seven (7) at which time candidates for the Council positions from those wards which are to be elected at the general election in such year shall be nominated. On the last Tuesday of March of each even-numbered year there shall be held a primary election in each of the voting precincts of wards two (2), four (4), six (6) and eight (8) at which time candidates for the Council positions from those wards which are to be elected at the general election in such year shall be nominated. On the last Tuesday of March of each year in which the Mayor's term expires as set forth in Section 2 of this Article, there shall be held a primary election in each of the voting precincts of the City at which time candidates for Mayor shall be nominated.

**Section 6. General election.**

On the third Tuesday of April of each year, there shall be a general election conducted at the regular voting places within the City for the election of municipal officers.

**Section 7. Qualifications of voters.**

In either primary or general elections, for the election of ward Councilmembers provided for herein, only such persons as are registered voters of the City of Norman and of the ward in which they propose to vote shall be eligible to vote.

In either primary or general elections of the Mayor provided for herein, only such persons as are registered voters of the City of Norman, shall be eligible to vote.

Registered voters shall be qualified and registered under the law of the State of Oklahoma.

**Section 8. Voting places.**

All elections within the City of Norman shall be held at the polling places designated under the general election laws.

**Article II, continued:**

**Section 9. City Council to order special elections.**

The City Council of the City shall, by ordinance, order the holding of all special elections, except as otherwise provided in this Charter, or by the Constitution of this State. Such ordinances shall specify the object of and the time for holding such elections. Such election ordinances shall be printed in a newspaper of general circulation printed in the City of Norman at least ten (10) days prior to the time appointed for holding such election.

**Section 10. Candidates.**

A. Filing of candidates. Any person who is a registered voter of the City, as provided in Article II, Section 2 of this Charter, may become a candidate for office in the proper primary election by filing with the Secretary of the County Election Board, a sworn written notice containing the following information: The candidate's name, street address, designation of the office sought, with ward number, and the date of the primary election. A person can be a candidate for only one office at a time.

B. Filing of candidates by petition. The name of candidate may also be placed upon the ballot at the primary election upon the filing of a petition for that purpose in the manner set forth herein. Any registered voter of the City may file with the Secretary of the County Election Board, within the time provided in Section 10(D) of this Article, a petition bearing the signatures of registered voters eligible to vote for the office for which they seek to make a nomination. In the case of candidates for the office of the Mayor, the number of valid signatures required shall total one hundred (100). In the case of candidates for a Council position, the number of valid signatures required shall total fifty (50). Said petition shall contain the information required in sub-section (A) of this section as well as the name of the person sought to be nominated. Further, the person sought to be so nominated must file, within three (3) days of the filing of said petition and before the close of filing, a written notice of willingness to become such a candidate.

C. Filing fee. The Council shall have the power to provide by ordinance a filing fee for candidates, to establish and charge the amount thereof and to provide for refund of same under certain circumstances.

D. Time of filing. The period for filing for elective office shall begin at 8:00 a.m. on the second Monday of February, and shall close at 5:00 p.m. on the following Wednesday.

**Section 11. Partisan designation forbidden.**

No nominating notice nor acceptance thereof shall have upon it any party emblem, sign or designation, and there shall be nothing thereon to indicate the affiliation of the nominee or of any signer with any political party or any organization.

**Article II, continued:**

**Section 12. Withdrawal of candidates.**

Any candidate may withdraw no later than noon on the Friday following the close of the filing period by filing a written notice with the Secretary of the County Election Board. The Secretary of the County Election Board, after the expiration of said time, shall cause the ballots to be printed as provided herein. In all elections in which there is a contest for any office, there shall be printed and bound a number of ballots for each precinct which, in the discretion of the Secretary of the County Election Board will be sufficient to conduct said election.

**Section 13. Arrangement of ballot.**

The County Election Board shall arrange the names of the candidates for each office. The County Election Board shall cause ballots to be printed, arranged as provided herein, and distributed among the various voting precincts of the City.

**Section 14. Form of ballot.**

In odd numbered years, the names of the candidates for City Council for each Council ward numbered one (1), three (3), five (5) and seven (7) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Council Position No. \_\_", followed by the instruction in each case: "Vote for One", with an appropriate space or rectangle to the left of each candidate's name.

In even-numbered years, the names of the candidates for City Council for each Council ward numbered two (2), four (4), six (6) and eight (8) shall appear upon the ballot in the appropriate ward of the City and placed under the words: "For Council Position No. \_\_", followed by the instruction in each case: "Vote for One", with an appropriate space or rectangle to the left of each candidate's name.

In the years in which the Mayor's term expires, the names of candidates for Mayor shall be placed upon the ballot under the words: "For Mayor", followed by the instruction: "Vote for One", with an appropriate space or rectangle to the left of each candidate's name.

**Section 15. Sample ballot.**

At every election, sample ballots shall be posted at each polling place.

**Section 16. Counting the ballots; certificate of nomination.**

The Election Board of each voting precinct shall immediately upon the closing of the polls, count the voted ballots and ascertain the number of votes cast in such precinct for each candidate and make due return thereof to the County Election Board, upon proper blanks to be furnished by the County Election Board. Following the primary election, the County Election Board shall canvas the returns received from all precincts and absentee ballots and shall certify the results to the City Clerk.

**Article II, continued:**

**Section 17. Primary election; candidates nominated or elected.**

In a primary election, if there be but one candidate for any office, he shall be not only nominated but elected ipso facto and there shall be no primary or general election conducted for that office. If there are no more than two candidates for any office a primary election shall be conducted for that office and the candidate receiving a majority of the votes cast in such primary election shall be ipso facto elected, and his name shall not appear on the general election ballot. If there are more than two candidates for any office, the two candidates for each office to be filled receiving the greatest number of votes for that office shall be nominated and their names shall appear on the general election ballot. If one of the candidates for an office receives a majority of all votes cast for all candidates for that office, he alone shall not only be nominated but shall be elected ipso facto and his name shall not appear on the general election ballot. In case of a tie, the nominee shall be determined from among those tying, fairly by lot, in a meeting of the City Council, and under its direction. If one of the two candidates for an office nominated in a primary election dies or withdraws before the general election, the remaining candidate shall be elected ipso facto, and his name shall not be required to appear on the ballot for the general election.

**Section 18. Ballots for general election.**

The Secretary of the County Election Board shall thereupon prepare the ballots for the General Election, which shall be in the same form as prescribed for ballots for the primary election, except that they shall contain only names of nominees as defined in Section 17. The candidates receiving the highest number of votes for the respective offices to be filled shall be declared elected. In case of a tie, the elected official shall be determined from among those tying, fairly by lot, in a meeting of the Council and under its direction.

**Section 19. Election of Mayor Pro Tem; duties of Mayor Pro Tem.**

On the first Tuesday in July of each year by a majority vote of all Councilmembers, the Council shall elect one of the Councilmembers to be Mayor Pro Tem of the City of Norman to serve for a term of one year and until his successor is likewise elected. The Mayor Pro Tem shall act as Mayor in the absence of the Mayor. In case of the absence of both the Mayor and the Mayor Pro Tem, the remaining Councilmembers shall elect one of their number to act as Mayor until the return of the Mayor or Mayor Pro Tem.

**Section 20. Measures on ballot; arrangement.**

Whenever one or more measures or questions are submitted to the people and are to be voted upon at the same time as any officer or officers are to be elected, such measures and questions shall be submitted upon a ballot separate from that bearing the names of candidates for office. All petitions and election ballots shall be non-partisan in form and without any party designation of any kind, or any sign, mark, symbol or device of a partisan character.

**Article II, continued:**

**Section 21. General election laws to apply.**

The general election laws of the State applicable to cities are hereby in force except as modified herein. Provisions of State law setting out absentee voting procedures in state elections are hereby made applicable in City elections.

**Section 22. Vacancies in office.**

A vacancy in the office of a member of the Council shall exist whenever the holder thereof:

- (a) Ceases to possess some qualification for the office, prescribed by this Charter or by applicable law;
- (b) dies,
- (c) resigns,
- (d) is removed from office by proceedings by a Court of competent jurisdiction; or
- (e) is declared legally incompetent by a Court of competent jurisdiction; or
- (f) ceases to reside in the ward which elected except that no vacancy shall occur where a Councilmember is rendered a non-registered voter of the ward that member represents by reason of reapportionment carried out by the City Council.

Any vacancy occurring on the City Council shall be filled by a majority vote of the remaining members of the City Council, for a period extending until the next regular municipal primary election, at which time an election, conducted as provided by this Charter and applicable State law, shall be held to fill any balance of the unexpired term; provided, however, if the City Council does not fill the vacancy by appointment within sixty (60) days after the same occurs, it shall be mandatory on the part of the County Election Board to call and schedule a special election to fill the vacancy for the unexpired term, which election shall be held for the election of a City Councilmember, only, and said election shall be conducted in the same manner as a regular municipal primary election.

**ARTICLE III. CITY MANAGER**

**Section 1. Council to appoint City Manager.**

Council shall by a majority vote appoint a City Manager. He shall be chosen by the Council solely upon the basis of his executive and administrative qualifications, without regard to age, race, color, religion, ancestry, national origin, sex or place of birth, and need not, when appointed, be a resident of the City or State. No member of the Council shall, during the time for which he is elected, be chosen City Manager, nor for two years after he ceases to be a member. The City Manager shall be removable at any time, upon a vote of a majority of the Council. Before the manager shall be removed, he shall, if he so demands, within three days after notification of an intended removal, be given a written statement of the reasons alleged for his removal and the right to be heard publicly thereon at the next regular meeting of the Council held not less than five days after such demand, prior to the final vote of the question of his

**Article III, Section 1, continued:**

removal. Pending and during such hearing, the Council may suspend the City Manager from his office, and may provide for the temporary performance of the manager's duties. The action of the Council in suspending or removing the manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Council. In case of absence or disability of the manager, the Council may designate some qualified person to perform the duties of the office during such absence or disability.

**Section 2. General powers and duties of the city manager.**

The City Manager shall be the administrative head of the municipal government responsible only to the Council. The City Manager shall not, during the term of office, be an employee or perform any duties for any person, firm, corporation or institution other than the City of Norman, and shall not be interested in the profits or emoluments of any contract, job, work, or service of the City.

**Section 3. Oath and qualifications.**

Before entering upon the duties of his office he shall take the official oath and shall execute a bond in favor of the City for the faithful performance of his duties in such sum as shall be fixed by the Council, to be approved by the Council.

**Section 4. Special powers and duties of the city manager.**

The City Manager shall have the special powers and duties herein enumerated, and shall be directly responsible to the Council for the proper administration thereof, to wit:

- (a) To see that all laws and ordinances governing the City are enforced.
- (b) To appoint and remove all directors or heads of departments and all subordinate officers and employees in such departments. Further, such appointments and removals shall be made upon the basis of merit and fitness alone, including training and experience in the work to be performed, and without regard to age, race, color, religion, ancestry, national origin, sex, or place of birth.
- (c) To exercise actual management, control and supervision over all departments of the City Government, and to exercise all other administrative functions, except as otherwise in this Charter provided.
- (d) To supervise and manage all public work of the City, and the repair and maintenance thereof; to manage and control the public utilities of the City, and have general charge of maintaining and improving the streets, sidewalks, bridges, public grounds, and public buildings within the City, except as otherwise herein provided.
- (e) To make a monthly report to the Council, and to attend all meetings of the Council with the right to take part in the discussion, but having no vote.
- (f) To recommend to the Council for adoption such measures as he may deem necessary or expedient.

**Article III, Section 4, continued:**

- (g) To keep the Council fully advised as to the financial conditions of the City.
- (h) To see that all franchise rights and provisions are justly enforced.
- (i) To prepare and submit to the Council an annual budget as by this Charter required.
- (j) To submit to the Council at each meeting thereof an order of business covering his recommendations.
- (k) To create such departments for the more efficient and economical administration of the affairs of the City as to him shall seem necessary and expedient.
- (l) Respond to requests of Councilmembers for policy reviews and charges.

**Section 5. Purchasing agent.**

The City Manager, subject to such regulations as the Council may prescribe from time to time, shall contract for, purchase, or issue purchase authorizations for, all supplies, materials, services and equipment (including rental thereof when appropriate) for offices, departments and agencies of the City government. Every such contract or purchase exceeding an amount to be established by ordinance and which amount may thereafter be changed by ordinance from time to time, shall require the prior approval of the Council. The City Manager may also transfer to or between offices, departments and agencies, or sell, surplus or obsolete supplies, material and equipment, subject to such regulations as the Council may from time to time establish by ordinance.

Before the purchase of, or the making of a contract for, any supplies, services, materials or equipment, or the sale of any surplus or obsolete supplies, materials or equipment, ample opportunity for competitive bidding under such regulations and with such exceptions as the Council may from time to time prescribe by ordinance, shall be given; but the Council shall not except a particular contract, purchase or sale from the requirement of competitive bidding.

The Council by ordinance may transfer some or all of the powers granted to the City Manager under this section to an officer or employee appointed by and subordinate to the City Manager, and may in its discretion by ordinance revoke any such transfer of powers previously authorized, or vest the same in some different officer or employee of the City likewise appointed by and subordinate to the City Manager.

**Section 6. Council not to interfere in appointments, removals or administration.**

Neither the Council nor any of its committees or members shall direct or request the appointment of any person to, or his removal from office by the City Manager or any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative services of the City, except that the Council may direct the manager, by resolution, to investigate charges of misconduct or incompetence against any City employee and to report the result thereof. The City Councilmembers shall deal with the administrative services solely through the City Manager, and neither the Councilmembers nor any of them thereof shall give orders to any subordinate of the City Manager either publicly or privately. Violation of any of the provisions of this section by the Councilmembers or any of them shall constitute grounds for removal.

**Article III, continued:**

**Section 7. Political activity prohibited.**

Any employee of the City may actively engage in political activities. Provided, the political activity in which the employee participates shall be exercised only during off-duty hours and while not in uniform. Any federal statutes restricting political activities of City employees shall supersede the provisions of this section as to such employees. The City does hereby reserve the right to establish employment requirements requiring City employees to refrain from filing as a candidate for City office while employed by the City.

Further, it shall be unlawful for the City Council, or any member thereof or any candidate for election to the City Council, or any employee of the City to directly or indirectly coerce or attempt to coerce any City employee to participate or to refrain from participation in municipal political activities or public meetings.

**ARTICLE IV. DIRECTOR OF FINANCE**

**Section 1. Powers and duties.**

There shall be a Director of Finance, who shall be custodian of the monies of the City, and who, unless another is so appointed, shall be ex-officio City Treasurer. The Director of Finance shall be appointed by the City Manager and be the head of the Finance Department of the City. The Director of Finance shall pay money from the City Treasury only as provided by law and signed by the Mayor. The Director of Finance shall, under the direction of the Council, invest the funds of the City only in such securities as are provided for by the Constitution and laws of the State of Oklahoma. All uninvested funds shall be deposited in the depository or depositories of the City. In addition to those powers and duties otherwise enumerated herein, the Director of Finance shall:

- (a) Countersign all warrants for the payment of monies drawn on the City Treasury.
- (b) Be the chief accounting officer of the City and shall prepare such financial statements and reports of the financial condition of the City as may be required.
- (c) Collect all fees or monies from officers or employees and give receipts therefor, said receipts to show on their face the purpose for which said monies were collected.
- (d) Deposit daily all monies collected by the Director of Finance, from whatever source derived, taking a receipt therefor.
- (e) Give bond for the faithful performance of the duties of this office as shall be provided for by ordinance.

**Section 2. City depository.**

The City depository shall secure the City for all deposits by giving good and sufficient collateral as is required by the laws of the State of Oklahoma.

## **ARTICLE V. CITY CLERK**

### **Section 1. Duties of the City Clerk.**

The City Clerk shall be appointed by the City Manager and shall have all the powers and duties now provided by law or ordinance except as in this Charter provided. The City Clerk shall:

- (a) Be clerk to the Council.
- (b) Have the custody of and be responsible for all books, papers, maps, and records, belonging to the City not in actual use by other officers or by special provisions committed to their custody or otherwise provided for.
- (c) Attend all meetings of the Council and keep a record of the proceedings of the same, and shall sign and attest all ordinances, resolutions or other acts of the Council.
- (d) Keep all books properly indexed and open to the public for inspection when not in actual use.
- (e) Keep separate books in which all ordinances, resolutions, and other proceedings of the Council shall be recorded.
- (f) Certify to the correctness of all reports made public by the Council and shall be custodian of the seal of the City.

### **Section 2. Additional duties of the City Clerk.**

The City Clerk shall have other powers and perform such other duties as may be required by the City Manager, by ordinance, resolution, or motion of the Council, or as provided in this Charter.

## **ARTICLE VI. MUNICIPAL COURT**

### **Section 1. Appointment, removal and compensation of Municipal Judge.**

The Municipal Court of the City of Norman as provided by the Constitution and laws of the State of Oklahoma is hereby continued except as herein provided. The Mayor, with the consent and approval of the Council, shall appoint an elector of the City of Norman, who shall be a licensed attorney, and whose other qualifications may be set by ordinance, as judge of said court with the official title of Municipal Judge, who may be removed from his position if five City Councilmembers approve a motion to remove: provided, that such action be undertaken at a regular meeting of the City Council. Said Municipal Judge shall be entitled to such compensation as may be prescribed by ordinance.

## **ARTICLE VII. CITY ATTORNEY**

### **Section 1. Office created.**

The office of City Attorney is hereby created.

**Article VII, continued:**

**Section 2. Appointment and removal of City Attorney.**

The City Attorney shall be appointed by the City Manager; such appointment shall be subject to the approval of a majority of the City Council. The City Attorney may be removed by the City Manager.

**Section 3. Duties of the City Attorney.**

The City Attorney shall have such qualifications, powers and duties as are prescribed by law. It shall be the City Attorney's duty to advise the Council and each member thereof, and the City Manager, upon all legal questions and the City Attorney shall give opinions in writing when requested, and shall represent the City as Counsel in all litigation, in all courts and shall perform such other legal service in behalf of the City, its officers or employees, as may be required by the Council. The foregoing provisions shall not be deemed to prevent the City Manager, with the approval of a majority of the City Council, from employing private Counsel as it is deemed necessary.

**Section 4. Exclusive employment.**

The City Attorney and all attorneys in the office of the Legal Department are to confine their practice of law to the business of the City of Norman and shall not practice law for other clients while employed with the City of Norman.

**ARTICLE VIII. CITY PARKS**

**Section 1. Board of Park Commissioners.**

The Mayor, with the approval of the Council, shall appoint a Board of Park Commissioners consisting of nine registered voters, who shall serve without compensation, and shall have such powers and duties as are now provided by law or may hereafter be conferred by ordinance. The City Manager, or his designate, shall be an ex-officio member of the Board of Park Commissioners, but shall have no vote. His advice and services shall be at the disposal of the Board of Park Commissioners in the planning and execution of its work.

**Article VIII, continued:**

**Section 2. Park land.**

In addition to and in supplementation of proper planning and zoning, and in addition to the power of the City to regulate the use and subdivision of land, the City shall have the full power to promote the health, safety, and general welfare of its citizens by the enactment of ordinances, to be uniformly enforced, requiring all final plats of residential subdivisions containing a dwelling unit density of greater than one unit per acre which is to be submitted for approval, to provide adequate and suitable land area for park and/or open space purposes to serve the subdivision. The amount of park and/or open space required in the subdivision shall be reasonably related to the need for park and/or open space created by the subdivision and shall not exceed 2.5 acres for each one thousand persons of the total population density projected when the plat is fully developed. Population density projections shall be based on the then current official statistics of the United States Census for the Norman area for the particular type of dwelling units to be constructed within the subject land. When the total projected population density for the plat is less than 2,500 persons, the City of Norman may, at its sole option and in lieu of the provision for mandatory dedication of land for park and/or open space purposes, require the developer or subdivider of the subdivision to pay to the City a sufficient fee to provide for the purchase of suitable land for park and/or open space within the general area in which the subdivision is located. Such fee shall be reasonably related to the cost of the park and/or open space which is required to be provided. All such fees must be maintained separate from other funds of the City of Norman and may be expended only for the purchase of land for park and/or open space. The exercise of such power within the City shall be in pursuance of this grant of authority and not under State Statutes of law. Provided further, that this amendment allowing the use of park land fees paid in lieu of mandatory dedication of land for the purchase and/or development of parks and open space shall apply to funds hereinafter accumulated.

In addition to the above, the Council may, by ordinance, establish a fee to be collected at the time of issuance of new residential building permits for the purpose of improving neighborhood parks and community parks.

**ARTICLE IX. HOSPITAL**

**Section 1. Appointment of board.**

The Mayor, with the approval of the City Councilmembers, shall appoint a Board of Hospital Management consisting of nine registered voters who shall serve for a term of three years.

In case of a vacancy in the Board, an appointment to fill the unexpired term shall be made in the same manner as the original appointments. The City Manager shall be ex-officio member of the Board of Hospital Management but he shall have no vote. His advice and services shall be given to the Board in the planning and execution of its work.

**Article IX, continued:**

**Section 2. Duties of board, appointment of Administrator.**

The Board of Hospital Management shall exercise general control over the Municipal Hospital, establish general hospital policies and provide a plan for the proper accounting of all funds received for hospital services and for all funds disbursed for the purpose of operating the Hospital. The Board shall appoint an Administrator of the Municipal Hospital who shall be selected solely on the basis of his experience and qualifications. The Administrator may be removed by the Board for cause; but he may, if he files a request with the Board within three days after receiving notice of his removal, demand and receive a public hearing. Such hearing shall be held not more than five days after the Administrator's demand for a hearing has been filed. While the hearing is pending, the Board may appoint a competent person who shall be temporarily in charge of the affairs of the Hospital.

**Section 3. Duties of the Administrator.**

The Administrator of the Municipal Hospital shall be directly in charge of the operation of the Hospital. All salaries, wages and fees received by any person employed shall be fixed by the Administrator, subject to approval by the Board. The Administrator, subject to such regulations as the Board may prescribe from time to time, shall contract for purchase, or issue authorizations for all supplies, materials, services and equipment (including rental thereof when appropriate) for the Hospital. Every such contract or purchase exceeding an amount to be established by the Board and which amount the Board may thereafter change from time to time, shall require the prior approval of the Board. The Administrator may also transfer, exchange, sell or otherwise dispose of surplus or obsolete supplies or equipment, subject to such regulations as the Board may from time to time establish. Before the purchase of, or the making of a contract for any supplies, services, materials or equipment, or the sale or other disposition of any surplus or obsolete supplies or equipment, ample opportunity for competitive bidding, under such regulations and with such exceptions as the Board may from time to time establish or prescribe, shall be given; but the Board shall not except a particular contract, purchase or sale from the requirement of competitive bidding.

The Board may transfer some or all of the powers granted to the Administrator under this section to an officer or employee appointed by the Administrator and subordinate to him, and may thereafter in its discretion revoke any such transfer of powers previously authorized, or vest the same in some different officer or employee of the hospital likewise appointed by and subordinate to the Administrator.

**Section 4. Use by medical staff.**

Subject to the approval of the Board, the Administrator of the Municipal Hospital shall make all necessary arrangements with medical staff for the effective use of all facilities of the hospital.

**Article IX, continued:**

**Section 5. Financial report and budget.**

The Board of Hospital Management shall keep a record of its meetings and official transactions, and shall make monthly financial reports to the City Councilmembers in such form as may be required by the Councilmembers, and on the fourth Tuesday in May, the Board shall file a copy of its proposed budget for the ensuing fiscal year with the City Councilmembers. Such proposed budget shall, in addition to any other information required by the Councilmembers, show an estimate of anticipated income, estimated expenditures and the amount, if any, which said Board of Hospital Management requests be appropriated from the general revenue fund of the City to supplement the income from the Hospital for such ensuing fiscal year. Any funds which may be appropriated by the City for such purpose shall be expended upon the check or warrant of said Board of Hospital Management, as other income is expended by it.

**Section 6. Recognition of bargaining unit.**

The Board of Hospital Management through the Administrator of the Municipal Hospital, shall recognize, subject to the provisions of this Charter and ordinances enacted pursuant thereto, any bona fide and appropriate bargaining unit of Norman Municipal Hospital Employees for the purpose of bargaining collectively with the Board of Hospital Management through the Administrator with respect to wages, salaries, hours, rates of pay, grievances, working conditions, and other terms and conditions of employment.

**ARTICLE X. REMOVAL**

**Section 1. Method of removal.**

Any member of an appointive board or commission created by this Charter or any amendment to this Charter, or any such board or commission created by municipal ordinance, may be removed from his position if five City Councilmembers approve a motion to remove; provided, that such action shall be undertaken at a regular meeting of the City Councilmembers.

**ARTICLE XI. LEGISLATIVE DEPARTMENT**

**Section 1. Ordinances, how adopted.**

Five (5) members of the Council shall constitute a quorum, and the affirmative vote of five (5) members shall be necessary to adopt any motion, resolution or ordinance, or pass any measure. Upon every vote the ayes and nays shall be called and recorded, and every motion, resolution or ordinance shall be reduced to writing and read before the final vote is taken thereon. The Mayor shall have no power to veto any measure, and he shall have a vote on all questions. Every resolution or ordinance passed by the Council must be signed by the Mayor or by the Mayor Pro Tem, acting in that capacity, and be recorded and published before the same shall be in force, except as otherwise hereinafter provided.

**Article XI, continued:**

**Section 2. Meetings.**

The regular meetings of the Council shall be held on the second and fourth Tuesdays of each month unless said regular meeting dates are otherwise fixed by ordinance; provided that regular meetings must be held at least semi-monthly. The Council may be called in special session by the Mayor or by five (5) of the Councilmembers. All meetings, regular, special, or adjourned, of the City Council and all Boards, Commissions, Authorities, and Committees of the City, whether the members thereof be appointed or elected, shall be open to the public under such regulations as may be fixed by ordinance; provided that the City Council, or a Board, Commission, Authority, or Committee of the City, may hold an executive session in compliance with State law.

**Section 3. Removal of Mayor and Councilmembers.**

The Mayor or any Councilmember shall be subject to removal from office in the manner and for the same cause or causes as provided by the Laws of the State of Oklahoma for the removal of county officers, it being intended hereby to provide cumulative procedure and cause for removal.

In the event of a vacancy in the office of Mayor, the Mayor Pro Tem shall serve as Mayor with all the powers and duties vested in the Mayor until such vacancy is filled as provided for by appointment or election as provided herein.

**ARTICLE XII. ORDINANCES**

**Section 1. Caption.**

The style of all ordinances shall be, "BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN," but such caption may be omitted when said ordinances are revised and compiled under the order of the Council, or when they are published in book form.

**Section 2. Contents; repealed ordinances not revived by references to title only.**

Every ordinance adopted by the Council shall embrace but one subject, which shall be clearly expressed in its title. No repealed ordinance shall be revived, amended, or the provisions thereof extended or confirmed by reference to its title only; but so much thereof as is revised, amended, extended or confirmed shall be reenacted and published at length; provided, that if any subject be embraced in any ordinance contrary to the provisions of this section, such ordinance shall be void only as to so much of the ordinance as may not be expressed in the title thereof.

**Article XII, continued:**

**Section 3. When effective.**

All ordinances passed by the Council, except emergency ordinances, shall take effect and become valid at the end of thirty days from the date of passage of such ordinance. All ordinances shall be published in full or by title in a newspaper meeting the requirements of the statutes of the State of Oklahoma in respect to legal publications, published and of general circulation within the City of Norman, such publication to be within ten days from the passage of the ordinance.

**Section 4. When to be adopted.**

No ordinance shall be adopted on the day of its introduction before the Council; but all ordinances, after being introduced, shall lay over for at least one week before being finally voted on and adopted, but this provision shall not apply to emergency ordinances.

**Section 5. Emergency ordinances.**

An emergency ordinance is an ordinance, which in the judgment of the Council, is necessary for the immediate preservation of peace, health, or safety, and which should become effective prior to the time an ordinary ordinance would become effective. Every such ordinance shall contain, as a part of its title, the words, "and declaring an emergency" and in a separate section, herein called the emergency section, shall declare the emergency. The Council shall vote on the emergency section separately, and must adopt the section by a vote of at least two-thirds of the membership of the Council, which vote shall be by yeas and nays, and shall be entered in the journal. An emergency ordinance shall take effect upon passage unless it specifies at a later time.

**Section 6. Adoption by reference.**

The Council by ordinance may adopt by reference codes, ordinances, standards and regulations relating to buildings, plumbing, electrical installations, streets, subdivisions, and other matters which it has power to regulate otherwise. Such code, ordinance, standard or regulation so adopted need not be enrolled in the book of ordinances, but a copy shall be filed and kept in the office of the City Clerk. The City Clerk shall keep copies of all such codes, ordinances, standards and regulations in force for distribution or sale at their approximate cost.

**Article XII, continued:**

**Section 7. Ordinances: Codification.**

The ordinances of the City shall be codified and published in book or pamphlet form at least every ten years unless the Council, by use of a looseleaf system and process of amendment, keeps the code up to date. Titles, enacting clauses, and emergency sections may be omitted from the code, and temporary and special ordinances and parts of ordinances may be omitted. Permanent general ordinances and parts of ordinances which are to be repealed by the code shall be omitted from the code. The ordinances and parts of ordinances included in the code may be revised, rearranged and reorganized; and the code may contain new matter, provisions of the State Constitution and law relating to the City and provisions of this Charter. A copy of the published code shall be filed in the office of the City Clerk after adoption by the Council, but the code need not be enrolled in the book of ordinances.

**Section 8. Printed ordinances admitted in evidence.**

All printed ordinances or codes of ordinances published by authority of the Council, shall, in all judicial proceedings, in all courts, be admitted in evidence with the same force and effect as would original ordinances, and in such proceedings it shall not be necessary to plead the entire ordinances or section, but only such parts thereof as are offered in evidence.

**ARTICLE XIII. RECALL OF ELECTIVE OFFICERS**

**Section 1. Time of commencing proceedings.**

The holder of any elective office, either by election or appointment to fill a vacancy, may be removed at any time after six months from the date of his accession to said office, by the registered voters qualified to vote for a successor to such incumbent, in the following manner:

**Section 2. Filing of petition; validation of signatures.**

A petition bearing the signatures, names and addresses of twenty-five per cent (25%) of the registered voters qualified to vote for the officer whose recall is sought, shall be necessary to initiate recall proceedings. The City Clerk shall maintain on file and for public use proper petition forms to initiate such proceedings.

**Article XIII, Section 2, continued:**

Such petition shall be secured from the City Clerk and a declaration filed by those circulating said petition of the officer or officers against whom recall is sought and no petition shall be effective against more than one (1) officer of the City.

At the top of each page of said petition(s) there shall be a short statement of the reasons for which recall is being sought.

The petition must be returned to the City Clerk within thirty (30) days, Sundays and legal holidays excepted, of its initiation in order to be valid. Failure to return the petition(s) within the proper time limits shall render them null and void.

Upon receipt of the petition(s), the City Clerk shall inspect said petition(s) to see that all the signatures are valid and that they are those of registered voters eligible to vote for the office from which the officer's removal is sought. Such inspection by the City Clerk shall be completed in not more than thirty (30) days.

**Section 3. Notice and publication.**

The City Clerk shall cause to be published upon the filing of the said petition with the City Clerk's office, in some newspaper of general circulation in the City of Norman a notice to the voters, stating the name of the officer(s) whose recall is sought and the time limit within which said petition(s) must be signed. Further, the City Clerk shall cause to be mailed to the officer(s) whose recall is sought an official notice that the petition has been commenced and the time limit in which it must be completed. Such notice shall be by certified mail, return receipt requested, and the refusal of the officer(s) to accept delivery shall in no way affect the validity of the notice. Failure of the City Clerk to keep the City Clerk's office open during regular office hours, which failure prevents the proper filing of said petition(s), shall be adjudged a misdemeanor and upon conviction thereof the Clerk shall be punished by a fine of not less than ten dollars and not more than fifty dollars, and each day said City Clerk violates the provisions hereof shall constitute a separate and distinct offense. In the event such a failure on the part of the City Clerk occurs, petitioners may file the petition(s) with the City Manager.

**Section 4. Calling election; votes required for recall.**

Upon determination by the City Clerk that the petition(s) bear the signatures of the requisite number of registered voters, said petition(s) shall be presented by the City Clerk to the City Council which body shall, in accordance with state election laws, call a recall election.

The sole question in said election shall be the recall of the officer(s) affected. The recall shall be adopted when the total number of votes in favor of the recall is a majority of all the votes cast on the issue and that majority equals a majority of all the votes cast in the most recent previous election for the particular office in question.

**Article XIII, continued:**

**Section 5. Election to fill vacancy created by recall.**

In the event the recall is adopted, a vacancy shall be declared and it shall be filled in the following manner for the unexpired term of the recalled officer(s): the City Council shall set filing for an election to fill the vacancy to commence ten (10) days after the date of the recall vote and last until 5:00 p.m. of the eleventh (11th) day after the recall election. Qualification to be a candidate shall be as for a regular election as set out in Article II. The election to fill the vacancy created by the recall shall be set in accordance with state election laws. Election shall be by a plurality of the votes cast and shall be certified in the regular manner.

**Section 6. Reappointment prohibited after removal.**

Any person who has been removed from an office by recall, or who has resigned from such office while recall proceedings were pending against him, shall be appointed to no office under the City government within one year after such removal by recall or resignation.

**ARTICLE XIV. REVENUE**

**Section 1. Systems for revenue collection.**

Except as otherwise provided by the general revenue laws of the State and this Charter, the Council shall by ordinance provide for the collection, custody and disbursement of all public monies, from whatever sources derived, and establish as near as may be a uniform system of municipal accounting.

**Section 2. Submission of budget.**

On or before the first Tuesday in June of each year, or at such other time as the Council may by ordinance require, the City Manager shall submit in writing to the Council an annual budget for the ensuing fiscal year giving detailed estimates of the needs and requirements of the several departments and other divisions of the City government, according to a classification as nearly uniform as possible, and the amount required for the proper conduct of the various departments and divisions of the City government for the ensuing fiscal year; said budget shall present the following information:

- (a) An itemized statement of the appropriations recommended by the City Manager for current expenses and for permanent improvements for each department and each division thereof for the ensuing fiscal year, with comparative statements in parallel columns of the appropriations and expenditures for the current year, and the increases or decreases in the appropriations recommended;
- (b) An itemized statement of the taxes required, and of the estimated revenues of the City from all other sources, for the ensuing fiscal year, with a comparative statement in parallel columns of the taxes and other revenues for the current year, and of the increases or decreases estimated or proposed;

**Article XIV, Section 2, continued:**

- (c) A statement of the amount of revenue needed to create a sinking fund to be used: 1st, for the payment of interest coupons as they fall due; 2nd, for the payment of bonds as they fall due; 3rd, for the payment of such parts of judgments as the City may, by law, be required to pay;
- (d) A statement of the financial condition of the City;
- (e) Such other information as may be required by the Council.

**Section 3. Council certification to Excise Board.**

The Council after determining the amount necessary to maintain the City government for the ensuing fiscal year, shall at such time and in the manner provided by law certify to the County Excise Board a FINANCIAL STATEMENT AND an ESTIMATE OF NEEDS showing the amounts necessary to be raised by taxation as required or authorized by law.

**ARTICLE XV. PUBLIC SERVICE CORPORATIONS**

**Section 1. Reservation of control over public highways; charges regulated; exclusive franchises prohibited.**

No grant, extension or renewal of any franchise or other use of the streets, alleys or other public grounds of this municipality, shall divest the City of its control and regulation of such use and enjoyment. Nor shall the power to regulate the charges for public services be surrendered and no exclusive franchise shall ever be granted.

**Section 2. Council shall frame law.**

The Council shall be vested with the power of adopting all laws and ordinances not inconsistent with the Constitution and laws of this State for the taxation, regulation, and control of all public service and public utility corporations now or hereafter existing or operating in whole or in part within the City.

**Section 3. Power of taxation over public service corporation.**

All grants and renewals of franchises and privileges shall reserve to the City the right to terminate the same and to purchase all the property of the utility in the streets, avenues, alleys and public places in the City and elsewhere as may be provided in the franchise making the grant or renewal, used in or useful for the operation of the utility, at such prices as may be agreed upon between the owner and the City and in the event of disagreement the same may at the option of the City be submitted to arbitration under the arbitration laws of the State of Oklahoma; or in the event no arbitration agreement can be reached, then the City may obtain such property by condemnation under the eminent domain laws of the State of Oklahoma.

**Article XV, continued:**

**Section 4. Purchase price.**

No franchise making such grant or renewal shall be valid unless it shall expressly provide therein that the price to be paid by the City for the property that may be acquired by it from such utility, by purchase, condemnation or otherwise, shall exclude all value of such grant or renewal.

**ARTICLE XVI. MUNICIPALLY OWNED UTILITIES**

**Section 1. Acquisition of property: Public utilities.**

Said City shall have power, within and without its territorial limits, to construct, condemn, purchase, acquire, lease, improve, add to, maintain and conduct and operate in whole or in part, waterworks, light plants, telephone systems, power plants, transportation systems, heating plants, incinerating plants, sanitary sewers, storm sewers and drain, and any other public utility or works or ways, and everything required therefor. And any such systems, plants, works or ways, or any contracts in relation or connection therewith that may exist and which said City may desire to purchase in whole or in part may be purchased or acquired, in whole or in part, by said City, which may enforce such purchase by proceeding at law or in equity or by right of eminent domain, and said City shall have the power to issue bonds upon the vote of the tax paying registered voters at any special or general election in any amount necessary to carry out any of said powers or purposes, said amount being alone limited by the Constitution and the laws of the State of Oklahoma.

**Section 2.**

Precedent to an increase in utility rates within the control of the City of Norman, such increase proposal must be submitted to the legal voters of the City for their approval or rejection at the next regular general election, or at a special election which might be called for said purpose. This section is self-executing and shall supersede all provisions in conflict therewith; legislation may be enacted to facilitate its operations but no ordinance shall limit or restrict the provisions thereof.

**ARTICLE XVII. MISCELLANEOUS PROVISIONS**

**Section 1. Compensation of officers.**

The Council shall by ordinance fix the compensation of the City Manager. The City Manager shall fix the number, and salaries or compensation of all other officers and employees, with the approval of the Council. The salaries or compensation so fixed shall be uniform for like service in each grade of the service as same shall be graded or classified by the City Manager.

**Article XVII, continued:**

**Section 2. Extra compensation prohibited.**

No full-time elective or appointive officer or employee shall receive any compensation from the City other than specified in the salary attached to the position. No full-time person shall be permitted under any circumstances to draw more than one salary from the City for any and all purposes.

**Section 3. No appointment for definite time.**

No appointment to an office or position in the City shall be made for any definite time.

**Section 4. Officer or employees to have no interest in any City contract.**

No officer or employee of the City, elective or appointive, shall be interested, directly or indirectly, in any contract or job for work or for material, or supplies, or the profits thereof, or any purchase made for or sales made by, to or with the City, or own stock in any corporation, having any contract or subcontract, for doing any contract, job or work, and all such contracts with such City officers or employees shall be void, and the violation of this clause shall be deemed a sufficient cause for the removal from office or employment, of such officer or employee. For purposes of this section, the phrase "interested, directly or indirectly" shall also apply to a spouse, and shall embrace any ownership interest greater than five per cent (5%).

**Section 5. Bribery prohibited.**

It shall be unlawful for any candidate for office or for any officer or employee of the City, directly or indirectly, to give or promise to give to any person or persons, any office, position, employment, or anything of value, for the purpose of influencing or obtaining support, political or otherwise, aid, or influence of any person or persons; the doing of any of which things shall be grounds for removal from office of such officer, employee or candidate, if elected.

**Section 6. Nepotism prohibited.**

No person who is a relative by blood or marriage within the third degree of any of the Councilmembers or the City Manager shall be appointed to any City office or employment. The provisions of this section shall not prohibit an officer or employee already in the service of the municipality from continuing in such service or from promotion therein.

**Section 7. Councilmembers cannot accept newly created office.**

No Councilmember shall be appointed to any office created by the Council during that member's term until the expiration of two years after that member's service on the Council shall have ended.

**Article XVII, continued:**

**Section 8. Officers may administer oaths.**

The Mayor, Municipal Judge, and the City Clerk shall have the power to administer oaths.

**Section 9. Reserved.**

**Section 10. Individual liability of officers.**

Every officer who shall approve, allow or pay any demand on the treasury of the City, not authorized by law, ordinance or this Charter, shall be liable to the City individually and on his official bond for the amount of the demand so illegally approved, allowed or paid.

**Section 11. Auditing of accounts and publication of same.**

At the end of each fiscal year, and at such other time as it may deem necessary, the Council shall cause a full and complete examination of all the books and accounts of the City, including the accounts of municipally owned utilities, to be made by a competent, Certified Public Accountant.

**Section 12. Amendment and Repeal.**

This Charter may be amended at any time by initiative petition as provided by the Constitution and laws of the State of Oklahoma, at an election at which the proposed amendment is submitted to the registered voters of the City and approved by a majority vote of those voting at such election on such proposed amendment.

The Council may propose and submit any amendments to this Charter to a vote of the registered voters of the City provided such amendments are filed with the City Clerk for submission not less than sixty days before the election at which they are to be voted upon. Amendments, whether by initiative petition or by Council referral, may be submitted at any general or special election as the Council may prescribe. At such elections, the general election laws of the State shall govern.

**Section 13. Saving clause.**

If any section or a part of a section of this Charter is determined by a court of competent jurisdiction to be invalid, it shall not invalidate or impair the force or effect of any other section or part of a section of this Charter, except insofar as such other section or part of a section is dependent for its operation upon the section so held to be invalid.

## **ARTICLE XVIII. LABOR RELATIONS**

### **Section 1. Right to organize and bargain collectively.**

In order to protect the health, safety, and general welfare of the citizenry by promoting good labor relations, the City of Norman hereby extends the right to organize and bargain collectively to all non-supervisory full-time City employees. All such rights granted by this Article are expressly subject to the provisions of this Charter and ordinances enacted thereunder, and where not in conflict therewith, procedures and activities used in the implementation of these rights shall be governed by the laws of the State of Oklahoma. The City Council shall enact ordinances to effectuate the intent and express provisions of this Article.

### **Section 2. Recognition of bargaining unit.**

The City Council shall recognize, subject to the provisions of this Charter and ordinances enacted pursuant thereto, any bona fide and appropriate bargaining unit of City employees for the purpose of bargaining collectively with the City of Norman with respect to wages, salaries, hours, rates of pay, grievances, working conditions, and other terms and conditions of employment.

### **Section 3. Municipal powers reserved.**

Nothing herein contained shall be construed or interpreted so as to infringe upon or remove the prerogatives of the City to operate and manage affairs in all respects in accordance with its responsibilities and powers of authority, nor shall the right to collective bargaining extend to such matters.

### **Section 4. Strikes prohibited.**

In order to protect the health, safety, morals, and general welfare of the citizenry, the right to strike or to engage in any work stoppage or slowdown is hereby expressly prohibited. Any employee who, individually or by concerted action with others and without the approval of his superior, willfully absents himself from his position or abstains in whole or in part from the full, faithful, and proper performance of his duties for the purpose of inducing, influencing, or coercing a change in conditions or compensation, or the rights, privileges, or obligations of employment, shall be deemed to be on strike. Any employee who participates in a strike as herein defined may be discharged by the City Manager, immediately and without further cause. In no event shall anyone participating in a strike be allowed to acquire any benefits gained by collective bargaining. Strikes and the status of participants therein shall never be a matter of collective bargaining.

## **ARTICLE XIX. PLANNING; ZONING AND SUBDIVISION REGULATIONS**

### **Section 1. General grant of power.**

The City of Norman shall have full power to promote the public health, safety, morals, and general welfare by regulating the use of property and by controlling and directing the development of the City, through the exercise of the complete powers necessary and proper to carry and maintain these and all powers into full effect, within the City limits, to the fullest extent permissible under the Constitution of the United States and the Constitution of this State. The exercise of the powers of planning, zoning and subdivision regulation within the City always shall be in pursuance of this grant of authority and not under state statutes or law, except with respect to those matters of general state concern as to which state law controls under the State Constitution. The City also may exercise powers of planning, zoning, and subdivision regulation granted by the State in respect to matters of general state concern, as aforesaid, and also in respect to property situated outside the City limits.

### **Section 2. Planning Commission; membership; duties.**

In order to avail itself of the powers conferred by this Article, the City Council shall appoint the Norman Planning Commission. Such Commission shall consist of not less than nine citizens, all of whom shall reside in the City of Norman and who shall be nominated by the Mayor, and confirmed by the City Council, each for a term of three years; provided, however, that in the first instance, one-third shall be for three years, one-third for two years, and one-third for one year. Appointments to fill vacancies shall be for the unexpired term only. Such Commission shall serve without pay, and it shall be the duty of such Commission to exercise all powers granted by this Article or ordinances enacted pursuant thereto. The Commission shall have the power and authority to employ personnel for the purpose of carrying out its functions, subject to approval of the appropriations of funds by the City Council.

### **Section 3. Amendment, change or repeal of regulations.**

Zoning regulations, restrictions, and boundaries may from time to time be amended, supplemented, changed, modified, or repealed by the vote of a majority of the membership of the City Council; provided, however, the City Council is expressly authorized to enact ordinance(s) which will require approval by more than a simple majority of City Councilmembers to amend, supplement, change, modify, or repeal zoning regulations in situations specifically described in any such ordinance(s).

### **Section 4. Present ordinances and regulations continued.**

All ordinances and regulations of this City in respect to planning, zoning, and subdivision regulations which are in operation at the effective date of this Charter provision, hereby are adopted and continued in force, under and by force of the authority conferred by Section 1 of this Article, until altered or repealed by the City Council.

## **ARTICLE XX. REAPPORTIONMENT**

### **Section 1. Reapportionment Commission.**

There shall be a Reapportionment Commission, which shall consist of nine voting members appointed by the Council on nomination by the Mayor. All members of the Reapportionment Commission shall be registered voters of the City and shall hold no other office or position of employment in the City government.

### **Section 2. Composition of the Reapportionment Commission.**

The Reapportionment Commission's members shall be residents and registered voters of the City's wards, (one at-large and one from each ward.)

The terms of all nine (9) voting members shall be five (5) years, beginning on July 1. The members so appointed shall, at a regular meeting at 7:30 p.m. on the second Monday of July of each year subsequent to July 1, 1977, meet and elect a presiding officer and such other officers as the Commission may deem necessary to its proper function.

Vacancies shall be filled by the City Council in the manner set out hereinafter for the unexpired terms.

### **Section 3. Criteria for ward boundaries.**

Subsequent to the issuance of each Federal Decennial Census and within ninety (90) days, the Commission shall pass and refer to the City Council a resolution to establish and readjust the wards and their boundaries to comply with the requirements set out herein. Wards shall be formed so as to equalize, as nearly as practicable, the population of the several wards. In addition, each ward shall be formed of compact, contiguous territory with boundaries drawn to reflect and respond to communities of common interest, ethnic background, and physical boundaries, to the extent reasonably possible. Ward lines shall not create artificial corridors which in effect separates voters from the ward to which they most naturally belong.

### **Section 4. Public hearing on proposed boundaries; votes required for passage.**

At least ten (10) days before voting on the resolution, the Reapportionment Commission shall hold a public hearing thereon. At least five (5) votes shall be required for passage of the resolution, and the vote on passage shall be by roll call and shall be entered in the minutes of the Commission. A map showing the wards and their boundaries shall be appended to the resolution.

**Article XX, continued:**

**Section 5. Council shall have final authority.**

The resolution shall then be referred to the City Council which shall, within thirty (30) days, conduct a public hearing on the proposed resolution and adopt, with such modification as the Council deems necessary, the resolutions as an ordinance of the City. In any alteration or amendment of the resolution as proposed by the Reapportionment Commission, the City Council shall use the same criteria for ward boundaries as hereinabove adopted for the use of the Reapportionment Commission.

Thereupon, the new wards and boundaries shall supersede the previous wards and boundaries for purposes of the next primary and general election, and for all other purposes on the day on which the terms of the Councilmembers elected that year begin.

**Section 6. Annexed territory; reapportionment between census report.**

When territory is annexed to the City, the Reapportionment Commission, by resolution in the manner provided hereinabove, shall incorporate it into the adjacent ward or wards or shall readjust the wards and boundaries in the manner provided hereinabove, as it deems appropriate.

Further, the Commission may, at other periods than those set out above, in the manner and upon the basis stated and provided for herein, alter the boundaries of the wards when such may be necessitated by an increase, decrease or shift in residence of the population of the City or other substantial change in the criteria set out hereinabove.