

**ORDINANCE NO. 2025-06**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AMENDING OFFICAL FORMS FOR RECALL, INITIATIVE AND REFERENDUM PETITIONS AND ADOPTING AN OFFICIAL NOTICE OF INTENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, Fifty-one (51) amendments to the City Charter were approved by the voters during the November 7, 2023 Special Election; and

**WHEREAS**, The City of Rosenberg Home Rule Charter as amended and approved by the voters allows City Council to adopt forms for recall, initiative and referendum petitions by ordinance; and

**WHEREAS**, Pursuant to the City of Rosenberg City Charter, City Council adopted official City forms for recall, initiative and referendum petitions on February 6, 2024 under Ordinance No. 2024-06; and

**WHEREAS**, City Council requests to revise the official City forms for recall, initiative and referendum petitions, as well as adopt an official Notice of Intent as required by the City of Rosenberg City Charter Section 6.02(A).

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS THAT THE CITY OF ROSENBERG:**

Section 1. Findings. That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance for all purposes.

Section 2. Pursuant to Sec. 6.02 of the City Charter of the City of Rosenberg, Texas the forms attached as "Exhibit A" shall be the City's official forms for recall, initiative and referendum petitions, as well as an official Notice of Intent.

Section 3. Severability Clause. If any word, section, article, phrase, paragraph, sentence, clause, or portion of this Ordinance or application thereof to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance; and the City Council hereby declares it would have passed such remaining portions of this

Ordinance despite such invalidity which remaining portions shall remain in full force and effect.

Section 4. Repealer. All ordinances or parts inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law and the City Charter.

**PASSED AND APPROVED** by a vote of 7 "ayes" in favor, 0 "noes" against, and 0 abstentions on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the 4 day of February 2025.

**ATTEST:**

  
Danyel Swint, TRMC, City Secretary

**APPROVED:**

  
William Benton, Mayor

**APPROVED AS TO FORM:**

  
City Attorney  
Randle Law Office, Ltd., L.L.P.



# NOTICE OF INTENT

Place a checkmark next to the petition that will be circulated and complete the section. Return completed form to the City Secretary, City of Rosenberg, 2110 4<sup>th</sup> Street, Rosenberg, Texas 77471.

**Petition for Referendum** - Article VI, Section 6.09(a) of the City Charter states "A petition for referendum must contain a number of signatures equivalent to at least ten (10%) percent of the registered voters who voted at the City's last general election or the signatures of at least 180 qualified voters, whichever is greater, and must cite and attach the ordinance sought to be repealed and any and all amendments thereto."

A Petition for Referendum seeks to repeal an ordinance having a caption which reads: "AN ORDINANCE OF THE CITY OF ROSENBERG, TEXAS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_."

**Petition for Initiative** - Article VI, Section 6.08(a) of the City Charter states "Before an initiative election shall be submitted to the qualified voters of the city, a petition demanding such question to be so submitted shall first be filed with the city secretary. A petition for initiative must contain a number of signatures equivalent to at least ten percent (10%) of the registered voters who voted at the City's last general election or the signatures of at least 180 qualified voters, whichever is greater and must set forth in full the text of the ordinance sought to be enacted."

A Petition for Initiative seeks the enactment of an ordinance having a caption which reads: "AN ORDINANCE OF THE CITY OF ROSENBERG, TEXAS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_."

**Petition for Recall** - Article VI, Section 6.02 states "For a recall petition only, the Notice of Intent to circulate a petition required by this subsection must be filed at least six months after the election of the person sought to be removed and must be filed prior to the date of signing of each signature contained in the petition."

Article VI, Section 6.03 of the City Charter states "Before the question of recall of such officer shall be submitted to the qualified voters of the city, a petition demanding such question to be so submitted shall first be filed with the city secretary; which said petition shall be signed by qualified voters of the city equal in number to at least ten percent (10%) of the registered voters who voted at the City's last general election or the signatures of at least 180 qualified voters, whichever is greater. Each signer of such recall petition shall personally sign his name thereto in ink or indelible pencil and shall write after his name his place of residence, giving name of street and number, or place of residence, and shall also write thereon the day, the month and year his signature was affixed."

A Petition for Recall seeks to recall the following elected official of the City of Rosenberg, Texas:

Name and Position of Elected Official: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Dated: \_\_\_\_\_

### INTERNAL USE ONLY

Date received: \_\_\_\_\_

Received by: \_\_\_\_\_





