

On Apr 21, 2023, at 9:36 AM, George R. Corrigan <george.corrigan@corrigan.pro> wrote:

Buck,

One way of passing an ordinance is by direct legislation. The steps include:

- 1) Draft an ordinance and make it part of a petition requesting that the attached proposed ordinance or resolution, without alteration, either be adopted by the common council or village board or be referred to a vote of the electors.
- 2) The petition must be signed by at least a number of electors equal to 15% of voters in the last governor's race in the city. That is a little over 1000 signatures for Stoughton, I believe. All signatures must be collected within 60 days of the first signature.
- 3) The clerk has 15 days to certify the petition (or state the deficiencies).
- 4) Assuming the signatures are valid and sufficient the city has 30 days from certification to pass the ordinance as written - no amendments.
- 5) If it passes the ordinance is law. If not, it goes to the voters in a binding referendum in the next spring election or general election (if that is more than 70 days away).
- 6) If a majority of voters vote in favor, the ordinance must be published and take effect within 10 days.
- 7) City Council cannot amend or repeal for at least 2 years. Politically, it would be unlikely they do so after 2 years, I think.

I believe it has been used numerous times in Wisconsin. I am aware of it being used for a puppy mill ordinance in the Village of Spring Green 4 or 5 years ago, and once in the Fox Valley (probably Appleton) before that.

Syttende Mai could be a good place to collect signatures - that might also give you a feel for support.

A lot of thought should be put into the ordinance (since it cannot be amended), but here is a first draft:

Section 38-45 {It could be part of the chapter on historical preservation} Preservation of 4th Street Dam.

- (a) Water park is defined in this section as the creation of channels, chutes, etc. that are designed for creating turbulence for kayaking, boating, canoeing or rafting.
- (b) No person or entity, including the City of Stoughton, shall remove, in whole or in part, the Stoughton 4th Street Dam.
- (c) No person or entity, including the City of Stoughton shall modify, in whole or in part, the Stoughton 4th Street Dam for the creation of a water park.
- (d) Nothing in this section shall prevent the maintenance of the Stoughton 4th Street Dam, provided that maintenance does not allow the creation of a water park.

I designed water park narrowly - perhaps that is too narrow.

<https://docs.legis.wisconsin.gov/statutes/statutes/9/20>

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwihp5r6ibv-AhVLjIkeHYeLB8sQFnoECCcQAQ&url=https%3A%2F%2Felections.wi.gov%2Fmedia%2F6350%2Fdownload&usg=AOvVaw3Tyk-2YNYrLXxvli6o_0co

<https://www.wisbar.org/newspublications/wisconsinlawyer/pages/article.aspx?Volume=81&Issue=5&ArticleID=1648>

George Corrigan