

RESOLUTION CLARIFYING PROCEDURE FOR SUBMITTAL OF PETITIONS

WHEREAS, the citizens of Wantage Township have a constitutional right to seek government change and to voice their opinions and desires through petitions submitted to their elected officials, and

WHEREAS, the Mayor and Committee of Wantage Township embrace, support and encourage this right of its citizens, and

WHEREAS, a large variety of topics may be the subject of a petition submitted by citizens, and

WHEREAS, relevant state laws and regulations dictate the manner in which many petitions must be submitted, and

WHEREAS, technological advances have made it possible for citizens to utilize social media and other internet-based formats for creating petitions, as well as to create digital images of petitions which may be transmitted via Electronic mail, text messaging, and other electronic means; and

WHEREAS, these on-line and social media options for creating and submitting petitions (hereinafter referenced as “electronic submittal of petitions”), while convenient for the party who is initiating the petition drive, often creates a situation in which the review and disposition of that petition requires extensive staff review and taxpayer expense to ascertain validity of the submittal and compliance with all relevant state laws governing such petitions, and

WHEREAS, the best interests of the general public are served by ensuring that the review and disposition of a petition shall be expedited and facilitated, and

WHEREAS, citizens are often disillusioned and frustrated when their efforts to participate in the government process are delayed or found unacceptable, and the best interests of the general public would be served by clarifying the procedure for submittal of petitions to the governing body of Wantage Township,

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Committee of Wantage Township hereby adopt the following procedure for submittal of petitions from the general public:

I. PETITIONS INVOLVING ELECTIONS

- A. Partisan Candidate Petitions: Primary Election petitions submitted in support of a candidacy for municipal office and/or for county committee shall follow the requirements for petitions as explained in the relevant State Statutes, including but not limited to NJSA Title 19 and Title 40A.

Given the need to verify the validity of signatures on these said petitions, no electronic submittal of Candidate Petitions shall be accepted, nor shall photocopied printouts of such electronic petitions be accepted.

- B. Independent Candidate Petitions: Direct nomination petitions of “independent” candidates for office are submitted to the office of the County Clerk, in accordance with the requirements of State Statute.

Citizens should contact the County Clerk for directions with respect to submittal of this petition.

- C. School Board Candidate Petitions: nominating petitions of candidates for the Board of Education are submitted to the office of the appropriate School Board Secretary, in accordance with the requirements of State Statute.

Citizens should contact the appropriate School Board Secretary for directions with respect to submittal of this petition.

- D. Recall Election Petitions: petitions submitted in support of a Recall Drive must follow the format of the Uniform Recall Election Law of New Jersey (NJSA 19:27A-1 et seq.), and all other relevant state laws and regulations associated with a recall drive.

Given the need to verify the validity of signatures on these said petitions, no electronic submittal of Recall Petitions shall be accepted, nor shall photocopied printouts of such electronic petitions be accepted.

- E. Charter Study Commission and/or Consolidation Study Petitions: petitions submitted in support of a Charter Study commission Ballot Question and/or candidacy, as well as Consolidation Study petitions and/or candidacy, must follow the format of the relevant state laws and regulations governing these subjects.

Given the need to verify the validity of signatures on these said petitions, no electronic submittal of these Petitions shall be accepted, nor shall photocopied printouts of such electronic petitions be accepted.

II. PETITIONS INVOLVING REFERENDA

- A. Non-Binding Referendum: Petitions requesting a Non-Binding Referendum shall be accepted by the office of municipal clerk, and processed in accordance with all applicable state laws, including but not limited to NJSA 19:37-1 et seq.
1. The first step in a Non-Binding Referendum process involves a decision by the governing body to submit a question for the General Election Ballot in the form of a Non-Binding Referendum. There is no requirement for member(s) of the public to submit a petition for consideration of a request for a Non-Binding Referendum. Requests for consideration of a Non-Binding Referendum may be submitted by written letter, verbally at a public meeting, and/or via electronic means. If a petition is submitted by electronic means, the requestor shall identify a specific calendar date which shall represent the final and completed petition, and both the format of the petition and the signatures gathered shall be considered final as of that date.
 2. The second potential step in a Non-Binding Referendum process would involve a situation in which, after the governing body has taken action to submit a question for the General Election Ballot in the form of a Non-Binding Referendum, if one or more members of the public wish to seek a change to that said Question, they may submit a petition in accordance with the requirements of State Statute as found in NJSA 19:37-1.1.
- B. Initiative: Wantage Township does not have a form of government which allows for citizens to submit an Initiative petition.
- C. Binding Referendum (based on form of government): Wantage Township does not have a form of government which allows for citizens to submit a Binding Referendum petition.
- D. Binding Referendum (on a topic authorized by statute): There are certain topics which are subject to a Binding Referendum in any New Jersey municipality. In most cases, these topics require the governing body to adopt an ordinance authorizing the subject matter which shall not become effective until a referendum is held at the next November General Election.
1. Unless specifically dictated by State Statute, there is no requirement for member(s) of the public to submit a petition for consideration of a request for a Binding Referendum on a topic authorized by statute. Requests for consideration of a Binding Referendum may be submitted by written letter, verbally at a public meeting, and/or via electronic means.
 2. If submitted by electronic means, the requestor shall identify a specific calendar date which shall represent the final and completed petition, and both the format of the petition and the signatures gathered shall be considered final as of that date.

III. PETITIONS INVOLVING GENERAL REQUESTS FOR ACTION

Members of the general public may, from time to time, choose to submit a petition to the governing body with the intent of lobbying in favor of, or against, a particular proposed course of action by the governing body.

While there is no statutory requirement governing submittal of such petitions, the following guidelines are hereby offered:

1. There is no minimum or maximum number of signatures required in this situation. The more signatures gathered, the greater the support demonstrated for the petitioners' position(s). It is up to the governing body to determine the extent to which a signed petition represents the "will of the people" and/or a proposed course of action that would be in the best interests of the community.
2. The governing body is interested in hearing the views of Wantage Township citizens.
 - a) There is no requirement that the citizen must be a registered voter or a taxpayer
 - b) The views of citizens from communities outside Wantage Township are respectfully accepted, but carry no weight, in the consideration of a request for action within Wantage Township.
3. Unless specifically dictated by State Statute, there is no requirement for member(s) of the public to submit a petition for consideration of a request for general action. Requests for consideration of action may be submitted by written letter, verbally at a public meeting, and/or via electronic means.
4. If a petition is submitted by electronic means, the requestor shall identify a specific calendar date which shall represent the final and completed petition, and both the format of the petition and the signatures gathered shall be considered final as of that date.
5. If submitted by electronic means, the validity of signatures cannot be verified, nor shall the municipal clerk be required to interpret or otherwise review the petition. The electronic submittal shall be presented to the governing body "as submitted" and shall be given due consideration of the governing body based on the extent to which the request being made can be reasonably understood, and the extent to which the support presented represents input from citizens of Wantage Township.