

RICHLAND COUNTY, NORTH DAKOTA
HOME RULE CHARTER
PREAMBLE

Pursuant to the statutes of the State of North Dakota, we the people of Richland County do hereby establish and ordain this Home Rule Charter.

Article 1

County Commission to Exercise Powers

Subject to the limitations imposed by the North Dakota Constitution, state law, and this charter, the home rule powers of Richland County shall be vested in the Board of County Commissioners. The Board of County Commissioners shall enact ordinances to determine policies and prescribe the functions of government to be performed under this charter. All home rule powers of the county shall be exercised in the manner prescribed by this charter, or if the manner be not prescribed, then in such manner as may be prescribed by ordinance.

Article 2

Home Rule Powers of County

In addition to powers granted counties under the general statutes, Richland County shall have among its enumerated home rule powers, subject to implementation by ordinance of the Board of County Commissioners, the following:

1. Acquire, hold, operate, and dispose of property within or without the county limits, and exercise the right of eminent domain for those purposes.

2. Control its finances and fiscal affairs; appropriate money for its purposes, and make payments of its debts and expenses; subject to the limitations of this section, and Article 9 herein, levy and collect property taxes, sales taxes, motor vehicle fuels and special fuels taxes, motor vehicle registration fees, and special assessments for benefits conferred, for its public and proprietary functions, activities, operations, undertakings, and improvements; contract debts, borrow money, issue bonds, warrants, and other evidences of indebtedness; establish charges for any county or other services to the extent authorized by state law, and establish debt and mill levy limitations subject to Article 9; provided, that all property in order to be subject to the assessment provisions of this subsection must be assessed in a uniform manner as prescribed by the state board of equalization and the state supervisor of assessments. An ordinance or act of the Board of County Commissioners may not supersede any state law which determines what property or acts are subject to, or exempt from, ad valorem or sales and use taxes. Notwithstanding the other provisions of this subsection, the Board of County Commissioners shall not commingle dedicated mill levies with one another or with the general fund levy.

3. Provide for county elected and appointed officers and employees, their selection, powers, duties, and qualifications, and compensation, and the terms of county appointed officers and employees. However, a county elected office may not be eliminated or combined with another office except upon approval of a majority of the electors of the county voting upon the question at a primary or general election. Notwithstanding the other provisions of this subsection, a charter or ordinance or act of the Board of County Commissioners may not supersede any state law concerning the office or jurisdiction of the county court or county judge.
4. Provide for all matters pertaining to county elections, except as to qualifications of electors.
5. Provide for the adoption, repeal, initiative, referral, enforcement, and penalties for violation of ordinances, resolutions and regulations to carry out its governmental and proprietary powers and to provide for public health, safety, morals, and welfare. However, this subsection does not confer any authority to regulate any industry or activity which is regulated by state law or by rules adopted by a state agency.
6. Lay out or vacate public grounds, and provide for the construction, use, operation, designation, and regulation of a county road system.
7. Provide for zoning, planning, and subdivision of public or private property within the county limits but outside the zoning authority of any city or organized township.
8. Exercise in the conduct of its affairs all powers usually exercised by a corporation.
9. Contract with and receive grants from any other government entity or agency, with respect to any local, state or federal program, project or works.

The enumeration of particular powers by this charter shall not be deemed to be exclusive, and in addition to the powers enumerated herein or implied hereby, or appropriate to the exercise of such powers, it is intended that the County shall have and may exercise all powers which under the Constitution and laws of this state it would be competent for this charter specifically to enumerate.

Article 3

Adoption of Ordinances

For purposes of this charter an ordinance shall be defined as follows:

Any enactment by the commission or the people which prescribes a permanent rule or statute governing the actions of persons or bodies.

Any enactments by the people or the commissioners implementing charter provisions, or expanding or curtailing any of the powers or authorizations provided herein, shall be in the form of ordinances.

Each ordinance introduced through the County Commission shall have two readings, with the first reading consisting of announcement of the title of the ordinance at a duly called meeting of the Board, and a filing of the proposed enactment with the County Auditor, and publication of a summary of the enactment in the official newspaper of the county at least 10 days before the second reading. The proposed enactment may then be given second reading, which shall be by title, and submitted to a roll call vote of the Board of County Commissioners. If a majority of the elected commissioners concur, such enactment shall become effective on the date stated in the enactment.

Article 4

Offices To Be Elected

The offices of Clerk of District Court, Commissioners, Judge, Sheriff and State's Attorney shall be filled by election under this charter.

Article 5

Auditor

Section 1 – Appointment; Qualifications; Compensation

The Board of County Commissioners by a majority vote of its total membership shall appoint an Auditor for an indefinite term and fix the Auditor's compensation. The Auditor shall be appointed solely on the basis of executive and administrative qualifications to be established by the Board of County Commissioners. The Auditor need not be a resident of the county or state at the time of appointment but must reside within the county within 90 days from the time of appointment.

Section 2 – Removal

The Auditor may be suspended by a resolution approved by the majority of the total membership of the Board of County Commissioners which shall set forth the reasons for suspension and proposed removal. A copy of such resolution shall be served immediately upon the Auditor. The Auditor shall have fifteen days in which to reply thereto in writing, and upon request, shall be afforded a public hearing, which shall occur not earlier than ten days nor later than fifteen days after such hearing is requested. After the public hearing, if one be requested, and after full consideration the Board of County Commissioners by a majority vote of its total membership may adopt a final resolution of removal. The Auditor shall continue to receive full salary until the effective date of a final resolution of removal.

Section 3 – Acting Auditor

The Board of County Commissioners may appoint an acting Auditor to exercise the powers and perform the duties of the Auditor during the Auditor's temporary absence or disability.

Section 4 – Powers and Duties of the Auditor

The Auditor shall be the chief financial officer of the county, responsible to the Board of County Commissioners for the administration of all county affairs placed in the Auditor's charge by or under this charter. The Auditor shall:

1. Direct and supervise the financial administration of all departments, offices and agencies of the county, placed under the Auditor's administration by or under this charter and which may be otherwise required by the Board of County Commissioners. The Auditor shall monitor the financial administration of all departments, offices and agencies of the county, except as otherwise provided by this charter or by law;
2. Attend all Board of County Commissioners meetings. The Auditor shall have the right to take part in discussion but shall not vote;
3. See that all laws, provisions of this charter and acts of the commissioners, subject to enforcement by the Auditor or by officers subject to the Auditor's direction and supervision, are faithfully executed;
4. Prepare and submit the annual budget and capital program to the Board of County Commissioners.
5. Submit to the Board of County Commissioners and make available to the public a complete report on the finances and administrative activities of the county as of the end of each fiscal year;
6. Make such other reports as the commissioners may require concerning the operations of county departments, offices and agencies subject to the Auditor's direction and supervision;
7. Keep the commissioners fully advised as to the financial condition and future needs of the county;
8. Make recommendations to the commissioners concerning the affairs of the county;
9. Provide staff support services for the commissioners; and
10. Perform such other duties as are specified in this charter or may be required by the commissioners.

Article 6

Departments, Offices and Agencies

Section 1 – General Provisions

The Board of County Commissioners may establish county departments, officers or agencies in addition to those offices to be filled by election or created by this charter and may prescribe the functions of all departments, offices and agencies, except that no function assigned by this charter to a particular department, office or agency may be discontinued or, unless this charter specifically so provides, assigned to any other.

All departments, offices and agencies under the direction and supervision of the Auditor shall be administered by an officer appointed by the Auditor, subject to confirmation by a majority vote of the Board of County Commissioners, and subject to the direction and supervision of the Auditor. With the consent of commissioners, the Auditor may serve as the head of one or more such departments, offices, or agencies, or may appoint one person as the head of two or more of them.

Section 2 – Personnel System

All appointments and promotions of county officers and employees, except those offices filled by election, shall be made solely on the basis of qualifications established by job descriptions adopted by the Board of County Commissioners.

Consistent with all applicable federal and state laws the Board of County Commissioners shall provide by ordinance for the establishment, regulation and maintenance of a merit system governing personnel policies necessary to effective administration of the employees of the county's departments, offices and agencies, which may include but not be limited to classification and pay plans, examinations, force reduction, removals, working conditions, provisional and exempt appointments, in-service training, grievances and relationships with employee organizations.

Article 7

Financial Procedures

Section 1 – Fiscal Year

The fiscal year of the county shall begin on the first day of January and end the last day of December.

Section 2 – Submission of Budget and Budget Message

On or before the 6th day of July of each year, each department, office, or agencies (sic) whether headed by an elected official or appointed officer shall submit to the Auditor a budget for the ensuing fiscal year.

Section 3 – Budget Message

The Auditor’s message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the county for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the county’s debt position and include such other material as the Auditor deems desirable.

Section 4 – Budget

The budget shall provide a complete financial plan of all county funds and activities for the ensuing fiscal year and, except as required by law or this charter, shall be in such form as the Auditor deems desirable or the commissioners may require. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

1. The proposed goals and objectives and expenditures for current operations during the ensuing fiscal year, detailed for each fund by organization unit, and program, purpose or activity, and the method of financing such expenditures;
2. Proposed capital expenditures during the ensuing fiscal year, detailed for each fund by organization unit when practicable, and the proposed method of financing each such capital expenditure; and
3. The anticipated income and expense and profit and loss for the ensuing year for each utility or other enterprise fund operated by the county.

For any fund, the total of proposed expenditures shall not exceed the total of estimated income plus carried forward fund balance, exclusive of reserves.

Section 5 – The Board of County Commissioners Action on Budget

The commissioners shall publish in the official newspaper of the county the general summary of the budget and a notice stating:

1. The times and places where copies of the message and budget are available for inspection by the public, and

2. The time and place, not less than two weeks after such publication, for a public hearing on the budget.

After the public hearing, the commissioners may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.

The commissioners shall adopt the budget on or before the 15th day of September of the fiscal year currently ending.

Section 6 – Appropriation and Revenue Ordinances

To implement the adopted budget, the commissioners shall adopt, prior to the beginning of the ensuing fiscal year;

- (a) An appropriation ordinance making appropriations by department or major organizational unit and authorizing a single appropriation for each program or activity;
- (b) A tax levy ordinance authorizing the property tax levy or levies and setting the tax rate or rates; and
- (c) Any other ordinances required to authorize new revenues or to amend the rates or other features or existing taxes or other revenue sources.

Section 7 – Amendments after Adoption

(a) Supplemental Appropriations. If during the fiscal year the Auditor certifies that there are available for appropriation revenues in excess of those estimated in the budget, the commissioners by ordinance may make supplemental appropriations for the year up to the amount of such excess.

(b) Emergency Appropriations. To meet a public emergency affecting life, health, property or the public peace, the commissioners may make emergency appropriations. Such appropriations may be made by emergency ordinance. To the extent that there are no available unappropriated revenues or a sufficient fund balance to meet such appropriations, the commissioners may by such emergency ordinance authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

(c) Reduction of Appropriations. If at any time during the fiscal year it appears probable to the Auditor that the revenues or fund balance available will be insufficient to finance the expenditures for which appropriations have been authorized, the Auditor shall report to the commissioners without delay, indicating the estimated amount of the deficit, any remedial action taken by the Auditor and recommendations as to any other steps to be taken. The commissioners (sic) shall then take such further action as it deems necessary to prevent or reduce any deficit and for that purpose it may by ordinance reduce one or more appropriations.

(d) Transfer of Appropriations. At any time during the fiscal year the commissioners may by resolution transfer part or all of the unencumbered appropriation balance from one department or major organizational unit to the appropriation for other departments or major organizational units. The Auditor, subject to approval by a majority vote of the Board of County Commissioners, may transfer part or all of any unencumbered appropriation balances among programs within a department or organizational unit.

(e) Limitation: Effective Date. No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

Section 8 – Lapse of Appropriations

Every appropriation, except an appropriation for capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until expended, revised or repealed; the purpose of any such appropriation shall be deemed abandoned if three years pass without any disbursement from or encumbrance of the appropriation.

Section 9 – Administration of the Budget

The commissioners shall provide by ordinance the procedures for administering the budget.

Section 10 – Overspending of Appropriations Prohibited

No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless the Auditor or the Auditor's designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this charter shall be void and any payment so made illegal. A violation of this provision shall

be cause for removal of any officer who knowingly authorized or made such payment or incurred such obligation. Such officer may also be liable to the county for any amount so paid. Except where prohibited by law, however, nothing in this charter shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year, but only if such action is made or approved by ordinance.

Section 11 – Capital Program

(a) Submission to the Board of County Commissioners. The Auditor shall prepare and submit to the commissioners a five year capital program no later than the final date for submission of the budget.

(b) Contents. The capital program shall include:

1. A clear general summary of its contents;
2. A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for each;
3. Cost estimates and recommended time schedules for each improvement or other capital expenditure;
4. Method of financing, upon which each capital expenditure is to be reliant; and
5. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Section 12 – Board of County Commissioners Action on Capital Program

(a) Notice and Hearing. The commissioners shall publish in the official newspaper of the county the general summary of the capital program and a notice stating:

1. The times and places where copies of the capital program are available for inspection by the public, and
2. The time and place, not less than two weeks after such publication, for a public hearing on the capital program.

(b) Adoption. The commissioners by resolution shall adopt the capital program with or without amendment after the public hearing and on or before the 15th day of September of the current fiscal year.

Section 13 – Public Records

Copies of the budget, capital program and appropriations and revenue ordinances shall be public records and shall be made available to the public at suitable places in the county.

Article 8

Powers Reserved To The People

Section 1 – Initiative and Referendum

The citizens of Richland County shall have the right to initiate and refer ordinances. This Article is self-executing and all provisions are mandatory. Ordinances may be enacted to facilitate and safeguard, but not to hamper, restrict, or impair these powers.

Section 2 – Initiative

A petition to initiate an ordinance shall be presented to the Auditor for approval as to form prior to circulation. Each petition shall have printed thereon: “Initiation of county ordinance providing for _____” and shall accurately identify and summarize the true nature of the initiated ordinance and set forth the text of the ordinance. A request for approval shall be presented over the names and signatures of three (3) or more qualified electors who shall constitute the “Committee for the Petitioners” and who shall represent and act for the petitioners. Within ten (10) days after receipt of the petition, the Auditor shall either approve the petition for circulation if it is in proper form and contains the full text of the measure or if the Auditor does not approve the petition, he or she shall give written notice to the Committee for the Petitioners of his or her reason for not approving their petition.

Any proposed ordinance may be submitted to the Board of County Commissioners by a petition signed by qualified electors thereof at least equal in number to fifteen (15) percent of the number of electors voting in the County for the office of governor at the last gubernatorial election. The petition shall be filed in the Auditor’s office and shall contain a request that the ordinance set out in the petition be submitted to a vote of the qualified electors of the County if it is not passed by the governing body of the county.

After receiving the petition for the initiation of a proposed ordinance, the governing body of the county shall:

- (a) Pass the ordinance without alteration within twenty (20) days after the attachment of the auditor’s certificate to the accompanying petition that it appears in order, or

(b) Call a special election within ninety (90) days after the filing of the petition and submit to the vote of the electors of the county the initiated ordinance without alteration. However if a general county election is fixed not earlier than fifteen (15) days nor later than ninety (90) days after the date of filing said petition, the unaltered initiated ordinance shall be placed upon the ballot for voter consideration at said general election.

If a majority of the qualified electors voting on an initiated ordinance vote in favor thereof, it shall become a valid and binding ordinance of the County. The Board of County Commissioners may not repeal or make any material amendment to an initiated ordinance except by at least a three-fourths (3/4) vote of the members present for a period of six (6) years after the date of election adopting such ordinance, thereafter such ordinance may be repealed or amended the same as any ordinance. An initiated ordinance approved by the Board of County Commissioners without being submitted to the electors may be referred as provided in Section 3.

Section 3 – Referendum

The citizens of Richland County shall have the right to refer ordinances, except those ordinances implementing public projects upon which an election or a referendum has already been held pursuant to law or this charter, or which provide for meeting obligations of bonded indebtedness incurred by a prior ordinance or a prior election or referendum and except for the annual budget and appropriation. Qualified county electors at least equal in number to fifteen (15) percent of the number of electors voting in the County for the office of governor in the last gubernatorial election may, by referendum petition, suspend the operation of any ordinance enacted by the governing body, except emergency ordinances approved by at least three-fourths (3/4) of all members of the governing body. An emergency ordinance shall contain a clause declaring an emergency. The filing of referendum petitions against one or more items, sections or parts of any ordinance, shall not prevent the remainder from going into effect. Referendum petitions shall be filed with the Auditor not later than sixty (60) days and before 4:00 o'clock p.m. on the 60th day after adoption of the ordinance.

Each petition shall have printed thereon: “Referral of County Ordinance _____; providing for _____”; and shall accurately identify and summarize the true nature of the referral and set forth the text of the ordinance. A petition to refer an ordinance shall be presented to the Auditor for approval as to form prior to circulation. A request for approval shall be presented over the names and signatures of three (3) or more qualified electors who shall constitute the “Committee for the Petitioners”. Within ten days (10) after receipt of the petition, the Auditor shall either approve the petition for circulation if it is in proper form and contains the full text of the measure proposed to be referred or if the Auditor does not approve the petition, he or she shall give written notice to the committee for the petitioners of his or her reason for not approving their petition.

Each ordinance referred to the electors shall be placed upon the ballot by the Auditor at the next county election occurring after thirty (30) days following the filing of sufficient petitions, or at a special election called by the Board of County Commissioners. In the event the referendum petition refers an emergency ordinance, the election shall be held with sixty (60) days from the date of filing.

An ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof, except if said ordinance is an emergency ordinance. An ordinance referred, except an emergency ordinance, shall be suspended upon submission of the auditor's certificate to the Board of County Commissioners as provided in Section 4 of this Article.

If a referendum petition is filed against an emergency ordinance such ordinance shall be in effect until voted upon by the electors. If the ordinance is then rejected by majority of the votes cast thereon, it shall be thereby repealed as of the tenth (10th) day after the election.

Section 4 – Petition, certification, publication, and limitation

Each petition to initiate or refer, in addition to the signatures of the petitioners, shall contain the residence address of each petitioner. At the bottom of each petition, the circulator of that particular petition shall sign an affidavit affirming that the signors thereto are known to him or her to be qualified electors of the County at the time of signing and also setting forth the number of signors upon the petition at the time when the affidavit was made.

No ordinance shall be enacted limiting the number of copies of petition. Copies of petitions shall become part of the original petition when filed.

All decisions of the Auditor in passing upon any petition to initiate or refer is subject to review by the District Court, in and for Richland County, North Dakota. The burden is on the party challenging the petition if proceedings are brought against any petition upon any ground.

Within ten (10) days after the filing of a petition to initiate or refer an ordinance, the Auditor shall examine the petition and ascertain whether or not the petition is signed by the requisite number of qualified electors. The Auditor shall attach to the petition his or her certificate showing the result of the examination and if the petition is insufficient he or she shall state in his or her certificate the reasons therefore. If the Auditor's certificate shows the petition to be insufficient, it may be corrected or amended within ten (10) days from the date of the certificate. Within ten (10) days after any such amendment, the Auditor shall make an examination of the amended petition, and if the certificate attached thereto shall show the amended petition to be insufficient, it shall be returned to the person filing the same without prejudice to the filing of a new petition to the same effect. If the petition is sufficient, the Auditor shall so certify and submit it to the Board of County Commissioners without delay.

The Auditor shall cause any initiated or referred ordinance to be submitted to the qualified electors under this charter to be published once in the official newspaper of the county. The publication shall be made not more than twenty (20) days nor less than five (5) days before the submission of the initiated or referred ordinance to a vote.

Any number of proposed or referred ordinances may be voted on at the same election in accordance with the provision of this charter. There shall be not more than one special election in any period of one (1) year for such purposes.

If conflicting initiated or referred measures are approved by vote of the people, the one receiving the highest number of affirmative votes shall be law.

Article 9

Referenda by Board of Commissioners

Before adopting an ordinance, the Board of County Commissioners may on its own motion submit any question to the county electorate for an advisory vote of the people at any county-wide election, regular or special, specified by the Board. If the question is submitted in the form of a proposed ordinance and it is approved by a majority of votes cast thereon, and the Board subsequently adopts the ordinance within six months of such vote, such ordinance shall not be subject to referral by petition. Any ordinance adopted by the Board of County Commissioners implementing any new or additional category or form of taxation, or raising or eliminating mill levy limitations so as to exceed the statutory limit applicable to non-home rule counties, or which state law requires approval by a vote equal to or greater than a simple majority must be referred as a proposed ordinance for approval by the county electorate. Any ordinance submitted to the county electorate must be approved by the same majority required by state law.

Article 10

Separability Clause

If any section or part of section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this charter, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

Article 11

Plenary and Implied Powers of the Board of County Commissioners

The Board of County Commissioners shall have plenary power to enact and make all proper and necessary ordinances, and orders to carry out and give effect to the express and implied powers granted in this charter to the end that a complete, harmonious and

effective county government may be initiated, installed, operated and maintained in the county, and thereby protect and safeguard the rights, interests, safety, morality, health and welfare of the county and its inhabitants.

Article 12

Succession in Government

Section 1 – Rights of officers and employees preserved

Nothing in this charter, except as specifically provided, shall affect or impair the rights or privileges of officers and employees of the county or of any office, department or agency existing at the time when this charter shall take effect, or any provision of law in force at the time when this charter shall take effect and not inconsistent with the provisions of this charter, in relation to the appointment, removal, pension and retirement rights, civil rights or any other rights or privileges of officers or employees of the county or any office, department or agency.

Section 2 – Elimination of elected offices

All persons holding elected offices which have been abolished by this charter shall continue in office and shall continue the performance of their duties until their regular term of office expires in the year 1995.

Section 3 – Continuance of present officers

All persons holding executive and administrative office at the time this charter takes effect shall continue in office and shall continue the performance of their duties unless provisions shall have been made by the Board of County Commissioners for the performance or abolition of such duties in some manner, or the discontinuance of such office.

Section 4 – Continuance of present officers, departments, or agencies

Any office, department, agency, or board, heretofore existing, shall continue to exercise powers and duties the same as were heretofore exercised and shall have the power to continue any business proceedings or other matters within the scope of its regular powers and duties unless such office, department or agency shall be changed or abolished by the Board of County Commissioners.

The powers conferred and the duties imposed upon any office, department or agency of the county by the laws of this state shall, if such office, department or agency be abolished by this charter or under its authority, be thereafter exercised and discharged by the office, department or agency designated by the Board of County Commissioners.

Section 5 – Continuance of contracts

All contracts entered into by the county, prior to the taking effect of this charter shall continue in full force and effect.

Section 6 – Pending actions and proceedings

The adoption of this charter shall not abate or otherwise affect any action or proceeding, civil or criminal, pending when it takes full effect, brought by or against the county or any office, department, agency or officer thereof.

Section 7 – Ordinances to remain in force

All ordinances and regulations of the county in force at the time this charter takes effect, and not inconsistent with the provisions thereof, are hereby continued in force until the same shall be duly amended or repealed.

Article 13

Amendments and Repeal

This charter may be amended or repealed by proposals of the Board of County Commissioners or by petition of the number of electors provided in Article 8, submitted to and ratified by the qualified electors of the county. A petition to amend or repeal this charter must be submitted to the governing body of the county. Within 30 days of the receipt of a valid petition or approval of a proposal of the Board of County Commissioners to amend or repeal, the Board of County Commissioners shall publish any proposed amendment or repeal once in the official newspaper of the county. At least 60 days after publication, the proposed amendment or repeal must be submitted to a vote of the qualified electors of the county at the next primary or general election. The electors may accept or reject any amendment or repeal by a majority vote of electors voting at the election. Any proposal to amend or repeal this charter may not be submitted to the electorate more often than every two years. No amendment of a home rule charter may shorten the term for which any official was elected or reduce the salary of the official's office for that term.

Respectfully submitted by the Richland County Home Rule Charter Commission, this 9th day of July, 1990.