

## **Guide to Citizens' Petitions for Town Meetings Rochester, Massachusetts**

1. **A petition article** is an article brought to Town Meeting for discussion and possible action by a citizen (rather than by a Board or Committee of the Town). Any voter may bring a petition article on any topic that is subject to action by the Rochester voters at open town meeting, the Town's legislative body. In the past there have been petition articles on numerous subjects. Articles from the past may be found in the Rochester Town Hall.

2. **Before beginning the petition process**, it is strongly recommended that petitioners meet with the board or committee that has jurisdiction over the subject matter of their petition in order to seek feedback, advice, and support. The board or committee may agree that the issue needs to be addressed and may decide to undertake the process of proposing and supporting it. This outcome will make a petition unnecessary. If the board will not propose the idea itself, submitting a petition is an option still available. However, it is important that this process be started early enough to leave sufficient time for review and modifications before the article is submitted. Submitting a petition at the last minute is usually not a good idea if the material has not been discussed with those having jurisdiction over the subject matter or if the petitioner has not had time to write and refine the language. Enough time should be allowed to adequately research the topic and to assess the effect of the proposed change on existing laws and regulations. In any event, Town boards and committees with jurisdiction will be encouraged to comment on petition articles including the timing of the receipt the articles, i.e. whether or not the board or committee was consulted by the petitioner prior to filing.

3. **An article** is essentially an agenda item; it tells people what is to be discussed and what is being sought. For any matter to be discussed at the meeting, it must come within the scope of the article. In other words, someone reading the article must be able to tell what is going to be addressed. If a subject is then brought up which a person would not reasonably know was going to be discussed by reading that article, it cannot be discussed and will be considered as being beyond the scope of the article.

4. **A motion** is a formal proposal that is presented before the voters at the Town Meeting for action on a particular article. It must be within the scope of the article.

5. **To submit a warrant article** for consideration by the Annual Town Meeting, ten (10) registered voters of the Town must sign the petition in accordance with Massachusetts General Laws. Signatures of one-hundred (100) registered voters are required to insert an article into a Special Town Meeting warrant. (Two-hundred (200) signatures are required to call a Special Town Meeting.) Any petition must be submitted to the Town Clerk for certification of the signatures prior to submission to the Board of Selectmen. Proponents of an article are encouraged to secure a few more signatures than those required in the event of illegible signatures or signers not qualified as registered voters. Articles must be submitted by the deadline established by the Board of Selectmen.

**6. Appropriate subjects for Town Meeting action** under a warrant article include: (1) adopting, repealing, or amending Town bylaws; (2) authorizing the filing of home-rule legislation; (3) accepting or revoking the acceptance of local-option legislation; (4) making and amending budgetary appropriations; (5) authorizing the acquisition or disposition of interests in land; and (6) making resolutions.

**7. Care in the writing and the timing of articles** is very important. Petitioners should ensure that the action the article proposes conforms to State law, Town of Rochester By-laws, and is within the purview of Town Meeting. An article should be phrased to accurately accomplish its intended purpose. Depending on the subject matter of the article, it may require further review by the Selectmen, the Finance Committee, and/or the Planning Board. In some instances a public hearing may be required. Articles must be initiated early enough to allow all legal and procedural requirements to be met before it can be included on the Town Meeting Warrant. Petitioners should consult with the Town Administrator early in the process to establish a reasonable time line for the article's inclusion.

**8. Care in writing the accompanying motion** is also important. The wording of the motion does not necessarily have to be the same wording as the warrant article. If the motion does not change the wording in the article, the motion could request that the article be adopted as printed in the warrant.

**9. Assistance in the writing of articles and motions** may be available from Town officials. The Town Administrator and other staff are available to discuss and, if necessary, to assist a petitioner in the drafting of a warrant article and its accompanying motion. Town officials should be consulted as early as possible before the closing of the warrant to resolve any misunderstandings on the part of the petitioners. At the Town Administrator's discretion, Town Counsel maybe available to a petitioner at Town Hall at a scheduled time or times before the deadline for submission of articles.

**10. Submission of petition articles**, once they have been certified by the Town Clerk, shall be made to the Office of the Town Administrator and Board of Selectmen no later than the deadline established by the Board of Selectmen. The submission should include a short factual summary of the Article. Improperly written articles submitted too late for necessary modifications must still be printed on the Town Meeting warrant, but may be "passed over" at Town Meeting.

**11. Once it is submitted**, the article and summary will appear on the Town Meeting Warrant exactly as submitted including spelling and punctuation. The Board of Selectmen is responsible for determining the order of the articles on the warrant.

**12. At Town Meeting**, the petitioner should approach the microphone when the article number is announced by the Moderator and move that the article be adopted. No discussion will occur on the article until a motion is offered and seconded. If the petitioner wishes to change the printed language in the warrant, the new language needs to be read aloud in the motion. Petitioners are generally given up 10 minutes for their presentation.

**13. Audio-visual materials** are often useful at Town Meeting to expedite the presentation and explanation of the article and motion. All presentations for Town Meeting must be sent to the Town Administrator and approved by the Town Moderator. Proposed materials must be delivered physically to the Town Administrator's office at Town Hall on a USB drive, or submitted through a web-based file sharing site, such as Dropbox or Google Drive for approval. Petitioners must coordinate with the Town Administrator for the equipment required for any proposed audio/visual presentation. Petitioners are encouraged to print copies of presentation materials and place them on the table in the auditorium at Town Meeting. All materials submitted to the Town must include contact information for the petitioner responsible for the presentation in the body of the email or as a separate sheet of paper if submitted on USB drive. The Article title and number should be indicated at the top of each page of the presentation. Also, the first and last slide of the presentation should be the motion itself. Presentation materials must be submitted no later than Thursday at 4:30 p.m. prior to the town meeting at which it may be used. This will allow for review by the Town Moderator and resolution of any technical issues that may arise. Late materials or subsequent edited materials may be rejected. Materials not relevant to the article will also be rejected. The petitioner may perform a walkthrough of his/her final presentation between 6:00 and 6:30p.m. before Town Meeting. For Town Meeting efficiency, a walkthrough or revision of a presentation in the last 15 minutes before the Meeting is prohibited.

**Voter Petitioned Article -Contact Information Sheet**  
*This form must be submitted with each petitioned article*

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

Title/Subject Matter of Petitioned Article:

\_\_\_\_\_

Contact information for the lead petitioner:

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

Street Address: \_\_\_\_\_

Day Tel. #: \_\_\_\_\_

Evening Tel.#: \_\_\_\_\_

Email Address: \_\_\_\_\_

Brief summary/explanation of the petitioned article (to appear in the printed warrant):

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**For Board of Selectmen Use Only –Do Not Write In This Area**

Date petition article submitted: \_\_\_\_\_

Date signatures verified by Town Clerk: \_\_\_\_\_

The following Board/Committee(s) will comment on this article:

\_\_\_\_ Board of Selectmen \_\_\_\_ Planning Board \_\_\_\_ Finance Committee \_\_\_\_ Other \_\_\_\_\_

**VOTER PETITIONED ARTICLE FOR TOWN MEETING**

To the Board of Selectmen:

We, the undersigned registered voters of the Town of Rochester, hereby petition the Board of Selectmen pursuant to MGL Ch. 39, S. 10 to insert the following article into the Warrant for the \_\_\_ Annual \_\_\_ Special Town Meeting to be held on \_\_\_\_\_, 20\_\_:

To see if the Town will vote to

or to take any other action in relation thereto.

Printed Name	Street Address	Signature
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____
11. _____	_____	_____
12. _____	_____	_____
13. _____	_____	_____
14. _____	_____	_____
15. _____	_____	_____

**ADDITIONAL SHEETS MAY BE ADDED – PLEASE NOTE THE FULL TEXT OF THE PROPOSED ARTICLE MUST APPEAR AT THE TOP OF EACH VOTER SIGNATURE PAGE**