

Charter Commission Agenda Item 4.G
Meeting of November 18, 2025



Title: Charter amendment regarding resident petition requirements

Report from: Erik Nilsson, City Attorney

Action Requested: Motion to recommend the amendment of the city charter to the city council.

Summary Statement

Minnesota state law outlines specific information required for any election petition. The city charter provides for initiative and referendum, including sample signature petition forms. These forms lack certain of the elements required by state law. In concert with the required review of the petition form by the city clerk, the proposed housekeeping amendment will ensure that the signature requirements are clear at the outset.

Background

Minnetonka provides for initiative and referendum in chapter 5 of the city charter. Although the terms are often used interchangeably, they are separate concepts and processes. Initiative is the process for voters to propose and adopt an ordinance. Referendum is the process to require an ordinance passed by the city council to be referred to voters for approval or disapproval. However, both processes commence with the circulation of a signature petition to obtain a threshold percentage of support from registered voters of the city. The number of valid signatures for an initiative petition must equal at least 10 percent of the number of persons voting in the city at the last state general election. The number of valid signatures for a referendum petition must equal at least 20 percent of the number of persons voting in the city at the last state general election. Each process can ultimately lead to placement of the ordinance on an election ballot - municipal or statewide election for initiative and municipal, statewide, or special election for referendum.

Minnesota Rules chapter 8205 addresses the required form of the petition. Minn. Rules 8205.1010, subp. 2(H) requires each signature page to have no more than 10 signature lines with each line providing space for the date of signature, signature, year of birth, printed full name, residence address, city, and county. Only the person signing the petition can complete the date, name, year of birth, and residence address fields. Minn. Rules 8205.1030, subp. 2. Each petition page must include the following statement immediately above the signature lines: "All information must be filled in by person(s) signing the petition unless disability prevents the person(s) from doing so." Minn. Rules 8205.1010, subp. 2(G).

The appendix to the city charter includes sample petition forms, which are also cross-referenced in chapter 5 of the charter. Although the forms are intended to serve as a starting point, they are lacking some of these core elements required by state law. The code does include a safety valve of sorts by requiring approval of the petition form by the city clerk before it can be circulated for signatures. Minnetonka Code of Ordinances section 5.04. However, it is advisable to include these core elements in chapter 5 and the appendix forms so that any city resident considering undertaking an initiative or referendum proceeding is aware of the requirements at the outset.

The proposed amendment is attached.

ATTACHMENTS:

[Resident Petition Requirements](#)