

Referendum on City Hall Decision

There has been some discussion whether the city should hold a referendum question regarding the New City Hall decision. The City does not have the authority to hold a referendum/special election regarding the city hall decision.

- 1) A referendum or special election vote is held so voters can weigh in on a city-specific issue. Special elections on questions or vacancies can be held along with and at the time of the General Election or at other times during the year.
- 2) Without specific legislative authority, city councils may NOT hold a special election. Special Elections on ballot questions must be 'authorized questions' per MN State Statute. The City Hall Decision does not qualify as an authorized question.
- 3) The legislature gives city councils the power to make decisions on most local issues but councils do not have the power to re-delegate this decision making authority to local voters. Minnesota courts have determined that a city council has no authority to pass their decision making power to voters when the legislature delegates that power solely to city councils.
- 4) In addition, a city council has no authority to spend public funds on an unauthorized special election.

League of Minnesota Cities (2015). *City Special Elections*. www.lmc.org