



LEGAL SERVICES DEPARTMENT

Office of the City Clerk

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MEMORANDUM

To: Safety & Licensing Committee (Chris Croatt, Chairperson), Common Council
From: Kami Lynch, City Clerk
Date: July 26, 2022
Re: Resolution #8-R-22 Advisory Referendum for Nov. 8th Election Ballot

Resolution #8-R-22 provides for adding an advisory referendum to the November election ballot. Wis. Stat. § 5.02(16s) defines “referendum” as an election at which an advisory, validating or ratifying question is submitted to the electorate.” Broadly speaking, “referendum” or “referenda” are general terms that refer to a question appearing on the ballot to be voted on by voters. Direct action by a governing body that clearly establishes the referendum question is one of the ways in which a referendum arrives on the ballot. Advisory referendums are non-binding questions which survey electors to elicit their views on a question, but advisory referendums do not have the force of law. Wisconsin Statutes give no legal effect to the results of an advisory referendum, other than the weight that the governing body voluntarily assigns to the results.

The deadline for a referendum question to be approved for ballot placement for the November 8th, 2022 election is no later than August 30th.

As the proposed referendum is for a municipal advisory referendum, the cost of adding this item to the November election ballot falls on the City of Appleton. Costs related to contests on the ballot are variable in nature and dependent upon a variety of factors such as the number of other contests on the ballot, the size of the ballot, the portion taken up by the contest (referendum) on the ballot, and the total number of ballots ordered. Given that information, a rough estimate of the cost of adding this advisory referendum to the ballot for the November 8th, 2022, election is \$2,250. The exact cost of the advisory referendum will not be available until ballots are ordered, printed, and election programming is complete.

Please do not hesitate to contact me with any questions.