

forty days nor more than sixty days after the final passage of the resolution setting the date of said election. In the resolution, the exact wording shall be specified which is to be placed on the ballots or voting machines when the question is submitted to the voters of the municipal corporation. If the question is approved by a majority of the voters at the election, the Council shall proceed immediately to enact the ordinance or resolution.

C. COUNCIL ENACTMENT. If the Council shall approve of the ordinance or resolution provided for in the petition, the Council shall have the right by resolution to pass the ordinance or resolution proposed by the initiative petition and to proceed thereafter in the same manner as if the ordinance or resolution had been initiated by such legislative body.

SECTION 21. RECALL OF ELECTED OFFICIALS.

A. APPLICATION. The holder of any elective office of the City shall be subject to recall by a majority of the qualified voters of the City for failure to perform the duties of his office as such duties are set forth in this Charter.

B. PETITION. If a petition signed by not less than twenty-five per cent (25%) of the qualified registered voters of the City shall be presented to the Board of Elections, setting forth that the officeholder in question has failed to perform the duties of his office and specifying the instances of such failure and requesting an election to vote upon the recall of the officeholder, the Board of Elections shall immediately pass upon the legal sufficiency thereof, and shall verify that the petition has been signed by the required number of qualified registered voters. Each person signing the petition shall indicate thereon both his name, and residence address. The Council shall consider the petition as of no effect if it is signed by fewer than twenty-five per cent (25%) of the persons who are qualified to vote in municipal elections. A minor variation in the signature of a petition between his signature on a petition and that on the City voter registration records shall not invalidate the signature. The invalidation of one signature on a petition shall not serve to invalidate any others. If the petition fails to contain the required number of valid signatures, as determined by the Board of Elections, the petitioners may submit as an amendment to their original petition the additional number of valid signatures to meet the requirements of this Section.

C. EFFECT OF PETITION. If the Board of Elections shall determine that the petition meets all the requirements of this Section, the Council shall, by resolution, specify the day and the hours for a special election to be held, not more than forty-five (45) calendar days from the date said resolution is adopted. The resolution shall specify the exact wording of the question which is to appear on the ballot. The ballot question shall include the name of the officeholder in question, the office which he holds, and shall request a "yes" or a "no" vote as to his removal from that office. The ballot question shall not specify, or in any way refer to or imply, the reasons for which removal is being sought.

D. RESULTS OF ELECTION. If a majority of the voters in the special election vote in favor of recalling the officeholder in question, upon certification of the results of the election by the Board of Elections to the Council, said office shall thereupon be declared vacant by the Council, and shall be filled by the Council in the manner prescribed by this Charter, provided, however, that if the total number of votes cast in the special election does not equal at least twenty-five percent (25%) of the total number of votes cast in the last municipal general election, then the results of this election shall be considered as of no effect.