

OMCL: Direct Petition Process

- (1) A petition for direct change to an OMCL charter may be filed at any time.
(N.J.S.A. 40:69A-18)

It must be signed by the following percentages of the registered voters:

25% in municipalities of 7,000 or less inhabitants;

20% in municipalities of more than 7,000 and less than 70,000 inhabitants;

10% in municipalities of 70,000 or more inhabitants.

(N.J.S.A. 40:69A-19)

- (2) The petition must indicate the complete description of the OMCL Plan being proposed.
(N.J.S.A. 40:69A-14, 19)
- (3) The petition must meet the following requirements:
 - (a) All pages must be uniform in size and style,
 - (b) Each separate petition must have a place for the circulator to sign, indicating that only he or she has personally circulated the petition, and that all signatures were made in his or her presence and are believed to be genuine.
 - (c) Each petition must include the names and addresses of five voters who are designated as the Committee of Petitioners.
 - (d) Petitions must be signed in ink or indelible pencil.
 - (e) Signers of the petition must indicate their name and place of residence.
(N.J.S.A. 40:69A-186)
- (4) All petition papers must be assembled and filed with the municipal clerk as one instrument.
(N.J.S.A. 40:69A-187)
- (5) The municipal clerk has 20 days to determine whether the petitions are valid and have been signed by a sufficient number of qualified voters.
 - (a) The clerk certifies the result to the municipal governing body at its next regular meeting.
 - (b) If the clerk finds the petition to be insufficient, he or she must indicate the reasons why and must notify at least two members of the Committee of Petitioners. The committee of Petitioners then has an additional 10 days to submit supplementary petitions, and the clerk has an additional 5 days to review them. If the clerk finds the petition still to be insufficient, the process is concluded.
(N.J.S.A. 40:69A-187, 188)
- (6) If the petition is found valid, the municipal clerk schedules a referendum on the question at the next general or regular municipal election to be held at least 60 and no more than 120 days after the petitions were filed or, if there is no regularly scheduled general or regular municipal election within that time period, at a special election in that period.
(N.J.S.A. 40:69A-20)