



**ELECTION DAY**  
**NOVEMBER 5, 2024**

## **HOME RULE ELECTION**

### **FREQUENTLY ASKED QUESTIONS**

The City of Caddo Mills commissioned the drafting of a Home Rule Charter in December 2023. If approved, the Home Rule Charter will give the citizens of Caddo Mills the privilege of managing their own governmental affairs at the grass roots level with minimal interference from the State. Home Rule assumes that government issues should be solved at the level closest to the people and that local self-government is the cornerstone of democratic government.

A group dedicated residents across the City of Caddo Mills, selected from a broad range of backgrounds which represent a diverse cross section of men and women, took up the challenge laid out by the Mayor and City Council to draft the City's first Home Rule Charter.

The Charter itself will serve in essence as the Constitution of the City if adopted by the voters in the November 5, 2024, special election. Below you will find Questions and Answers about the proposed Charter.

If you have questions about the proposed Home Rule Charter which are not addressed in this document, please send such questions to [secretary@cityofcaddomills.com](mailto:secretary@cityofcaddomills.com)

### **FREQUENTLY ASKED QUESTIONS**

#### **1) What is Home Rule?**

Home Rule is the privilege citizens have at the grass roots level to manage their own governmental affairs with minimal interference from the State. Home Rule assumes that government issues should be solved at the level closest to the people. "Local self-government is the cornerstone of democratic government."

The City of Caddo Mills is currently a General Law City governed by the laws of the State of Texas. Because the City has grown to over 5,000 in population, the Texas Constitution allows the City to establish its own rules for municipal government by adopting a Home Rule Charter. The City would still be subject to statutory and Constitutional constraints, but the powers available to the City through the Charter would be greatly expanded up to the limits set in the Charter, not by State law.

#### **2) What is a Home Rule Charter?**

Home Rule cities are required to write and adopt a Charter. The Charter, for all practical purposes, is a municipal Constitution that is written and adopted by the citizens of the Home Rule city via an election. The Charter defines, grants and limits the powers, duties and responsibilities of local

government based on local preferences and desires. The citizens determine the necessary controls over their city government such as elections, referendums, initiatives and recall, and define the procedures to amend the Charter. Essentially, the City Charter describes and defines local government based on local preferences and controls as opposed to general laws which have been written by the Texas legislature.

### **3) What is the Difference between Home Rule Cities and General Law Cities?**

Home Rule cities operate in an inverse manner from General Law cities in that their power is derived expressly from the Charter, instead of State law. If a General Law city is not granted the express or implied power by the State to initiate a particular action, none may be taken.

Following are a few distinctions that tend to receive the most attention amongst cities considering transition to Home Rule:

A) Home Rule is self-governance in its ultimate form. The Charter is written by the citizens, adopted by the citizens and defines the local government. The community prepares its Charter based on community norms, values and priorities. Unlike the general laws of the State, which may address a multitude of conditions faced in many Texas communities, Home Rule cities define for themselves how they want to be governed.

B) Home Rule communities have a variety of tools available to manage the affairs of city government. The Charter provides a local response to the form of government desired by citizens; defines the structure of city government; establishes controls over city finances; and limitations on the powers of city government.

C) Initiative, Referendum and Recall are three separate facets of direct democracy reserved for exclusive use by local voters that provide direct remedies in unusual situations. These powers are unique to Home Rule cities and not available to voters at any other level of government.

i) An initiative petition asks the City Council to act on a specific issue when it has not done so previously. If valid, the Council must adopt the petition or submit it to a vote of the people.

ii) A referendum petition asks the City Council to reverse an action already taken or proposed. The Council can rescind the ordinance that is the subject of the referendum petition or submit it to a vote of the people.

iii) A recall petition asks the City Council to call an election for a vote to remove one or more Councilmembers and/or the Mayor from office. The targeted official may resign or stand for the recall election.

D) As communities grow, they must deal with increasingly complex issues and require flexibility in addressing those issues. The Home Rule Charter provides the flexibility to address the complexity of local government. The vast majority of Texas cities that have reached the 5,000 population threshold have elected to pursue their own Home Rule Charter rather than to remain a General Law city.

E) Once a Charter is adopted, the citizens retain control over the Charter through the amendment process. This ensures the citizens are always in a position to determine the form, power, and authority of their city government.

**4) Who Decides?**

The proposed Charter will be submitted to you, the registered voters of the City of Caddo Mills, for approval at a special election on the matter.

**5) When is the Decision Made?**

The Special Election will be held on November 5, 2024.

**6) What Stays the Same?**

If the proposed Charter is adopted, the following will remain unchanged throughout the City: employees and volunteers of the City, current elected and appointed officials of the City, the City's authority to tax and to contract, the ad valorem tax rate, the Mayor still will not vote except in the instance of a tie, and the provision of current City services, like trash service, and City police, fire, and EMS services.

**9) How can the Charter be Amended in the Future?**

Like all government instruments, the Charter is a living, breathing document that can be modified to meet the needs of the times as they change. Under the proposed Charter, the City Council is required to appoint a Charter Review Commission at a minimum of every ten (10) years to ensure the document is keeping pace with the City and meeting the needs of the residents. Amendments to the Charter are presented for a decision of the registered voters of the City of Caddo Mills at an election. No amendments may be made to the Charter without first being approved by the voters of the City.