

# **STATUTE OF THE CITY OF UZICE**

## **("OFFICIAL GAZETTE OF THE CITY OF UZICE", NUMBER 11/08)**

### **I. GENERAL PROVISIONS**

#### **Subject of the regulation**

##### **Article 1**

This statute, in accordance with law, shall govern: the rights and duties of the city of Uzice (hereinafter: the City), the manner, conditions and forms of its realization, manners and instruments of exercising human and minority rights in the City, the number of city assembly members, organization and work of departments and services, the way of citizens' participation in governance and deciding on matters within the competence of the City, the establishment and operation of the local community offices and other forms of local self-governance, as well as other issues of importance to the City.

#### **Position of the City**

##### **Article 2**

The City is a territorial unit in which the citizens exercise the right to local self-government in accordance with the Constitution, law and this Statute.

Citizens, whom have the right to vote and reside on the territory of the City, manage affairs of the City in accordance with the law and this Statute.

Citizens participate in the exercise of local self-government through citizens' initiatives, gatherings of citizens, referendums, other forms of citizens' participation in the management of City affairs and through their representatives in the City Assembly in accordance with the Constitution, law and this Statute.

#### **Territory**

##### **Article 3**

The territory of the City, as established by law, is comprised of settlements, i.e. areas of cadastral municipalities included in its composition:

#### **Settlement**

- Buar
- Bioska
- Vrutci
- Vitasi
- Gorjani
- Gostinica
- Gubin Do
- Dobrodol
- Dreznik

#### **Cadastral municipality**

- Buar
- Bioska
- Vrutci
- Kremna
- Gorjani
- Gostinica
- Gubin Do
- Dobrodol
- Dreznik

- Drijetanj	Drijetanj
- Duboko	Duboko
- Zbojstica	Zbojstica
- Zlakusa	Zlakusa
- Kamenica	Kamenica
- Bjelotici	Kamenica
- Karan	Karan
- Kacer	Kacer
- Keserovina	Bioska
- Krvavci	Krvavci
- Kremna	Kremna
- Kotroman	Mokra Gora
- Krsanje	Mokra Gora
- Radusa	Kremna
- Strmac	Lelici
- Ljubanje	Ljubanje
- Mokra Gora	Mokra Gora
- Panjak	Mokra Gora
- Pear	Bioska
- Nikojevici	Nikojevici
- Ponikovica	Ponikovica
- Potocanje	Potocanje
- Potpece	Potpece
- Ravni	Ravni
- Ribasevina	Ribasevina
- Sevojno	Sevojno
- Skrzuti	Skrzuti
- Stapani	Stapani
- Volujac	Stapani
- Uzice	Uzice
- Trnava	Trnava

## **The status of legal person**

### **Article 4**

The City has a status of a legal person.

The seat of the City is in the city of Uzice, Dimitrija Tucovica street number 52.

## **Language and script**

### **Article 5**

The City officially uses the Serbian language and Cyrillic alphabet in its territory.

## **Symbols of the City**

### **Article 6**

The City has the coat of arms and flag and the manner of their usage is defined by the decisions of the City assembly.

## **Usage of City symbols**

### **Article 7**

The flag and coat of arms of the City may be displayed only with the state symbols.

In the official premises of the City departments only state symbols and the coat of arms and flag of the City may be displayed.

### **Seal**

### **Article 8**

City bodies have a seal.

The seal is round in shape with printed text: The Republic of Serbia, City of Uzice, name of the body written in Serbian language and Cyrillic script with the emblem of the Republic of Serbia in the middle.

## **Holiday of the City**

### **Article 9**

Holiday of the City is October 9<sup>th</sup>, the day when Uzice was first mentioned in historical texts in 1329.

## **Awards and public recognitions**

### **Article 10**

The City establishes awards and other public recognitions for organizations and citizens for significant contributions to production, science, art and other social activities.

The City bestows the title of honorary citizen of the City.

Awards and other public recognitions and the title of honorary citizen are awarded on the holiday of the City.

Types of awards and other public recognitions, terms and manners of their awarding as well as the terms and manner of bestowing the title of honorary citizen are regulated in the separate document.

## **Determining the names of parts of settlements**

### **Article 11**

The City determines the names of streets, squares, city districts, villages and other parts of settlements on its territory by a special decision, with the prior approval of the Ministry in charge of local government.

## **Publicity of work**

### **Article 12**

Work of the City bodies is public.

Transparency is ensured:

- 1) through the issuance of the official gazette of the city, also bulletins, newsletter, cooperation with the media, presentation of decisions and other acts to the public and uploading them to website;

- 2) organizing public hearings in accordance with the law, this Statute and decisions of the City bodies;
- 3) in other cases stipulated by this Statute and other acts of the City bodies.

In order to realize the rights of citizens on the true, complete and timely informing of citizens on issues of importance to the city, the city may establish an official website where it will publish the information, decisions, reports, and other acts of the City, as well as news of importance to the citizens from the territory of the city.

### **City property**

#### **Article 13**

The City has its own property.

City property is managed independently by the bodies of the city, in accordance with the law.

## **II. JURISDICTION OF THE CITY**

### **Jurisdictions of the City**

#### **Article 14**

The City performs the tasks established by the Constitution and law, as well as other jurisdictions and activities that are entrusted to it by law.

### **Jurisdiction established by the Constitution and the law**

#### **Article 15**

The City, in exercising its jurisdiction, through its bodies, in accordance with the Constitution and the law:

- 1) brings the programs of City development and development of certain activities;
- 2) brings the spatial plan of the City;
- 3) makes urban plans;
- 4) adopts a budget and balance sheet;
- 5) determines the rate of revenues of the City, and the method and criteria for determining the amount of local taxes and fees;
- 6) regulates and provides the performance and development of utility services (water purification and distribution, purification and removal of atmospheric and waste water, production and supply of steam and hot water, urban and suburban mass-transport of passengers in road traffic, maintenance of cleanliness in the City, maintenance of landfills, regulation, maintenance and use of markets, parks, greenways, recreational and other public areas, public parking, public lighting, regulation and maintenance of cemeteries and burial, etc..), as well as organizational, financial and other conditions for their performance; establishes public companies in order to perform these activities in its territory;

- 7) takes care of maintenance of residential buildings and safety of their use and determines the amount of compensation for maintenance of residential buildings;
- 8) conducts eviction proceedings of illegal occupants in apartments and common areas in apartment buildings;
- 9) brings regulation programs of construction land, regulates and provides the exercise of business planning and use of construction land and determines the amount of fees for regulation and use of construction land;
- 10) makes plans and programs and implements projects of local economic development, takes care of improving the general framework for the economy in the City, promotes the economic potentials of the City, initiates synchronization of vocational courses in schools with the needs of the economy, allows easier operation of existing businesses and encourages the establishment of new businesses, thus creating new jobs;
- 11) regulates and provides for the use of office space under its management, determines the amount of compensation for the use of business premises and supervises the use of office space;
- 12) takes care of environmental protection, adopts the programs of usage and protection of natural resources and environmental protection programs, and local action and rehabilitation plans, in accordance with the strategic documents and its own interests and specifics and determines the special benefit for the protection and improvement of the environment;
- 13) regulates and provides the management of activities related to construction, rehabilitation and reconstruction, maintenance, protection, use, development and management of local and unclassified roads and streets in the settlement;
- 14) regulates and provides special conditions and organization of taxi services;
- 15) regulates and provides for the organization of transport in line sailing, which is performed in the territory of the City, determines the parts of the coast and water area where it is allowed to build water-related buildings and set floating objects;
- 16) establishes stockpiles and determines their scope and structure, with the consent of the competent ministries, in order to meet the needs of the local population;
- 17) establishes institutions and organizations in the field of primary education, culture, primary health care, physical culture, sport, child protection and tourism, monitors and ensures their functioning;
- 18) establishes institutions in the field of social protection, monitors and ensures their functioning, gives permission for the establishment of institutions of social protection established by other legal and natural persons, determines whether the conditions for the provision of social services have been met, establishes norms and standards for the activities of institution founded by the City, issue regulations on the rights of social services and provides the activities of the public guardian;
- 19) organizes the exercise of activities related to the protection of cultural heritage of the City, encourages the development of cultural and artistic creativity, provides funds for financing and co-financing of programs and projects in the field of culture which are significant for the City and creates conditions for the work of museums and libraries and other cultural institutions which has founded;
- 20) organizes protection in cases of natural and other major disasters and fire protection and creating conditions for their removal or mitigation of their consequences;

- 21) regulates basic protection, use and regulation of agricultural land and ensures their implementation, determines erosive areas, take care of the use of pastures and grasslands and decides on using another culture on pastures;
- 22) regulates and determines how to use and manage springs, public wells and fountain, establishes water management requirements, issues water management approval and permits for water management facilities of local importance;
- 23) secures and provides conditions for the preservation, use and improvement of areas with natural curative properties;
- 24) encourages and ensures the development of tourism in its area and determines the amount of residential tax;
- 25) is responsible for the development and improvement of catering, craft and trade, regulates working hours, places where one can perform certain activities and other conditions for their work;
- 26) manages City property and uses resources in state ownership and take care of their preservation and increase;
- 27) regulates and organizes the performance of tasks related to keeping and protection of domestic and exotic animals;
- 28) organizes activities of legal protection of its rights and interests;
- 29) establishes agencies, organizations and services of the City and regulates their organization and work;
- 30) creates conditions for improvement, realization and protection of human rights;
- 31) adopts strategies and passes special measures to eliminate inequalities and create equal opportunities of exercising human and minority rights, assists the development of various forms of self-help and solidarity with persons with special needs, as well as persons who are substantially in unequal position compared to other citizens and encourages activity and provides assistance to disabled persons' organizations and other social-humanitarian organizations in its territory;
- 32) encourages and assists the development of cooperatives;
- 33) organizes legal aid services to citizens;
- 34) takes care of the realization, protection and promotion of human rights and individual and collective rights of national minorities and ethnic groups; takes care of the realization, protection and promotion of equality of men and women, adopts the strategy and specific measures aimed at creating equal opportunities of exercising the rights and elimination of inequality;
- 35) takes care of public informing of local significance and provides the conditions for public information,
- 36) regulates violations of City regulations;
- 37) forms inspection services and performs inspection of the execution of regulations and other general acts within the competence of the City;
- 38) forms communal police, secures and organizes the work of the communal police;
- 39) regulates the organization and operation of conciliation councils;
- 40) regulates and provides for the use of the name, emblem and other symbols of the City;

- 41) supports the work of organizations and associations;
- 42) regulates and creates conditions for the care of youth, issues and implements the strategy and action plan for youth policies and creates conditions for youth organization, and
- 43) performs other tasks of direct interest to citizens, in accordance with the Constitution, law and this statute.

### **City public services**

#### **Article 16**

For the realization of its rights and responsibilities and to meet the needs of the local population the City may establish by a special decision: companies, institutions and other organizations that perform public service.

### **Appointing the bodies of City public services**

#### **Article 17**

The City Assembly shall appoint the members of administrative and supervisory boards and directors of public companies, institutions, organizations and agencies which it founded, unless regulated otherwise by law.

### **The procedure of appointment of directors of public services**

#### **Article 18**

If the law does not regulate the procedure for selecting directors of public companies, institutions, organizations and agencies whose founder and majority owner is the City, City assembly will appoint the directors after the completion of a public competition.

### **Approval of plans and programs of operations of public service**

#### **Article 19**

Companies, institutions and other organizations, whose founder and majority owner is the City, are obliged to submit to the City assembly for approval multi-annual work and development plans and annual plans of operations.

### **Delegation of tasks to legal or natural person**

#### **Article 20**

City may contract, on the principles of competition and transparency, legal or natural person to perform certain tasks within its competence.

Delegation of tasks specified in paragraph 1 of this Article shall be regulated by the decision of the City assembly.

### **Submission of the reports on the work of public service to the City assembly**

#### **Article 21**

Companies, institutions and other organizations that perform public service are obliged to, at least annually, submit a report on its operations to the City assembly, no later than on the 30<sup>th</sup> of April of the current year for the previous year.

### **III. FINANCING OF CITY AFFAIRS**

#### **Resources for performing tasks and sources of resources**

##### **Article 22**

For carrying out City affairs established by the Constitution and law, as well as to perform the tasks delegated by law within the framework of rights and duties of the Republic, income determined by law belongs to the City.

Affairs of the City are financed from the source and assigned revenue, transfers, income based on borrowing and other income and receipts provided by the law.

#### **Non-assigned character of assets**

##### **Article 23**

All revenues of the City are general revenues of the budget and can be used for any purpose, except those incomes whose purpose is established by law.

#### **The budget and balance sheet**

##### **Article 24**

City assembly passed a budget for each calendar year, which presents all revenues and incomes, indebtedness and other financial transactions, expenditures and other expenses, in accordance with the law.

Upon expiry of the year for which the budget was passed, a balance sheet about the execution of the City budget is to be made.

#### **Responsibility for budget execution**

##### **Article 25**

The mayor is responsible for the execution of the budget to City Assembly.

The City administration is obliged to regularly monitor budget execution and, if necessary, and at least twice a year, inform the Mayor.

#### **Voluntary tax**

##### **Article 26**

In order to meet the needs of local population in the entire City or part of it, a voluntary tax may be enacted.

City assembly determines the draft decision about the voluntary tax through majority of total number of members.

### **IV. BODIES OF THE CITY**

#### **City bodies**

##### **Article 27**

City bodies are: City assembly, Mayor, City council and City administration.

## **Presumption of jurisdiction**

### **Article 28**

City tasks are performed by the City bodies within its jurisdiction established by law and this Statute.

If the law or other regulations do not determine which body is responsible for conducting the jurisdiction of the City, all matters relating to the regulation of relations within the competence of the City shall be managed by the City assembly, and jobs that are by their nature executive, by Mayor.

If jurisdiction cannot be established by the nature of the work, in accordance with paragraph 2 of this Article, City council shall be held competent.

## **1. City assembly**

### **The position of the City Assembly**

#### **Article 29**

The City Assembly is the highest body of the City which performs the basic functions of local government, established by the Constitution, law and this statute.

### **The composition of the City Assembly**

#### **Article 30**

City Assembly members are elected by citizens in direct elections by secret ballot, in accordance with the law and this Statute.

### **Convening the constituent session**

#### **Article 31**

The first - constitutive session of the new session of the City Assembly is convened by the President of the Assembly of the previous convocation, within 15 days of publication of election results.

If the previous president of the Assembly does not convene a meeting of the new session within paragraph 1 of this article, the new session shall be convened by the oldest member within 15 days after the deadline from paragraph 1 of this article.

The session shall be chaired by the oldest member, until the election of the President of the City Assembly.

### **Verification of Assembly member's mandate**

#### **Article 32**

The mandates of the members are confirmed through the report of verification committee.

Verification Committee shall consist of five members appointed by the City on the proposal of the Chairperson or President of the City assembly.

### **Constituting the City assembly**

### **Article 33**

The City Assembly is considered constituted when the President of the City Assembly is chosen and the Secretary of the City Assembly is appointed.

### **Number of assembly members**

### **Article 34**

The City Assembly has 67 councillors.

### **Mandate**

### **Article 35**

Assembly members are elected to a period of four years.

Assembly member starts and stops delegated mandate under the conditions and manner established by law.

### **Oath**

### **Article 36**

Elected members take an oath that reads: „I swear that I will , in the work of the City assembly of Uzice, uphold the Constitution, law and statute of Uzice city, and that I will honestly and impartially serve as assembly member, governed by the interest of the citizens.“

### **Incompatibility of functions**

### **Article 37**

Assembly member cannot be employed in the City administration and cannot be the person appointed or named by the City Assembly in the City bodies, enterprises and institutions founded.

If employees in the City administration are elected as Assembly members, the rights and obligations under the work remain still while this person takes his/hers delegated mandate.

On the day of confirmation of Assembly member's mandate, persons named or appointed by the City Assembly cease to perform the function appointed to.

### **Immunity of Assembly members**

### **Article 38**

Member cannot be held criminally liable, detained or punished for presented opinions or vote given at the meeting of the City Assembly and working bodies.

### **Rights and duties of Assembly members**

### **Article 39**

It is the right and duty of an assembly member to participate in the work of the City Assembly and its working bodies, to propose to City Assembly debate on certain issues, submit proposals of decision and other documents from the jurisdiction of the City Assembly and provides amendments to the draft regulations, raises questions about the work of the City and to participate in other activities of the City Assembly.

It is the right of the assembly member to be regularly informed about the issues influencing the performance of its duties, to ask the agencies and services about the required

information needed for work, as well as for expert assistance in preparing proposals for the City Assembly.

Rights and duties of assembly members shall be regulated in detailed manner by the Rules of the City Assembly.

### **Income and other revenue of assembly members**

#### **Article 40**

The rights of the City Assembly member to compensation, travel expenses for coming to and leaving from the assembly meetings and its bodies' meetings, daily allowances and compensation of other costs for carrying out delegated functions are regulated by the special decision of the City Assembly.

### **Jurisdiction of the City assembly**

#### **Article 41**

City assembly, in accordance with the law:

- 1) adopts the statute of the City and rules of procedure of the City assembly;
- 2) adopts a budget and balance sheet of the City;
- 3) determines the rate of revenues of the City, and the method and criteria for determining the amount of local taxes and f;
- 4) passes the initiative to start the procedure for establishment, abolition or change of the territory of the City;
- 5) passes the development program of City and for certain activities;
- 6) brings spatial plan and urban development plans and regulates the use of construction land;
- 7) issues regulations and other general acts;
- 8) calls for the City referendum and the referendum on the territory of the City, gives opinion on the proposals contained in the citizens' initiative and determines the draft of the decision about voluntary tax;
- 9) establishes services, public enterprises, institutions and organizations, established by the City statute and supervises their work;
- 10) appoints and dismisses administrative and supervisory board, appoints and dismisses directors of public companies, institutions, organizations and agencies which has founded and approves their statutes, in accordance with law;
- 11) elects and dismisses the President and Deputy President of the Assembly;
- 12) appoints and dismisses the Secretary and Deputy Secretary of the Assembly;
- 13) elects and dismisses the President and, on the basis of the proposal of the assembly president, elects Deputy President and members of the City Council;
- 14) determines City taxes and other local revenues that belong to the City by law;
- 15) establishes a fee for regulating and use of construction land;
- 16) adopts an act on public loans of the City, in accordance with the law governing public debt;
- 17) adopts an annual plan of acquiring real estate for the needs of City bodies, with the **agreement** from the government of the Republic of Serbia, and starts the procedure for confiscation of immovable assets at appropriate bodies<sup>1</sup>;
- 18) regulates working hours of catering, trade and craft objects;

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<sup>1</sup> While the Law on Assets owned by RS is in power.

- 19) gives its opinion on the republic and regional spatial plan;
- 20) establishes permanent and temporary working bodies to consider issues within its competence;
- 21) gives its opinion on the laws that regulate issues of interest to local government;
- 22) considers the report on operations and approves the program of operation of budget users;
- 23) decides on cooperation and association with the cities and Cities, associations, non-governmental organizations;
- 24) informs the public about its work;
- 25) starts the process of assessing the constitutionality and legality of the law or other legal act of the Republic of Serbia, which violate the right to local self-government;
- 26) approves the use of the name, emblem and other symbols of the City;
- 27) reviews and approves the annual reports and approves the programs of operations of public enterprises, institutions and other public service founded by it or in which the City has majority share;
- 28) consider the annual report of the Ombudsman on the realization of human and minority rights in the City;
- 29) brings the code of ethics for employees (further: code of ethics);
- 30) adopts the measures and recommendations for the improvement of human rights;
- 31) performs other duties determined by law and this Statute.

### **The quorum for decision making and work**

#### **Article 42**

The City Assembly shall make decisions if the session is attended by the majority of the total number of Assembly members.

The City Assembly shall decide by majority vote of Assembly members present, unless the law or this Statute states otherwise.

The City Assembly by a majority vote of the total number of Assembly members:

- 1) brings Statute;
- 2) adopts a budget;
- 3) adopts programs of development of the City and certain activities;
- 4) adopts spatial plans;
- 5) adopts urban plans;
- 6) decides on public borrowing of the City;
- 7) decides on cooperation and association with other units of local self-governance and on collaboration with local government units in other countries;
- 8) decides on the names of streets, squares, city districts, villages and other parts of the settlements;
- 9) adopts the code of ethics, and
- 10) decides in other cases prescribed by law and this statute.

### **Convening**

#### **Article 43**

City assembly session is convened by the president of the assembly, if necessary, and at least once in three months.

President of the Assembly is obliged to arrange a session at the request of the Mayor, City Council or one third of Assembly members, within 7 days of submission, so that the day of the session is within 15 days from the date of the request.

If the president of the City assembly does not convene a session within the schedule in paragraph 2 of this Article, the session may be convened by the applicant and will be chaired by the Assembly member chosen by the applicant.

President of the Assembly may postpone the meeting which was convened only when there is no quorum required for the work, and in other cases of postponing the meeting the decision is to be made by the Assembly.

## **Publicity of work**

### **Article 44**

Meetings of the City assembly are public.

President of the City assembly is responsible for the transparency of the City assembly's work.

Calls and materials for the meeting of the City Assembly shall be submitted to the media to introduce the public.

Meetings of the City Assembly may be attended by the representatives of the media, the authorized representatives of the proposers and other interested parties, in accordance with the Rules of the City Assembly.

In case that there is no possibility that all interested parties could attend the meeting of the Assembly, the President of the Assembly will decide to whom the presence shall be granted during the session, starting from the order of registration and the interests of applicants for the points on the agenda.

The City Assembly may decide that a session of the Assembly is not open for public for reasons of security and defence of the country and other particular valid reasons which are stated before determining the agenda.

## **Working bodies of the City Assembly**

### **Article 45**

The City Assembly establishes permanent and temporary working bodies to consider issues within its competence.

Working bodies give opinions about the proposals of regulation and decisions brought by the City assembly and carry out other tasks determined by this statute and Rules of City assembly.

Act on establishing temporary working body establishes its name and area for which it is established, the tasks of the working body, the number of members of the working body, the deadline for the execution of duties, rights and duties of the president and members of working bodies and other issues of importance to the work of the working body.

### **Article 46**

Permanent working bodies of the City assembly are:

1. Commission for administrative and mandate issues
2. Commission for regulations
3. Commission for budget and finances
4. Commission for social affairs
5. Commission for utility and housing issues
6. Commission for agriculture

7. Commission for petitions and complaints
8. Commission for cooperation with other cities
9. Commission for gender equality

#### **Article 47**

**Commission for administrative and mandate issues** shall decide on mandatory individual rights of chosen, named and appointed persons under the legal working status in accordance with the law, the Statute and decisions of the City bodies, the rights of members, and determine the look and content of the member's ID and consider other issues related to the work of members.

#### **Article 48**

**Commission for regulations** establishes an authentic interpretation of the decisions and other regulations and acts passed by the Assembly, establishes the revised text of decisions and other regulations of the Assembly.

#### **Article 49**

**Commission on Budget and Finance** monitors and reviews issues concerning the budget and finance in the jurisdiction of the City, review the proposed decision on the budget and balance sheet, fees and other income and benefits in this field.

#### **Article 50**

**Commission for Social Affairs** monitors and reviews issues in the field of education, science, culture, information, social security and child care, recreation facilities, health, sports, and proposes measures to improve their work.

#### **Article 51**

**Commission for utility and housing issues** considers the issues in the field of communal housing services, monitors the work of public enterprises founded by the City assembly and proposes measures to promote their work.

#### **Article 52**

**Commission of Agriculture** monitors and examines issues of development and planning, directing and encouraging the development of agriculture, rural planning and rural development.

#### **Article 53**

**Commission on petitions and complaints** review submissions and complaints by citizens sent to the City assembly and the mayor, examine their merits and propose measures to be taken in order to eliminate the irregularities.

#### **Article 54**

**Commission for Cooperation with other cities** proposes to establish and develop appropriate forms of cooperation with cities in the country and abroad, and initiates the establishment of appropriate forms of cooperation due to mutual exchange of experiences that will contribute to more complete information on all aspects of life in cities that are establishing relations and cooperation, as well as to connection, meeting and rapprochement

of the citizens, determines the membership and composition of delegations and the program of cooperation with other cities.

#### **Article 55**

**Commission for Gender Equality** monitors implementation of gender equality, gives its opinion on proposed regulations and decisions issued by the City assembly and proposes activities and measures, especially those which achieve equal opportunities policy at the city level.

#### **Selecting a permanent working body**

#### **Article 56**

The President and members of the permanent working body are appointed and dismissed by the City assembly, on the proposal of Assembly members' groups, if not stated otherwise by law and this statute.

Commission shall have a chairman and six (6) members elected by Assembly from among members.

Commissions generally reflect the composition of the assembly.

#### **Article 57**

Within the Commission Assembly may establish expert teams for individual questions in the area in which the Commission was established for.

Members of expert teams can be citizens - expert in such matters.

#### **President and members of the permanent working body**

#### **Article 58**

President of the permanent working body organizes the work, convenes and chairs meetings of the body, draws conclusions and inform the president and secretary of the City assembly.

Members of the working body take part in the work, give opinions and make proposals on issues that are on the agenda and other issues and responsibilities of the body.

#### **Special working bodies of the Assembly**

#### **Article 59**

In addition to the commissions, City assembly establishes as a standing working bodies: the Council for monitoring the implementation of the Code of Ethics, the Council for Youth and Council for public services' customers.

Working conditions of special working bodies and performing professional and administrative-technical tasks are provided by the city administration.

#### **Council to monitor implementation of the Code of Ethics**

#### **Article 60**

Council to monitor implementation of the Code of Ethics:

- 1) monitors whether the officials adhere to the provisions of the Code of Ethics;
- 2) collects information relating to the conduct of public officials in connection with the code of ethics;

- 3) monitors and analyzes events and phenomena of importance for the successful implementation of the code of ethics;
- 4) promote the application of code of ethics in the city and beyond;
- 5) proposes and implements its own actions that lead to the improvement of the implementation of the Code of Ethics;
- 6) offers advice and opinions of the officials, citizens, media, agencies and organizations regarding the implementation of the Code of Ethics;
- 7) cooperates with the institutions working in related activities;
- 8) performs other duties stipulated by this statute and other regulations.

The Council keeps a register of persons who are considered officers of the City in terms of the code of ethics that contains information about: functions in the city that a code of ethics is applicable to, the names and basic personal information of officials who perform functions and relevant data pertaining to compliance with the Code of Ethics by certain officials.

The Council has a chairman and six members (6) to be elected from among members and citizens.

Manner of work, the authority of the Council, as well as the contents of the register, shall be regulated by the act of the City assembly.

## **Council for Youth**

### **Article 61**

Council for Youth:

- 1) initiates and participates in the development of local youth policy in the field of education, sports, leisure time use, employment increase, information, active participation, providing equal opportunities, health, culture, gender equality, prevention of violence and crime, access rights, sustainable development and environment and other areas of importance to young people;
- 2) participates in the establishment of special local action plans, programs and policies in accordance with the National Strategy for youth and monitors their implementation;
- 3) gives advice on issues of importance to young people and inform the bodies of the City;
- 4) gives opinion on draft regulations and decisions issued by the City assembly in areas relevant to young people;
- 5) adopts the annual and periodic reports on the implementation of local youth policy and local action plans and programs for youth and submit them to City assembly, Mayor and City Council;
- 6) initiates the preparation of projects and participation of the City in programs and projects for young people in order to improve the position of young people and ensure realization of their rights within the jurisdiction of the City;
- 7) encourages cooperation between the City and youth organizations and associations and supports the implementation of their activities;
- 8) encourages the realization of inter-municipal cooperation that relates to the youth and inform the authorities of the City;
- 9) gives its opinion on the proposals of projects of importance to young people who are partially or fully financed from the budget of the city, monitors their implementation and gives its opinion to the competent authority of the City.

## **The composition and mandate of the Council for Youth**

### **Article 62**

Council for Youth has a president and fourteen (14) members.  
President and members of the Youth Council shall be elected for a term of four years.

### **Selection of members of the Council for Youth**

#### **Article 63**

President and members of the Youth Council are elected by the Assembly on the proposal of the Mayor, president of the assembly, presidents of the city assembly members' groups, local communities, civic associations, youth organizations and associations, schools and other public services.

The city assembly chooses members of the Council for Youth from amongst the citizens, experts, representatives of associations, representatives of schools and other public services, taking care of their equal representation and gender equality.

At least half of members of the Youth Council consists of youth between the ages of 15 and 30 years who have, through significant activities and actions, affirmed the positive role and importance of youth in the local community and who are the winners of the school, academic, scientific or other awards that are important for different fields of interest of young people.

Other members of the Council for Youth City assembly chooses provided that they have many years of experience in dealing with the problems of youth, expertise and have proven to be actively involved in a number of activities relevant to young people.

### **Council for public services' customers**

#### **Article 64**

The City Council established Council for public services' customers as a permanent working body composed of a chairman and eight members.

Council for public services' customers reviews the plans, programs and reports on public services and informs the City Council and the public about its attitude.

Council for public services' customers especially considers the achieved quality level and the scope of services of public services, as well as the costs of utility products and services, or the amount of remuneration for the services of public services.

Members of Council for public services' customers are selected by the City assembly at the proposal of the working bodies of the City assembly or the city assembly members' groups and civic associations.

The President and at least half of members of the Council for public services' customers may not be from amongst the assembly members, officers and employees in the city, or in the public service that was founded by the City.

The termination of the mandate of the City assembly also terminates the mandate of the members of the Council for public services' customers.

### **President of the Assembly**

#### **Article 65**

City Assembly has a President of the Assembly.

The president of the assembly organizes the work of the City assembly, convenes and presides over its meetings, shall cooperate with the Mayor and the City Council, sees to the

implementation of transparency, signs the act that the City assembly adopts and performs other duties stipulated by this Statute and Rules of the City Assembly.

### **President of the City Assembly**

#### **Article 66**

President of the City Assembly shall be elected among the Assembly members, at the proposal of at least a third of Assembly members, for a period of four years by secret ballot, by majority vote of the total number of Assembly members of the City Assembly.

An Assembly member may participate in proposing only one candidate.

If in the first round of voting none of the proposed candidate receives a majority, in the second round it will be voted for the two candidates which had the highest number of votes in the first round.

A candidate is elected in the second round if he/she receives a majority vote of the total number of Assembly members.

If in the second round the proposed candidate does not receive the required majority of votes, nomination and selection process are to be repeated.

### **Removal of the President of the City Assembly**

#### **Article 67**

President of the City Assembly may be dismissed before the expiration of the term:

- 1) at personal request,
- 2) at the proposal of at least one third of Assembly members.

The proposal should be submitted in writing and must be justified.

Removal is done in the manner and procedure which is regulated for his/hers election.

### **Vice President of City Assembly**

#### **Article 68**

President of the City Assembly may have a deputy who replaces him/her in his/her absence and inability to perform his/her duty.

Deputy Presidents of the City Assembly are elected and dismissed in the same way as the President of the City Assembly.

### **Secretary of the City Assembly**

#### **Article 69**

The City Assembly has a secretary who takes care of performing professional duties in connection with the convening and holding sessions of the City Assembly and its working bodies and manages the administrative affairs related to their work.

Secretary of the City Assembly is appointed for four years, at the proposal of the President of the Assembly, and may be reappointed.

A person may be appointed as the Secretary of the City Assembly if he/she has completed law school, passed professional examination for work in administrative bodies and has working experience of at least three years.

The City Assembly may, upon a reasoned proposal of the President of the City Assembly, dismiss the Secretary before the expiration of the mandate.

Secretary may have a deputy which performs his/her duties in case if his/her absence.

Deputy Secretary of the City Assembly will be appointed and dismissed in the same manner and under the same conditions as the Secretary.

Secretary of the City Assembly is responsible for the timely submission of data, files and documents when required by the competent authorities of the Republic which supervise the work and acts of the City Assembly.

## **Rules of the City Assembly**

### **Article 70**

Method of preparation, conduct and work of the session of the City Assembly and other issues related to the work of the Assembly shall be regulated by its Rules of Procedure.

Rules of the Assembly are passed by the City assembly by a majority vote of the total number of Assembly members.

## **2. Executive bodies of the City**

### **Executive bodies**

#### **Article 71**

Executive bodies of the City are the mayor and City council.

### **Mayor**

#### **Election of the Mayor**

##### **Article 72**

Mayor is elected by the City Assembly from among the Assembly members, for a period of four years by secret ballot, by majority vote of the total number of Assembly members of the City Assembly.

Mayor has a deputy mayor who replaces him in his/her absence and inability to perform his/her duty.

City Assembly President proposes a candidate for Mayor.

Candidate for Mayor proposes candidate for the Deputy Mayor from among the Assembly members which is to be elected by the City Assembly in the same way as the Mayor.

#### **Incompatibility of function**

##### **Article 73**

When the Mayor and Deputy Mayor are elected to perform these functions their mandates of Assembly members in the City Assembly are terminated.

Mayor and deputy mayor are permanently employed at the City.

## **Jurisdiction**

### **Article 74**

Mayor:

- 1) represents the City;
- 2) proposes a way of resolving issues from the jurisdiction of the City Assembly;
- 3) orders for the execution of the budget;
- 4) may establish a City service for inspection and audit of the use of budget funds;
- 5) gives compliance about the documents regulating the number and structure of the employees in the institutions financed from the budget of the City and the number and structure of employees and other persons engaged on the implementation of programs or parts of the programs of budget users of the City;
- 6) decides on granting the use or lease, as well as the cancellation of the contract granting the use or lease and putting a mortgage on real estate used by the City, (with the consent of the competent authorities of the Republic of Serbia);
- 7) directs and coordinates the work of City administration;
- 8) brings the individual acts for which he is authorized by law, statute or decision of the City Assembly;
- 9) informs the public about its work;
- 10) files a complaint to the Constitutional Court of Serbia, if an individual act or action of a state body or City body prevents the exercise of jurisdiction of the City;
- 11) establishes professional advisory bodies for certain tasks within its jurisdiction;
- 12) performs other duties stipulated by this Statute and other acts of the City.

President of the City is responsible for the timely submission of data, files and documents when required by the competent authority of the Republic that supervises the work and acts of executive bodies of the City and local administration.

## **City council**

### **The composition and selection**

#### **Article 75**

The City Council consists of Mayor, Deputy Mayor, and nine members of the City Council.

Mayor is the president of the City Council.

Deputy Mayor is automatically a member of the City Council ex officio.

The City Council is elected by the City Assembly, for a period of four years by secret ballot, by majority of the total number of Assembly members.

Candidates for members of the City Council are proposed by the candidate for Mayor.

### **Incompatibility of functions**

#### **Article 76**

Members of the City Council cannot simultaneously be Assembly members, and may be responsible for one or more specific areas of responsibility of the City.

The mandate of Assembly member who is elected member of the City Council is terminated.

## **Jurisdiction**

### **Article 77**

City Council:

- 1) proposes statute, the budget and other decisions and acts passed by the City Assembly;
- 2) directly executes and takes care of executing decisions and other acts of the City Assembly;
- 3) makes a decision on temporary financing in the event that the City Assembly fails to adopt the budget before the onset of the fiscal year;
- 4) supervises the work of City Administration, annuls or abolishes the acts of City Administration, which do not comply with the law, Statute and other general act or decision passed by the City Assembly;
- 5) resolves in administrative proceedings in the second instance of the rights and obligations of citizens, enterprises and institutions and other organizations in administrative matters from the jurisdiction of the City;
- 6) takes care of executing the delegated responsibilities from the framework of rights and duties of the Republic, or the autonomous province;
- 7) appoints and dismisses the Chief of City Administration;
- 8) establishes professional advisory bodies for certain tasks within its jurisdiction;
- 9) informs the public about its work;
- 10) brings the Rules of the procedure on the proposal of Mayor.
- 11) performs other duties as determined by the City Assembly.

### **Position of the Mayor in the City council**

#### **Article 78**

Mayor represents the City council, convenes and conducts its session.  
Mayor is responsible for the legality of the City Council's work.

### **The quorum for decision making and work**

#### **Article 79**

City Council can decide if the session is attended by majority of the total number of its members.

The City Council shall decide by majority vote of members present. if the law or this statute do not regulate other type of majority for certain issues.

### **Rules of the City Council**

#### **Article 80**

Organization, manner of work and decision making of the City council are regulated in detailed manner in its Rules in accordance with the law and this statute.

### **Reporting to the City Assembly**

#### **Article 81**

Mayor and City Council are obliged to regularly report the City Council, on their own initiative or at its request, and at least annually, on the implementation of decisions and other acts of the Assembly.

## **Dismissal of the Mayor**

### **Article 82**

The mayor may be dismissed before the expiry of his mandate, at the reasoned proposal of at least a third of Assembly members in the same manner in which he was elected.

The proposal for the removal of Mayor must be discussed and decided upon within 15 days from the submission of the proposal to the president of the City Assembly.

If the City Assembly does not depose the Mayor, members who have filed a motion for dismissal cannot again submit the proposal for the dismissal of the President of the City before the expiration of 6 months from the refusal of the previous proposal.

## **Effect of the dismissal of the Mayor**

### **Article 83**

Removal of Mayor also terminates the mandates of Deputy Mayor and City Council.

## **Termination of the mandate of the Deputy Mayor and member of the City Council**

### **Article 84**

Deputy Mayor's and member of the City Council may be dismissed before the expiry of their mandates, at the proposal of at least a third of Assembly members in the same manner in which they were elected.

Simultaneously with the proposal for dismissal of the Deputy Mayor or a member of the City Council, the Mayor shall submit the proposal to the City Assembly for the election of the new Deputy Mayor or a member of the City Council, which also makes a decision on dismissal and on the election.

Mayor, Deputy Mayor or the City Council member who were dismissed or resigned, remain on duty and keep current jobs, until a new Mayor, Deputy Mayor or a member of the City Council are elected.

## **Termination of mandate of executive bodies of the City due to the termination of the mandate of the City Assembly**

### **Article 85**

Termination of the mandate of the City Assembly terminates the mandate of the Mayor and City Council, provided that they perform current tasks within its competence until the new Mayor and City Council are established, or the president and members of the interim authority if the City Assembly terminated the mandate due to the dissolution of the Assembly.

## **3. City administration**

### **Organisation of City administrations**

#### **Article 86**

To perform administrative tasks within the rights and duties of the City and certain professional services for the City Assembly, the Mayor and City Council, the City administrations for certain areas are established.

## **Principles of action of City Administration**

### **Article 87**

City administration acts according to the rules of the profession, impartial and politically neutral and shall ensure the equal protection in exercising the rights, obligations and legal interests.

The city administration is obliged to provide to the citizens quick and effective exercise of their rights and legal interests.

The City is obliged to give citizens the necessary data and information and provide legal assistance.

The City is obliged to cooperate with citizens and to respect the personality and dignity of citizens.

## **Jurisdiction**

### **Article 88**

City administrations, in their respective areas:

- 1) prepare regulations and other acts passed by the City Assembly, the Mayor and City Council;
- 2) execute decisions and other acts of the City Assembly, the Mayor and City Council;
- 3) resolve in administrative proceedings in the first instance on the rights and duties of citizens, enterprises, institutions and other organizations in administrative matters from the jurisdiction of the City;
- 4) perform administrative supervision over the implementation of regulations and other general acts of the City Assembly;
- 5) execute laws and other regulations whose enforcement has been delegated to the City;
- 6) perform professional and other duties as determined by the City Assembly, the Mayor and City Council;
- 7) shall report on its work on the performance of the responsibilities of the City and entrusted affairs, to the Mayor, the City council and the City assembly, if necessary, and at least once a year.

## **Management**

### **Article 89**

City administrations are managed by the Chiefs of city administrations (further: chief).

A person may be appointed as the Chief of the City Administration if that person has completed law school, passed the exam to work in state administrative bodies and has at least five years experience in the profession.

Chief is appointed by the City Council, on the basis of public advertisement, to five year period.

## **Responsibility of the Chief**

### **Article 90**

Chief is responsible for his work and the work of City Administration under his care to the assembly of the City and the City Council in accordance with this Statute and decisions about the organisation of City administrations.

The City Council may remove the Chief on the basis of a reasoned proposal of the

Mayor, of t least one third of members of the City Council.

Proposal for the removal of the chief may also be submitted by at least one third of the Assembly members of the City assembly.

## **Regulation of City Administration**

### **Article 91**

Decision on the organization of City administrations is passed by the City assembly on the proposal of the City council.

Rulebook on internal organization and systematization of City administration is passed by the Chief with the approval of the City Council.

## **Internal organizational units**

### **Article 92**

In order to perform similar tasks, internal organizational units are formed in city administrations.

Heads of organizational units in the city administrations are appointed by the chief.

## **Special organizations**

### **Article 93**

City assembly may set up special organizations to perform certain expert and other activities and related administrative activities that are of importance for the realization of operations of the City, the city administrations or public enterprises and agencies founded by the City.

## **Authority in the exercise of administrative supervision**

### **Article 94**

City administrations in carrying out administrative supervision may:

- 1) order the execution of the decision of measures and actions in a certain period of time;
- 2) impose a mandatory sentence;
- 3) apply to the competent authority the committed crime or economic offense and file a request for initiation of proceedings;
- 4) issue a temporary order or prohibition;
- 5) notify the other authority, if there are grounds, about taking measures for which the authority is competent;
- 6) take other measures authorized by law, regulation or general act.

Jurisdiction and organisation for performing tasks from paragraph 1 of this Article are regulated in detailed manner by the act of the City assembly.

## **Application of regulations on administrative proceedings**

### **Article 95**

In the proceedings before the City administration, in which is decided on the rights, obligations and interests of citizens and legal persons, regulations on administrative proceedings are to be applied.

## **Conflict of jurisdiction**

### **Article 96**

City council resolves the conflict of jurisdictions between the City administration and other companies, organizations and institutions when they decide on individual rights of citizens, legal persons or other parties on the basis of the decision of the City assembly.

Chief resolves the conflict of jurisdiction between internal organizational units within the city administration.

## **Conditions for performing administrative tasks**

### **Article 97**

City administration's tasks relating to the exercise of the rights, obligations and interests of citizens and legal persons may be performed by the persons whom have appropriate degree, whom have passed the professional examination for work in state administration bodies and relevant work experience, in accordance with the law and other regulations.

## **Exemption**

### **Article 98**

The disqualification of the chief is carried out by the City council.

The disqualification of an official in the City administration is resolved by the chief.

## **Assistants of the Mayor**

### **Article 99**

Decision on the organisation of city administrations may define that assistants are appointed in the City administration to perform certain tasks (economic development, urban planning, utility services, primary health care, agriculture, environment protection, traffic, etc.).

Assistant mayors propose initiatives, propose projects and give opinions regarding issues that are important for the development of the City in areas for which they were appointed and carry out other tasks stipulated by the act on the organization of local administration.

Assistant mayors are appointed and dismissed by the Mayor.

Up to 5 assistant mayors may be appointed in City administration.

## **V. DIRECT PARTICIPATION OF CITIZENS IN ADMINISTRATION OF LOCAL GOVERNMENT**

### **Forms of direct participation of citizens**

#### **Article 100**

Citizens of the City directly participate in the execution of City affairs through citizen initiatives, citizens' assembly and referendum.

#### **Citizens' initiative**

##### **Article 101**

Citizens through citizen initiatives propose to the City Assembly to pass the act to regulate the specific question within the jurisdiction of the City, the change of the Statute, or other acts and a referendum in accordance with the law.

The City administration has an obligation to provide professional assistance to citizens when formulating proposals contained in the citizens' initiative.

Citizens' initiative is considered as valid if the signed list for citizens' initiatives is drafted in accordance with the law and is signed by at least 5% of voters of the City, which are registered in the voter list according to the latest officially published decision on the conclusion of the electoral roll for the election of a City assembly, if the law or statute do not regulate otherwise.

Regarding the proposition from paragraph 1 of this Article, the City Assembly is obliged to hold a hearing and to submit a reasoned response to citizens within 60 days of receipt of the proposal.

Manner and procedure of implementation of citizens' initiative shall be regulated by the special decision of the City assembly.

#### **Assembly of citizens**

##### **Article 102**

Assembly of citizens discusses and gives proposals regarding the issues from within the jurisdiction of City bodies.

#### **Convening a meeting**

##### **Article 103**

Assembly of citizens may be convened in a settlement or part of the settlement, which may be: hamlet, street, area of local community or other form of local government.

Assembly of citizens may be called by the Mayor, President of the City Assembly, authorized representative of the local community or other form of local government, at least 50 citizens residing in the area for which the meeting is convened, and at least one quarter of the Assembly members, at least 8 days before the date of the meeting.

The City has an obligation to assist the initiator in convening and preparation of assembly of citizens.

A proposal to convene an assembly of citizens of the City may be sent by the City body responsible for deciding on an issue that is to be discussed on the assembly.

The citizens are notified about the scheduled assembly by highlighting the call to

convene the meeting on the bulletin board, through the media or in other customary manner.  
The initiator is obliged to inform the City administration about the assembly.

### **Work of the assembly and to determine attitudes of assembly**

#### **Article 104**

The assembly is presided by the initiator or a person authorized by him.

The assembly of citizens discusses proposals and takes stands if at least 5% of voters of the City, which are registered in the voter list according to the latest officially published decision on the conclusion of the electoral roll for the election of a City assembly, for the area for which the assembly is convened.

All adult citizens of the City have the right to participate in discussing issues, initiatives and proposing some solutions.

Citizens whose residence or property is in the area for which the assembly is convened have the right of decision on the assembly of citizens.

Decisions on the assembly of citizens shall be taken by majority of present citizens with the right to make decision.

The assembly adopts petitions with the majority vote of people with voting rights and passes them to the appropriate City bodies.

The City administration is obliged to provide professional assistance to citizens when formulating proposals and requests of the assembly of citizens, and prior to their referral to the competent authorities of the City.

Manner of work and procedure of determining the opinion of assembly shall be regulated by the special decision of the City assembly.

### **Action of the competent authority of the City after the assembly is held**

#### **Article 105**

Bodies of the City are obliged to, within 60 days from the date of the meeting of citizens, consider the requests and suggestions of citizens, take a stand on them, or make an appropriate decision or measure, and notify citizens.

### **Referendum**

#### **Article 106**

The City Assembly may, on its own initiative, by a majority vote of total number of Assembly members, call a referendum on matters from its scope.

The City Assembly is obliged to call a referendum on the issue from its jurisdiction at the request of citizens of the City.

The request of citizens from paragraph 2 of this article is valid if the list of request is drafted according to law and signed by at least 10% of voters of the City, according to the latest officially published decision on the conclusion of the electoral roll for the election of City assembly.

The decision was made through a referendum if it the majority of citizens who voted have voted in favour, provided that more than half of the total number of citizens of the City has voted.

Decision adopted at the referendum is legally binding.

Procedure and manner of implementation of the referendum shall be regulated by a special act of the City assembly.

## **Referendum on the part of the City's territory**

### **Article 107**

City Council is obliged to call a referendum on the part of the City on the issue which concerns the needs or interests of the population of that part of the territory, if the list of signatories to the request for a referendum is made in accordance with the law and if the same is signed by at least 10 percent of voters according to the latest officially published decision on the conclusion of the electoral roll for the election of representatives of the city within the part of the territory of the City which requires a referendum.

## **Citizens' complaints**

### **Article 108**

Bodies and services of the City are obliged to service to the citizens in exercising their rights and obligations and to provide the necessary information, explanations and information.

City authorities and services are obliged to provide the submission of complaints to its work and irregular work and attitude of employees in the City administration to everyone.

City authorities and services are obliged to investigate allegations highlighted in the complaints, which indicate the omissions and irregularities in their work and in accordance with the law to initiate the appropriate procedure for sanctioning and removing errors and irregularities.

City authorities and services are obliged to give the complainant's submitter answers and information about whether and how the complaints are acted on within 30 days if the complainant submitter requests so.

## **VI. OTHER FORMS OF CITIZENS' PARTICIPATION IN CITY AFFAIRS**

### **Article 109**

Citizens can participate in the affairs of the city through: Council for City Development, participating in a public survey and public hearing.

## **Council for city development**

### **Article 110**

A Council for city development is established as an independent working body.

Council for city development:

1. initiate the establishment of priorities in the development of the City;
2. participates in the development of strategic and individual development plans in areas of importance for the development of the City;
3. encourages the development and monitors partnership between the City and relevant agencies and organizations, local communities and associations of citizens, in order to create and implement development projects;
4. initiates and participates in establishing local policies and measures in social welfare, education, health care, employment, sustainable development, as well as in other areas of importance for the development of the City;

5. proposes models for financing activities in the field of social policy, education, health care, employment, sustainable development, as well as in other areas of importance for the development of the City;
6. initiates the preparation of projects and participation in programs or projects to improve services and ensure the rights of citizens within the jurisdiction of the City;
7. monitors and gives advice on the implementation of strategic and individual development plans of the City;
8. gives opinions on proposals of development projects in the city that are partially or fully funded from the city budget, monitors their implementation and gives its opinion about it to the competent authority of the City;
9. based on the decision of the competent authorities of the City, participates in affiliate programs and projects implemented by the City with national and provincial authorities and institutions, local governments and national and international organizations and partners.

### **The composition and mandate of the Council for city development**

#### **Article 111**

Council for the city development has a president and 14 (fourteen) members.

President members of the Council for city development shall be elected for a term of four years, and after the mandate may be re-elected.

Council for the development of the city is elected by the City assembly from among citizens and experts in the areas of importance for the local government, on the proposal of the mayor, City council, assembly members' groups, local communities, civic associations, professional associations and professional or public service of the City, taking into account the gender equality.

A candidate who meets at least one of the following conditions may be elected as a member of the Council for the city development:

1. proven expertise and long-term commitment to improving the City in matters of importance for the development of the City;
2. active participation in many organized activities - projects of importance to the City;
3. extensive experience and proven expertise in professional work in institutions and organizations and associations of citizens in the areas of importance to the city, such as local economic development, tourism, agriculture, infrastructure and city development, culture, education, health and social welfare, etc.

### **Manner of work of the Council for city development**

#### **Article 112**

President of the Council for the city development is elected by the member of the Council for city development in accordance with the Rules of Procedure of the Council for City Development.

Sessions of the Council for City Development are convened by the President of the Council at least once every three months or at the written request of City bodies or one-third of members of the Council for City Development within 15 days from the date of application.

Technical and administrative tasks related to the work of the Council for the city development are done by the city administration.

Funds for the work of the Council are provided from the City budget, and can be provided from other sources, in accordance with the law.

Manner of work of the Council for city development is regulated in detailed manner by rules governing the Council for the city development.

### **Public surveys**

#### **Article 113**

Bodies of the city may consult with citizens on matters within its jurisdiction. Consultation in paragraph 1 of this article is carried out through a public survey.

### **Public hearings**

#### **Article 114**

Bodies of the City are obliged to maintain at least one public hearing:

- 1) During the process of adoption of the Statute and its amendments;
- 2) in the course of the adoption of decisions on the budget of the City;
- 3) during the procedure of adoption of strategic and action plans of development;
- 4) in the course of the adoption of spatial and urban plans;
- 5) before making a decision on delegating tasks from the City's jurisdiction to legal or natural person, the City assembly is required to hold a public hearing on the proposed decision;
- 6) before concluding the contract on delegating tasks from the City's jurisdiction to legal or natural person, the City is obliged to organize a public debate on the contents of the contract;

### **Organizing the public hearings**

#### **Article 115**

Public hearings, reflecting the purpose of this Statute, include an open meeting of representatives of competent bodies of the City, and public services with interested citizens and representatives of civic associations and mass media.

City assembly is obliged to provide participation in public hearings to citizens from all parts of the City.

President of the City Assembly organizes a public hearing in the cases envisaged by this Statute and decisions of the City Assembly, on the initiative of the City bodies, as well as on its own initiative.

President of the City Assembly invites the representatives of relevant bodies of the City and public services founded by City to participate in public debate.

President of the City Assembly is obliged to regularly inform the City Assembly about the contempt of persons from paragraph 4 of this article.

A note will be made about the public hearing that is to be submitted to all City authorities and the City assembly members.

The City Assembly shall regulate the way of informing the public about the public debate, and how will provide public access to the contents of the minutes of held public hearings.

## **VII. LOCAL GOVERNMENT**

### **Forms of local government**

#### **Article 116**

In order to meet the needs and interests of immediate importance for the citizens of the territory of the City, the City establishes the local communities or other form of local government.

Local community is established for one or more villages. If the local community is established for more than one village, in each village local boards may be formed.

### **Legal status of the local community**

#### **Article 117**

Local communities or other form of local government have the status of legal persons within the rights and duties established by this statute and the decision on the establishment.

Local community boards do not have a status of legal persons.

### **Establishing, changing areas and the abolition of the local community**

#### **Article 118**

The proposal for the establishment of new local community, changing areas and the abolition of the local community or other form of local government can be submitted by the Mayor, at least one quarter of the Assembly members, the board of the local community or other form of local government, or citizens residing in the territory to which the proposal relates, through citizen initiatives.

The City assembly decides on the establishment of new local communities, changing areas and the abolition of the local community or other form of local government by a majority of the total number of Assembly members.

The City Assembly is required to, before making a decision on the establishment of new local communities, changing areas and the abolition of the local community or other form of local government, obtain the opinion of the citizens of the territory of the City in which the proposal applies. The City Assembly is required to, before making a decision on the establishment of new local communities, changing areas and the abolition of the local community or other form of local government, obtain the opinion of the board of the local community of the territory of the City in which the proposal applies.

### **Publicity of work**

#### **Article 119**

Work of the bodies of local community or other form of local government is open to the public.

Transparency and informing the citizens are particularly provided by:

#### **1) mandatory public discussions:**

- about the draft of the local community's or other form of local government's financial plan,
- about the balance sheet of of the local community or other form of local

- government,
- about the annual reports regarding the work of the local community or other form of local government,
- in any other cases when the bodies of the local community or the City decide so.

Transparency and informing the citizens are regulated in detailed manner by the statute of the local community or other form of local government.

### **Board of the local community**

#### **Article 120**

The local community or other form of local government forms a board of the local community, as a representative body of citizens.

Jobs and tasks of the board, the number of board members and the manner of decision making in the board are regulated by the statute of the local community, or other form of local self-government.

### **Funds for the work**

#### **Article 121**

Funds for the local community or other form of local government are provided from:

- 1) funds provided in the City budget;
- 2) funds that citizens provide through voluntary tax;
- 3) donations;
- 4) revenues that local communities make through its activity.

Funds that the City provides to the local community are planned in the budget of the City separately for each local community, by purpose:

- 1) funds for the work of the local community's bodies for current expenses;
- 2) funds for performing tasks that are entrusted to local community;
- 3) funds for co-financing of contribution program, which was introduced for area or areas of the local community;
- 4) funds for co-financing of the construction of communal infrastructure in which citizens participate with at least 33 percent of assets or at least 50% in case of public lighting;
- 5) funds for the work of local boards.

Local communities or other form of local government use funds in accordance with the financial plan that is approved by the City Council.

### **Delegation of tasks to the local community**

#### **Article 122**

Decision of the City Assembly may regulate that local communities or other forms of local self-government are entrusted to perform certain tasks within the competence of the City, with the provision of necessary funds.

Entrustment of tasks is based upon whether these tasks are of immediate importance to the everyday life of residents of the local community or other form of local government.

## **Organization of City Administration's work in local communities**

### **Article 123**

To perform certain tasks within the competence of City administration, the work of City administration can be organized in local communities.

The activities from paragraph 1 of this article are determined by the Mayor on the proposal of the chief of City administration.

## **VIII. COOPERATION AND ASSOCIATION OF CITIES**

### **Cooperation and association of the City with the municipalities and cities in the country**

#### **Article 124**

The City, its bodies and services, as well as companies, institutions and other organizations which it founded, associate and cooperate with other Cities and cities and their bodies and agencies in areas of common interest and for their realization can join resources and form a joint bodies, enterprises, institutions and other organizations and institutions, in accordance with law and Statute.

#### **Cooperation with the territorial communities and local government units of other countries**

#### **Article 125**

The City may seek cooperation in areas of common interest with the corresponding territorial communities and Cities and cities in other countries, within the foreign policy of the Republic of Serbia, with respect for territorial integrity and legal system of Serbia, in accordance with the Constitution and the law.

The decision on cooperation with the territorial communities, Cities and cities is passed by the assembly of the City, with the consent of the government of the Republic of Serbia.

Agreement or any other act on the establishment of cooperation is to be signed by the mayor or the person authorized by him.

Act in paragraph 3 of this Article shall be published after obtaining the consent of the government of the Republic of Serbia.

### **Participating in the associations of municipalities and cities**

#### **Article 126**

The City may be the founder of or access associations of cities and Cities.

The City establishes and accesses to associations of cities and Cities for the promotion of local self-government, its protection and realization of common interests. The City also, through membership in associations, exchanges experiences and establishes cooperation of cities and Cities in the country and other countries, participate in advocacy of their own and common set of interests before government agencies especially in the process of making laws and other laws of importance for the protection, promotion and funding of local governments, and other regulations of importance for the realization of tasks of cities and Cities.

## **Cooperation with non-governmental and other organizations**

### **Article 127**

Bodies of the City may cooperate with non-governmental organizations, humanitarian and other organizations in the interest of the City and its citizens.

## **IX. PROTECTION OF LOCAL GOVERNMENT**

### **Protection of the rights of the City**

#### **Article 128**

Protection of the rights of the City is provided in the manner and procedure prescribed by law.

#### **Starting the procedure to assess the constitutionality and legality**

#### **Article 129**

The City Assembly starts the process for assessing the constitutionality and legality of the law or other legal act of the Republic of Serbia, which violates the right to local self-government.

#### **The right of appeal to the Constitutional court**

#### **Article 130**

Mayor has the right to appeal to the Constitutional Court if an individual act or action of a state body or City body prevents the exercise of jurisdiction of the City.

#### **Protector of citizens - Ombudsman**

#### **Article 131**

The City may establish a protector of citizens - ombudsman.

Ombudsman shall protect the rights of citizens from violations committed by the city administration and enterprises, institutions, agencies and organizations exercising public authority, and whose founder is the City; control the work of city administration and protects citizens' right to local self-government, if it is a violation of regulations and general acts of the city.

The ombudsman may have one or more deputies. On the proposal of the Ombudsman City assembly decides on the establishment, the number of deputies and their work area, as well as on the selection of deputies.

## **Autonomy and independence**

### **Article 132**

Ombudsman works and acts on the basis of and within the Constitution, laws, ratified international treaties and generally accepted rules of international law and the Statute of the city.

In his/her acting Ombudsman is guided by the principles of legality, impartiality, independence and fairness.

Decision of the City assembly shall regulate in more detailed manner form of addressing to the Ombudsman and the rules of conduct and work of the Ombudsman.

## **Actions of Ombudsman**

### **Article 133**

In cases of illegal and improper work of City administration and public services performing public duties, whose founder is the City, which violate rights or interests of the citizens, the Ombudsman warns the authorities and services, criticizes them, makes recommendations for the operation, initiates start-up procedures to remedy violations of the rights and informs the public.

In the domain of human and minority rights ombudsman:

- 1) monitors the implementation of human and minority rights and make recommendations to promote the realization of human and minority rights;
- 2) collects information on the implementation of laws and regulations in the field of human rights and the rights to local self-government;
- 3) compiles an annual report on the implementation of human and minority rights;
- 4) informs the public of violations of human and minority rights;
- 5) receives and investigate complaints concerning the violation of human and minority rights;
- 6) mediates a peaceful settlement of disputes related to violations of human rights;
- 7) initiates the appropriate proceedings within the competent authorities in case of violation of human rights;
- 8) organizes and participates in the organization of professional meetings, conferences and public information campaigns on issues of importance for the realization of human and minority rights;
- 9) initiates and promotes education on human and minority rights;
- 10) performs other duties determined by law, Statute and the decision of the City.

In exercising its authority ombudsman works with the ombudsmen in the municipalities and cities, as well as with the Ombudsman of the Republic of Serbia.

## **Election of Ombudsman**

### **Article 134**

Protector of citizens is appointed and dismissed by the City assembly by a majority of the total number of its members.

Proposal for election of Ombudsman shall be submitted by at least one third of the City assembly members.

Ombudsman shall be appointed for a period of five years and may again be elected to that position.

A person may be appointed as Ombudsman if that person, in addition to the general requirements for the acquisition of voting rights (citizenship, age, business acumen, resident in the territory of the City), has at least five years of professional experience in the field of human and minority rights, has moral integrity, was not convicted or there are no criminal proceedings against that person.

Protector of citizens can not be a member of a political party and cannot perform any public function or any professional activity.

### **Dismissal of the Ombudsman**

#### **Article 135**

Protector of Citizens is dismissed before the expiration of the term if convicted of a crime and sentenced to prison, if not performing duties within its jurisdiction in the professional, impartial, independent and conscientious manner, or is holding any other functions and performs tasks that are incompatible with the position of Ombudsman.

The proposal for the dismissal of the Ombudsman may be submitted by a group of assembly members, or at least one-third of the members.

City assembly decides on the dismissal of the Ombudsman by a majority of total members.

Dismissal of the Deputy Ombudsman shall be subject to provisions on the dismissal of the Ombudsman.

### **Reporting to City assembly**

#### **Article 136**

Ombudsman submits an annual report to the City assembly.

If assessed as necessary for consideration of certain issues, ombudsman can provide special reports to the City assembly.

City assembly considers the report of the Ombudsman at its next session.

### **The right to attend meetings of the City assembly and its working bodies**

#### **Article 137**

Ombudsman has the right to attend meetings of the City assembly and its working bodies, as well as to participate in the debate when discussing the issues under its jurisdiction.

### **Funds for the work of the Ombudsman**

#### **Article 138**

Funds for the work of the Ombudsman shall be provided in the budget of the City, and can be provided from other sources, in accordance with the law.

## **X. CITY ACTS**

### **Acts of the City**

#### **Article 139**

In performing the tasks within its competence, the City passes decisions, rules, orders, instructions, solutions, conclusions, recommendations and other necessary acts.

### **The hierarchy of City acts**

#### **Article 140**

Decisions and general acts of the City assembly must be in compliance with the, law and this Statute.

Acts of mayor and City council must be in compliance with the law, this Statute, decisions and general acts of the City assembly.

Acts of City administration must be in compliance with the law, this Statute, decisions and general acts of the City bodies.

### **Publication and entry into force of general acts**

#### **Article 141**

General acts of the City bodies are published in the “Official gazette of the City of Uzice”.

Acts from paragraphs 1 of this article shall come into force on the eight day after the publication, unless, due to the particular valid reasons, it is determined that they take effect earlier than stated.

Other acts of the City shall be published in the “Official gazette of the City of Uzice” in a manner determined by those acts.

## **XI. INTERPRETATION, ADOPTION AND AMENDMENTS OF THE STATUTE**

### **Authentic interpretation of the Statute**

#### **Article 142**

Authentic interpretation of the Statute is given by the City assembly on the proposal of the City council.

### **The procedure to make amendments or adoption of the Statute**

#### **Article 143**

The proposal for the adoption or change of the Statute may be submitted by the at least 10% of the voters of the City, one third of Assembly members, mayor or the City council.

When City Assembly does not adopt a proposal to change the Statute, the Statute cannot be changed in regards to that particular issue discussed in the proposal during the one year period.

The proposal should be submitted in writing with an explanation.

The City assembly shall decide about the proposal from paragraph 1 of this article by a majority of the total number of Assembly members.

When the City assembly decides to start the procedure of adopting the new statute or amending the existing statute of the City, the same decisions shall regulate the manner and procedure of passing or changing the statute, and the City assembly appoints the Committee for drafting the act about passing or amending the statute of the City.

The City Assembly adopts an act of passing or changing the Statute by the majority of the total number of Assembly members.

## **XII. TRANSITIONAL AND FINAL PROVISIONS**

### **Changing the territorial organization of the City**

#### **Article 144**

Within the territory of the city defined by law, city municipalities may be established.

The areas of the city municipality are settlements or areas of cadastral municipalities included in its composition.

The boundaries between municipalities shall be determined by the decision of the City assembly.

#### **Article 145**

Initiative for the proceedings to establish, cancel and change the city territory may be submitted by the City assembly or 10% of voters who reside in the territory of the city in which the change applies.

#### **Article 146**

The new city municipality is established under the following conditions:

- That its territory is geographically and economically connected space that has a built in communications among the settled places with the city's municipal office as a gravitational center
- that the degree of economic and social development of the area, material, technical, personnel and other conditions allow performance of the city municipality, that meet the specific needs of vital importance for citizens from the area

Article will be submitted, as well as a graphical representation of which is an integral part of the elaborate.

#### **Article 147**

If it is found that the proposed changes in legal and justified, the City Council submit to the City Assembly proposal to call an advisory referendum.

City Council, in accordance with the law, calls for an advisory referendum in which citizens, which have the right to vote and reside in the city, to which the change relates to, declare whether they are "for" or "against" change that is initiated.

It is considered that the citizens supported a change that is initiated, if the majority voted for it of those who voted.

#### **Article 148**

In determining proposals for amendment of the Statute that establishes, abolishes or changes the territory of the city, the City Council will take into account the results of held referendum.

#### **Article 149**

City Council may change the existing area of the city municipality, establish a new or cancel existing city municipality under the conditions set forth in this Statute.

#### **Article 150**

The proposal for amending the Statute, which proposes the establishment of new city municipality, contains provisions on the position, tasks and authorities of the city municipality and the manner of their election, relations with the city authorities and city municipalities, the funding of city municipality's work, and other provisions relevant to establishment and functioning of the city municipality.

#### **Article 151**

The establishment, termination and change of the territory of the city are done according to the procedure prescribed by law and this Statute.

### **Harmonization of regulations with this Statute**

#### **Article 152**

Regulations of the City of Uzice issued before the entry into force of this Statute shall remain in force until they are complied with this statute.

In the event that some provisions of the regulations specified in paragraph 1 of this Article are contrary to the law and this Statute, relevant provisions of the Law and this Statute shall be applied.

Regulations of Uzice municipality shall be harmonized with the provisions of this Statute within six months from the date of entry into force of the Statute.

### **Termination of the Statute**

#### **Article 153**

Upon entry into force of this statute, the statute of the Uzice municipality ("Official Gazette of the City of Uzice", No. 2/06) is no longer valid.

### **Entry into force**

#### **Article 154**

This statute shall enter into force on the eight day after it is published in the „Official Gazette of the City of Uzice“.