

From: [Larsen, Nicole](#)
To: [Owczarski, Jim](#); [Lee, Chris](#); [Koster, Vanessa](#); [Connelly, Kristin D.](#)
Subject: 190159 - Sufficiency of petitions
Date: Friday, July 26, 2019 11:03:49 AM

All,

It is my opinion that the initial protest petition submitted is invalid, but that the Adriansen and Posik individual petitions are valid.

The primary problem with the initial petition is that it lacked any sort of declaration by affidavit or otherwise by the circulator and therefore failed to be sufficiently acknowledged, as required by the ordinance.

The Adriansen and Posik petitions do not have this same problem, however, as they are each only signed by one signer. The petitions are clear as to who signed and the purpose of the signing. Consistent with the decision in the unpublished case *Greatwood Log Homes, Inc. v. Town Board of Town of Rhine*, 526 N.W.2d 280 (Ct. App. 1994), requiring a notarial act could be construed as “far too onerous a requirement to place on a democratic process by which concerned citizens may register their objections to proposed legislative action.” *Id.*

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