

KOROR MUNICIPALITY  
PALAU DISTRICT  
WESTERN CAROLINE ISLANDS

MUNICIPAL ORDINANCE NO. 6, 1958

An Ordinance to provide, pursuant to Article II, Section 5 of Koror Municipal Charter, for the organization and function of Koror Municipal Council, its rules of procedure; its membership, manner of selecting members, tenure; and frequency and manner by which it will be convened.

ARTICLE I.

Organization and Function of Koror Municipal Council.

Section 1. The Council shall be a uni-cameral legislative body which shall act upon legislative matters of government of Koror Municipality as prescribed by law.

Section 2. The functions of the Council shall be to make and pass ordinances, consistent with the general laws of the Palau District and the Trust Territory, for the welfare and good government of the inhabitants of the municipality. Such functions shall include but not limited to the following matters;

- a. Approval of the appointment of officers and any other employees as provided by ordinances;
- b. Nomination of at least three candidates for the office of the Magistrate and refers the lists of the candidates at least 30 days prior to the election, to the electors of the municipality who shall have a right to add, if so desire, any number of nominees in addition to those nominated by the council;
- c. Legislate on local affairs affecting the population of the municipality, including:
  1. Food and water supplies;
  2. Public Health;
  3. The use-of public land;
  4. The maintenance of peace, order and public safety;
  5. The performance of communal work and other communal activities;
  6. The control of livestock;
  7. Fishing and fishing rights;
  8. Education;
  9. The prevention or removal of public nuisances.

In addition to the foregoing but not limited to the provisions of this paragraph and the above mentioned functions, the council may, by ordinance, maintain public buildings; contribute such sums as it thinks necessary towards the maintenance and improvement of any public cemetery or burial ground within the boundaries of its geographical jurisdiction; for agricultural and production projects; for the maintenance of public roads and buildings; and for the preservation of public health and sanitation.

## ARTICLE II.

### Membership.

Section 1. The Council shall be composed of the Magistrate; High Chief Aibedul; Chief Ngiraikelau; Hamlet Chiefs: Recheungel of Ngermid, Adelbaire-kesewaol of Ngerkesewaol, Iechadrechemai of Ngerchemai, Rdulaol of Aiebukel, Uchel of Meyuns, Espangel of Ngerkebesang, Iechadribukel of Ngerbeched; elected Chadal Olbiil era Kelulau; the Principal of Koror Elementary School; and at least fifteen (15) elected members who shall represent their hamlets or wards as provided by ordinances.

Section 2. The Municipality shall hold election for the elective members of the Council in the month of February or March every year. Until the first election following receipt of the municipal charter is held, the existing municipal council shall continue to hold office with all of the powers described in this ordinance.

Section 3. Each hamlet or ward, whose boundaries shall be appointed by the Magistrate with the approval of the Council at least 2 months prior to election, shall elect one but not more than three elected members of the council, that if the population of that hamlet or ward as determined by the last official census preceeding the election is less than 200 it shall elect one member, that if the population exceeds 200 but not 400 it shall elect two members; and that if the hamlet or wards population exceeds 400 it shall elect one additional member.

Section 4. Any legal resident who is qualified as an elector of the municipality is eligible for elective membership in the council, regardless of sex, race, or religion, provided that he has attained the age of twenty-six (26) years prior to the date of election; and that he has been a registered resident of the municipality of Koror at least twelve (12) months prior to the election.

Section 5. An elected member of the Council shall serve for a term of one year following the date of his election unless he is incapacitated to the extent that he is unable to discharge his duties whereupon a special election shall be held by his constituents to elect a successor to serve the remainder of the unexpired term.

## ARTICLE III

### Meetings

Section 1. The Council shall be convened in regular session once every two months on the first Wednesday of the following month, the time and place of the meeting to be fixed by the Magistrate and notice of the meeting to be issued by the Magistrate to all members of the Council at least 2 days prior to the meeting.

Section 2. The Council may be convened in special session by the Magistrate or by petition of one-third of its members. The Magistrate is responsible for convening all sessions, regular or special, in the manner as prescribed in Article III, Section 1 herein.

Section 3. All members of the Council shall have equal rights and privileges.

Section 4. All members of the Council shall have the rights to propose ordinances and to vote on all matters, inclusive of ordinances, each member having a single vote.

Section 5. In order for any matter to be expressed as an ordinance of the municipality, such proposed ordinance shall require a majority vote of the members of the Council present and voting.

Section 6. Any proposed Ordinance adopted by the Council shall be certified by the Clerk of the Municipality and signed by the Magistrate and submitted to the District Administrator for his approval within fifteen (15) days after the passage of such proposed ordinance by the Council.

Section 7. Should a proposed ordinance passed by the Council is not signed by the Magistrate for reason of disapproval, the Magistrate shall state in writing to the Council his reasons for such disapproval, and shall submit such unsigned proposed ordinance within the period as prescribed in the preceeding section to the District Administrator with his cover - letter stating his reasons for not signing such proposed ordinance.

#### ARTICLE IV.

##### Committee

Section 1. The Council may from time to time appoint standing or special committees consisting of two or more persons and may refer to any such committee any matters for consideration or enquiry or management and may delegate to any such committee any of the powers and duties conferred upon the council.

Section 2. The Council may appoint a member of any committee to be the Chairman thereof, who will serve such term as determined by the Council or the committee, as the case may be, and that power may be exercised by the committee where the Council on the appointment of the Committee does not appoint a chairman.

Section 3. Any Committee may from time to time appoint a deputy Chairman to act in the absence of the Chairman.

Section 4. The Council may at anytime and from time to time discharge, alter, continue or re-constitute any committee or discharge any member of the committee, and if it thinks fit, appoint another member in his stead.

Section 5. Every such committee shall be subject in all things to the control of the Council and shall carry out all directions, general or special, of the Council given in relation to the committee or its affairs.

#### ARTICLE V.

##### Proceeding of Council and Committee.

Section 1. Every question coming before the Council or any committee and requiring a decision shall be decided by secret ballots, unless otherwise decided by the Council or the committee.

Section 2. At every meeting of the Council the Magistrate, pursuant to article II, Section 1, b. of the Charter, if present, shall preside.

Section 3. At every meeting of any committee the chairman thereof if present, shall preside.

Section 4. If at any meeting of the Council the Magistrate is absent or if the chairman is absent from any meeting of a committee than such member as the members of the Council or committee then present choose, shall be the chairman of the Council meeting or the committee meeting, as the case may be.

Section 5. A quorum of the Council to transact business shall consist of two-thirds (2/3) of its membership.

Section 6. The Council shall fix the quorum of any committee appointed by it and in default of the Council so doing, the committee shall fix the quorum and so advise the Magistrate.

Section 7. No business shall be transacted at any meeting of the Council or of any committee unless at least a quorum of members is present thereat during the whole time at which the business is transacted.

Section 8. The Chairman of any meeting of the Council or committee shall have deliberate vote and in the case of the equality of votes shall have, a casting vote.

Section 9. The minutes of the proceedings of the Council including a record of all voting shall be kept in a book which shall be kept in the office of the Magistrate and shall be open to the public without fee during any office hours.

Passed by 16 majority vote of 16 present and voting out of 26 total membership of the Koror Municipal Council on the 6<sup>th</sup> day of January, 1958.

Certified by:

/s/  
N.S. Itebang  
Koror Municipal Clerk

/s/  
Indalecio Rudimech  
Magistrate, Koror Municipality

Approved this 7<sup>th</sup> day of January, 1958.

/s/  
Donald Heron  
District Administrator  
Palau, Western Caroline Islands

Copy to: High Commissioner  
District Administrator, Palau  
Clerk of Court, Palau  
Constabulary, Palau