Pursuant to Article 38, paragraph 1, item 1 of the Law on Local Self-Government (Official Gazette of Montenegro 2/18), the Assembly of the Municipality of Zabljak, at its session held on 17 July 2018, **adopted**

**S T A T U T E**

**OF THE MUNICIPALITY OF ŽABLJAK**

**I BASIC DIRECTIVES**

**Article 1**

 This Statute regulates the rights and duties of the Zabljak Municipality (hereinafter: the Municipality) and the manner of their realization; jobs and decision-making of the local population; the manner and conditions of conducting their own business; organization and operation of local government; the manner in which the regulations are adopted; the manner of exercising control over the work of bodies and services referred to in Article 69 of the Law on Local Self-Government (hereinafter: the Law) and public services; manner of providing of publicity of work and participation of citizens in affairs within the jurisdiction of the municipality, financing, establishment of symbols, municipal holiday and manner of its marking, establishment and operation of local community and other forms of local self-government, conditions for launching a citizens' initiative and other issues of importance for the functioning of local self-government.

**Article 2**

The terms used in this Statute for individuals of the masculine gender imply the same expressions in the feminine gender.

 **II THE MUNICIPALITY AFFAIRS**

**Article 3**

 The municipality carries out activities of direct and common interest to the local population.

 The municipality performs the tasks within its competence through its bodies, local self-government bodies and public services, in accordance with the law, statute and other acts.

 **III LEGAL STATUS**

 **1. Territory and headquarter of the municipality**

**Article 4**

 A municipality is a territorial unit where citizens exercise local self-government in accordance with the law and this statute.

The territory of the municipality consists of places and settlements established by a special law.

Names and areas of settlements shall be determined by a decision of the Municipal Assembly.

**Article 5**

 The municipality has the status of a legal entity.

The seat of the municipality is in Zabljak, Trg durmitorskih ratnika bb.

 **2. Symbols of the Municipality**

**Article 6**

 The municipality has a coat of arms.

The coat of arms is in the shape of a silver shield, showing a panorama of Bobot's hip with a silver sun on the horizon. In the middle of the shield is a green conifer forest. In the lower part of the shield is the reduced form of the Black Lake. The shield is topped with a silver rampart crown. The guard of the shield is a winged horse, and at its bottom there is a silver ribbon with the name of Žabljak.

The use of the coat of arms shall be regulated by a decision of the Municipal Assembly.

**Article 7**

Municipal holiday shall be September 17.

The ceremonial celebration of the municipal day shall be done annually by organizing formal session of the Assembly.

Patron Saint of the municipality is Transfiguration Day- August 19.

The ceremonial celebration of Patron Saint shall be determined by special decision of the Municipal Assembly.

Municipality may have other holidays in accordance with special decision of the Municipal Assembly.

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 **3. The Municipal seal**

**Article 8**

 The Municipality and its departments shall own a seal.

 The municipal seal is round, 32 mm in diameter, and it contains a title: Montenegro, Municipality of Žabljak, Žabljak.

 The coat of arms of the Municipality is in the middle of the seal.

 The seal of municipal departments, besides elements from the paragraph 2 of this Article, shall have the name of the department as well.

 The municipal Assembly, with its special decision, determines: the production, use, safe keeping and destruction of the seal and other issues related to the usage of the seal.

 **4. Rewards and public acknowledgementsa**

**Article9**

The Municipality establishes the Municipal Award - '17. September''.

Award '17. September '', is awarded to individuals, legal entities, bodies, organizations and associations for the best achievements, achieved results and contribution to the development of the municipality in economic, scientific, educational, health, cultural and sports fields, as well as in other areas of social life and creativity.

**Article 10**

The municipality establishes a public recognition - the title "Honorary Citizen of the Municipality".

Public recognition - the title of "Honorary Citizen of the Municipality", can be awarded to individuals especially deserving of affirmation and development of the municipality.

**Article 11**

 Terms, procedure and method of awarding ''17. September '' and the titles '' Honorary Citizen of the Municipality '' are regulated by a special decision of the Municipal Assembly.

The municipality may, by special decision of the assembly, establish other awards and recognitions and prescribe the conditions, procedure and manner of their award.

 **IV THE MUNICIPAL AFFAIRS**

##### Article 12

 The municipality, in accordance with the law, issues:

1) strategic plan of the development of the municipality;

2) the budget and the final budget account;

3) plans and programs for particular areas;

4) urban projects and

5) other acts, in accordance with its competence.

**Article 13**

Municipality, in accordance with the law and other regulations:

1) determines and provides performance and development of communal activities, maintenance of communal infrastructure and communal order;

2) determines and ensures the performance of construction, reconstruction, maintenance and protection of municipal roads;

3) determines and provides transportation of passengers in urban and suburban regular services and auto-taxi transportation;

4) regulates traffic in its area, in accordance with the law governing road traffic safety;

5) regulates construction land;

6) regulates and provides conditions for the development of entrepreneurship;

7) takes care of local goods of general interest;

8) provides the conditions and takes care of environmental protection and some of its parts (air quality, noise protection, waste management, etc.);

9) determines and provide conditions for management of water, water soil and water objects of local importance, takes care of their protection and use, issues water acts and keep prescribed records, determines erosive areas, anti-erosion measures and implements protection against erosion and torrents, organizes and provides for other tasks in the field of water management, use and protection and water supply;

10) regulate srelations in the field of housing and takes care of providing conditions for maintenance of residential buildings;

11) identifies, provides and creates conditions for the development of culture and the protection of cultural property;

12) determines, provides and creates conditions and takes care of the development of tourism, as well as the development of activities that promote tourism development;

13) creates conditions for the development and improvement of sports for children, youth and citizens, as well as for the development of inter-municipal sports cooperation;

14) creates conditions for the use of agricultural land and takes care of its protection;

15) participates in providing conditions and promotion of activities: health care, education, social and child protection, employment and other areas of interest to the local population, in accordance with the possibilities, and performs the rights and duties of the founders of institutions he establishes in these activities, in accordance with law;

16) in accordance with the possibilities, regulates and provides for solving the housing needs of persons in social need and persons with disabilities and assist the work of humanitarian and non-humanitarian organizations in these fields;

17) regulates and provides conditions for informing the local population;

18) regulates and provides conditions for the development of library and other activities of interest to the local population;

19) decides on rights in the field of veterans' disability protection and keep records on the beneficiaries of rights;

20) determines and provides conditions for the protection and rescue of the population, material and cultural assets and the environment in the municipality from natural disasters, technical and technological accidents and other disasters;

21) organizes and implements measures to protect the population from infectious diseases;

22) creates conditions for development of agricultural production (fruit growing, vegetable growing, olive growing, etc.) and performs other tasks in this field;

23) provides conditions for consumer protection;

24) regulates the manner and conditions of keeping pets, the manner of treating abandoned and lost animals, provides conditions for their care and implement measures for controlling their breeding;

25) determines working hours in certain activities and determines the areas in which certain activities may be performed;

26) determines and provide conditions for holding public fairs of local importance;

27) regulates the manner of organizing public works of local importance;

28) prescribes violations for violations of municipal regulations.

**Article14**

Within its own competencies, the municipality:

1) disposes, manages and protects its property and exercises individual ownership powers on state property, in accordance with the law;

2) regulates, introduces and determines its own revenues in accordance with the law;

3) performs collection and control of own revenues;

4) decides on the rights, obligations and legal interests of natural persons, legal persons and other parties in administrative and other matters;

5) determines the public interest in the expropriation of real estate for the implementation of projects of local importance, in accordance with the law;

6) ensures the implementation of activities aimed at improving energy efficiency in facilities and systems using energy (buildings, public transport systems, public lighting, water supply, waste management, etc.), which are used by local self-government bodies, local authorities administration and public service;

7) keeps records, in accordance with the law;

8) performs the tasks of inspection supervision and the provision of communal services, in accordance with the law;

9) organizes and carries out the activities of providing legal assistance to citizens in accordance with the law;

10) establishes public awards and awards;

11) performs other tasks in accordance with the needs and interests of the local population.

**Article 15**

 In order to ensure the performance of tasks within its jurisdiction, municipalities establish local government bodies, institutions, companies and other forms of organization for the purpose of providing public services (hereinafter: public services), in accordance with the law.

**Article 16**

 In addition to its own affairs, the municipality also performs tasks delegated to it by law or entrusted with a regulation of the Government of Montenegro.

 **V PROPERTY OF THE MUNICIPALITY**

**Article 17**

The municipality has the property.

The property of the municipality consists of immovable and movable property, monetary assets, securities and other property rights, in accordance with the law.

The Municipal Assembly may transfer the right to lease property and the right to sell movable property to the competent local government bodies, in accordance with a special decision.

The decision on acquiring property within the planned budget funds in the municipal budget is made by the Mayor in accordance with the law.

 The sale or exchange of immovable and movable property is carried out according to the procedure and in the manner prescribed by law.

The authorities referred to in paragraphs 2 and 3 shall be obliged to manage, protect and dispose of the property, according to its purpose, conscientiously in accordance with the principles of good business operation in accordance with the law and this Statute.

**Article 18**

 The municipality and public services founded by the municipality are obliged to keep records of their property in accordance with the law.

The Municipal Assembly shall review the report on the condition and movement of property of the municipality and public services at least once a year.

The value of municipal property is estimated by the local government authority in charge of the property business.The property of the municipality is reported in accordance with the law.

 **VI FINANCING OF THE MUNICIPALITY**

**Article 19**

 The municipality provides revenue to finance its own business from the following sources:

1) own revenues,

2) revenue assigned by law,3) Equalization Fund,4) the budget of Montenegro,5) other sources, in accordance with the law. The Municipality shall independently dispose of the funds referred to in paragraph 1 of this Article.

The Municipality is provided with the funds to carry out the transferred and entrusted tasks from the budget of Montenegro.

**Article 20**

 The municipality has its own budget.

The municipality prepares, plans and manages the municipal budget in accordance with the law.

Budget funds are used for the purposes for which they were established. The Mayor is responsible for the implementation of the municipal budget.

The appropriated use of budgetary funds is the responsibility of the head of the local government authority who is in charge of budgetary affairs (budget executor)..

**Article21**

 Supervision of budget execution and purposeful use of funds allocated to the budget for specific purposes is exercised by the municipal assembly.

The supervision referred to in paragraph 1 of this Article shall be performed by:

- submitting to the municipal assembly a half-yearly report on budget execution and investment policy, - - submitting the final budget account to the municipal assembly.

An external audit report must be submitted with the final budget account of the Municipality. The Municipal Assembly may, at the proposal of the President of the Assembly or at least one-third of the councilors, with appropriate justification, and before the deadline set out in paragraph 2 of this Article, request submission of the report on the implementation and use of budget funds..

**Article 22**

 Supervision of financial, material and accounting operations of budget users in terms of purpose, volume and dynamics of use of funds is performed by the Mayor.

Supervision referred to in paragraph 1 of this Article shall be performed by submission of reports by budget users, as well as by direct inspection of the budgetary authority.

**Article 23**

 The municipality may be intebted in accordance with the law.

 **VII THE MUNICIPAL BODIES**

**Article 24**

The municipal bodies are the Municipal Assembly (hereinafter: the Assembly) and the Mayor.

 **1. The Assembly**

**Article 25**

 The Assembly is the representative body of the citizens of the municipality who performs the function in accordance with the Constitution, law and this statute.

The mandate of the Assembly shall be four years.

 The Assembly consists of councilors elected by citizens on the basis of free, universal, equal and direct suffrage, in accordance with the law governing the election of councilors and deputies.

**Article 26**

The number of councilors in the assembly shall be determined by a separate decision.

The mandate of the councilor begins to run through confirmation of the term.

The confirmation of the mandate of the councilors is made on the basis of the Municipal Election Commission report on the conducted elections.

The Assembly does not vote on confirming the mandate.

**Article 27**

 The first session of the newly-elected Assembly shall be convened by the President of the Assembly of the previous convocation, not later than 15 days after the announcement of the final election results.

The Assembly session shall be held no later than 15 days from the date of convocation.

The session is chaired by the oldest councilor (chairman) until the election of the President of the Assembly.

If the oldest councilor is unable or unwilling to chair, the meeting shall be chaired by a councilor designated by the Assembly.

 If the session of the Assembly is not convened within the time limit referred to in paragraph 1 of this Article, or is not held within the time limit referred to in paragraph 2 of this Article, the session shall be convened by the Government.

The Assembly is considered a constitutional election of the President of the Assembly.If the Assembly is not constituted within 60 days from the announcement of the final election results, the President of Montenegro shall call the elections for the Assembly.

 **1.1. Rights and duties of councilors**

**Article 28**

 The councilor has the right and duty to participate in the work of the Assembly and its working bodies, perform the tasks entrusted to it, propose to the Assembly the consideration of certain issues within its competence, submit proposals for decisions and other acts, submit amendments to the proposed regulations, ask parliamentary questions, perform other tasks in the Assembly in accordance with the law, this Statute and the Rules of Procedure of the Assembly.

It is the right of the councilor to be constantly and regularly informed about issues affecting the performance of the councilor function, to ask the bodies and professional services for the information they need for their work, as well as expert assistance in preparing proposals for the assembly.

The councilor is obliged to keep secret and other information confidential and is responsible for it.

**Article 29**

The councilor is entitled to compensation for work in accordance with the decision of the Assembly.

**Article 30**

 The councilor resigns in writing to the president of the assembly.

The President of the Assembly immediately delivers resignation to the Municipal Election Commission.

 The Assembly notes the termination of the mandate of the councilor who resigned at the first subsequent session.

**Article 31**

The councilor cannot be held liable for the opinion expressed, the manner of voting or the spoken word in the performance of the councilor's function.

 **1.2. Affairs of the Assembly**

**Article 32**

Assembly:

1. adopts the municipal statute;

2. adopts regulations and other general acts;

3. adopts a strategic plan for the development of the municipality;

4. adopts plans and programs for the development of the municipality for individual areas;

5. adopts urban projects;

6. adopts the program of spatial planning, ie, the plan of communal equipment;

7. adopts the budget and the final budget account;

8. Introduces and establishes municipal taxes, fees, fees and other own source revenues;

9. disposes of immovable property, except in cases of alienation of property rights to real estate by direct agreement established by the law governing state property;

10. establishes the conditions for the establishment of local communities and approve the decisions on establishment;

11. calls a referendum on the territory of the municipality or part of the territory;

12. decides on a citizens' initiative;

13. decides to announce self-contribution for the territory of the municipality;

14. establishes public services;

15. consents to the borrowing of public services founded by municipalities;

16. decides on borrowing and giving guarantees, in accordance with the law;

17. confirms the mandate and decides on the rights of councilors;

18. decides to shorten the mandate of the Assembly;

19. elects and dismisses the President of the Assembly and the Mayor;

20. Approves the decision on the appointment and dismissal of the Vice-Mayor;

21. appoints the Secretary of the Assembly, at the proposal of the President of the Assembly;

22. appoints the members of the working bodies of the Assembly;

23. appoints and dismisses members of public-service bodies;

24. considers and approves the report on the work of the Mayor and the work of bodies and services;

25. considers the report on the work of public services founded by municipalities;

26. considers the report on the implementation of the recommendations of the State Audit Institution;

27. adopts its Rules of Procedure;

28. adopts a code of ethics;

29. decides on the salaries of local officials and persons appointed by the Assembly;

30. decides on the earnings of local officials and state employees;

31. establishes permanent and occasional working bodies to consider matters within its competence;

32. regulates and ensures the performance of communal activities and their development, regulates the conditions and manner of organizing activities in the performance of communal activities and decides on the entrustment of performing communal activities;

33. establishes general conditions for the settlement of settlements in the territory of the municipality, the use of public and other surfaces, and the conditions and manner of using the parking space;

34. adopts the Temporary Facilities Plan;

35. prescribes the conditions and manner of construction and erection of temporary facilities;

36. adopts an annual program on the acquisition of real estate for the needs of the municipality;

37. decides on awards and public recognitions of the municipality;

38. prescribes the working hours of business and other entities;

39. establishes an assembly service;

40. decides on the establishment of the Local Self-Government Development and Protection Council;

41. decides on the creation, use, keeping and destruction of seals;

42. decides on the use of symbols;

43. determines the manner and procedure of citizen participation in the performance of public affairs;

44. determines the areas and names of settlements, streets and squares;

45. decides on communal police;

46. decides on the number of councilors;

47. decides on the issue of securities;

48. approves the Statute of the Public Services, the status changes, the increase and decrease of the principal, the development plan, the program of work, and other programmatic acts of the public services founded by the municipalities;

49. gives, as a rule, an opinion on laws and regulations governing issues of interest to local self-government;

50. adopts a fire protection plan;

51. submits a proposal for the constitutional review of laws and other regulations;

52. prescribes violations for violations of municipal regulations;

53. decides on the remuneration of councilors;

54. decides on the establishment of the Association of Municipalities for the Territory of Montenegro;

55. decides on cooperation and association with local communities and associations of other countries;

56. takes the initiative to amend laws and regulations;

57. decides on the leasing of immovable and movable property, which serve to carry out the activities of municipal bodies;

58. decides on the granting, use and disposition and termination of the use of real estate used for the performance of public service activities;

59. performs other tasks stipulated by law and statute.

 **1.3. Working bodies**

**Article 33**

For efficient and rational performance of tasks within its competence, the Assembly establishes committees and councils, as permanent working bodies, and may form committees, as temporary working bodies.

**Article 34**

 The working body has a president and a certain number of members.

The composition of the working bodies corresponds to the party representation of the councilors in the assembly.

For the members of the committee the assembly appoints the councilors of the assembly.

For the members of the council and the committee, the assembly appoints other persons besides the councilors, but their number cannot be more than half of the total number of members of the working body.

The councilor may be a member of one or more working bodies.

The composition, scope, manner of work and decision-making of working bodies and other issues relevant to their work shall be regulated by a decision on the working bodies of the Assembly

 **1.3.1. Permanent working bodies**

**Article 35**

 Assembly committees are:

 1. Statute and Regulations Committee

 2. Committee on Selection and Appointments

3. Committee on Budget, Economy and Development

 4. Committee on Spatial Planning, Environmental Protection and Communal Housing

5. Committee on Social Affairs

 6. Committee for Inter-Municipal and International Cooperation

 Assembly councils are:

1. Council for proposing names of settlements, streets and squares

2. Environmental Council

3. Citizens' complaints Council

4. Council on the rights of persons with disabilities and the prevention of addiction

 5. Gender Equality Council

 **1.4. Acts of the Assembly**

**Article 36**

 In performing the tasks within its competence, the Assembly adopts the municipal statute, decisions, resolutions, conclusions, charters, recommendations and other acts.

**Article 37**

 The right to propose decisions, other regulations and general acts is vested in the mayor, councilor and at least 100 adult citizens who reside in the municipality.

The procedure for decision-making, other regulations and general acts is initiated by the submission of a draft act by an authorized proponent.

**Article 38**

 The Assembly may decide if a majority of the total number of councilors is present.

The Assembly makes decisions by majority vote of the present councilors.

 The municipal statute, the decision on the election and dismissal of the president of the municipality, the decision on the election and dismissal of the president of the assembly, the decision on shortening the mandate of the assembly, the decision on the assignment of the municipality and the decision on calling the municipal referendum, the Assembly makes a majority vote of the total number of councilors.

**Article 39**

 Decisions and other general acts shall enter into force on the eighth day after their publication in the Official Gazette of Montenegro - Municipal Regulations.

Exceptionally, when there are reasons for this, it may be prescribed that the decision and other general act come into force at the earliest on the day of its publication

**Article 40**

 The manner of work and other issues related to the decision-making of the Assembly which are not regulated by this Statute shall be regulated by the Rules of Procedure of the Assembly.

 **1.5. The President of the Assembly**

**Article 41**

 The Assembly has a President.

The President of the Assembly is elected by the Assembly from among the councilors, by a majority vote of the total number of councilors in the manner and according to the procedure established by the statute.

The function of the President of the Assembly is professional.

The term of office of the President of the Assembly is as long as the term of the Assembly.

**1.5.1. Election procedure for the President of the Assembly**

**Article 42**

 A candidate for President of the Assembly may be nominated by at least one-third of the councilors.

A councilor may participate in nominating only one candidate.

 The proposal shall include: the name of the candidate, a brief biography, party affiliation, the explanation of the candidate's proposal, and the name of the rapporteur on behalf of the proposer who will explain the proposal in the Assembly.

**Article43**

 The proposal of the candidate for President of the Assembly shall be submitted to the Speaker in writing and must be signed by the petitioners in his / her own hands.

 With the proposal of the proposer, the written consent of the candidate to accept the candidature shall be submitted.

The Chairman shall submit to the councilors all proposals received by the candidate for President of the Assembly.

 If there are more proposals, the chairman shall determine the list of candidates in the order in which the proposal is submitted.

**Article44**

 Discussion of the candidate proposal is opened.

The rapporteur has the right to orally explain the proposal for up to 10 minutes.

**Article 45**

 The President of the Assembly is elected by secret ballot.

The Assembly may, at the proposal of a councilor supported by at least one-third of the councilors, decide that the President of the Assembly shall be elected by public vote.

 If more than one candidate is proposed for the President of the Assembly, the election shall be by secret ballot only.

**Article 46**

 When the Assembly decides that the vote for the President of the Assembly is to be made public, the vote shall be made by calling the councilor and clearly pronouncing the words '' for '', '' against '' or '' abstention ''.

**Article47**

 Secret balloting shall be by ballot papers printed in the number of councilors in the Assembly.

Ballots are the same size, shape and color and are stamped with the Assembly seal.

For each repetition of the ballot, the mark of that ballot shall be entered or the ballots shall be printed in a different color.

The secretary of the Assembly is responsible for printing and printing the ballots.

**Article48**

 The ballot paper shall contain the name and surname of the candidate in accordance with the established list, and an ordinal number shall be placed in front of the name and surname of each candidate.

Voting is done by rounding the ordinal number of the candidate's name for which the councilor votes.

If there is only one candidate on the ballot to be decided, instead of the ordinal number in front of the name, the ballot, below the candidate's name, shall contain the word "for" on the left and the word "against" on the right, and shall be voted by rounding one of these words..

**Article49**

 The secret ballot is administered by the Voting Commission, assisted by the Secretary of the Assembly.

The Commission has three members elected by the Assembly at the proposal of the Chairman of the Assembly.

The composition of the Commission corresponds to party representation in the Assembly.

A member of the commission cannot be a councilor who is a candidate for president of the Assembly.

**Article50**

 Before the beginning of voting, the Prwsident of the Assembly or the Speaker gives the necessary explanations on the manner of voting and determines the break time for determining the voting results.

The Secretary of the Assembly summons the councilors and hands them ballots, recording which councilor received the ballot.

After voting, the councilor personally places the folded ballot in the ballot box.

**Article51**

 Upon completion of voting, the Voting Commission shall proceed to determine the results of voting, in the same room as the voting took place.

Prior to opening the ballot box, the number of ballot papers not delivered shall be determined.

**Article52**

 The Voting Commission makes a short report on the results of the secret ballot containing information on the number of: ballots delivered; ballots found in the ballot box (used ballots); valid and invalid ballots; votes for or against, that is, the number of votes for each candidate, as well as a statement of whether the proposal was adopted, or which candidate was selected.

**Article53**

 An invalid ballot shall be deemed to be: a blank ballot, a ballot so filled up that it cannot be determined with certainty how the councilor voted and the ballot on which more than one candidate is rounded up.

**Article54**

 If one candidate has been nominated for the President of the Assembly and has not received the required majority of votes, the election process is repeated, with a new candidate.

 If two candidates have been proposed and none has received the required majority, the procedure is repeated, with new candidates.

If more than two candidates have been nominated and none has received a majority of votes, the voting process shall be repeated between the two candidates who received the highest number of votes, or between more than one candidate who received the highest equal number of votes.

If neither candidate has received the required majority of the votes cast in the second ballot, the election process shall be repeated with the new candidates.

**Article55**

 Based on the report of the Commission on the results of the vote, the Speaker of the Assembly publishes the results of the vote and announces which candidate has been elected President of the Assembly.

The result of the vote shall be recorded in the minutes.

**Article56**

 The President of the Assembly gives a solemn declaration before which he takes office.

The text of the solemn declaration reads as follows:

 '' I solemnly undertake to perform the duty of the President of the Assembly in accordance with the Constitution, law and statute of the municipality. ''

**Article 57**

 The President of the Assembly convenes the session of the Assembly as needed, and at least once every three months.

The President shall convene the Assembly on its own initiative, at the request of the president of the municipality, at the request of at least one third of the councilors and the citizens' initiative, within 15 days from the date of application, or initiatives.

If the Assembly Speaker does not convene a session within the time limit referred to in paragraph 2 of this Article, the session shall be convened by the applicant or the initiative.

The session of the assembly in the case referred to in paragraph 3 of this Article shall be chaired by a councilor designated by the applicant or the initiative.

**Article 58**

 The initiative for convening a session of the assembly may be submitted in writing by at least 100 adult citizens who reside in the municipality.

The initiative for convening a session must include the reasons for convening the session and be signed by its full name with the name of the unique citizens' identification number (JMBG) and address of residence.

The initiator is obliged to indicate in the initiative the reasons for convening the session and to propose a decision, regulation or other act to regulate the issues to be discussed.

**Article 59**

 The President of the Assembly represents the Assembly, convenes the session of the Assembly, chairs and manages its work, takes care of the implementation of decisions and other acts of the Assembly, proposes the agenda, signs acts of the Assembly, coordinates the work of working bodies, cooperates with the Mayor and local government bodies, takes care of the public of the work of the Assembly and performs other tasks in accordance with the law, this Statute and the Rules of Procedure.

In the event of the absence or obstruction of the President of the Assembly, the Assembly is chaired by a councilor designated by the Act of the President of the Assembly.

If there are reasons why the President is unable to appoint a councilor to chair the assembly, the assembly is chaired by the oldest councilor or councilor designated by the assembly.

**Article 60**

 The mandate of the President of the Assembly shall expire before the expiration of the term for which he has been elected by:

 - resignation;

 - resolution and ;

 - force of law.

**Article 61**

The President of the Assembly resigns in writing to the Assembly.

The resignation is stated by the Assembly at the first subsequent session.

 On the day of resignation the President of the Assembly ceases to hold office.

**1.5.2. Dismissal of the President of the Assembly**

**Article62**

The President of the Assembly may be dismissed before the expiration of the mandate for which he / she has been elected if:

- does not perform the tasks determined by law, statute of the municipality and the Rules of Procedure of the Assembly,

- misuses the function,

- violates the reputation of the function it performs by its behavior,

- some incidents of incompatibilities occur in accordance with the law,

- in other cases when the assembly deems it unfit to perform the function..

**Article63**

 A proposal for the dismissal of the President of the Assembly may be submitted by at least one-third of the councilors.

The proposal shall be submitted to the Assembly in writing.The proposal must include the reasons why the proposal is being dismissed.

The competent working body (s) of the Assembly shall appreciate the justification of the reasons contained in the motion for dismissal and shall submit a report thereon to the Assembly within 20 days from the date of the proposal submittion.

**Article 64**

 The session of the Assembly at which the proposal for dismissal of the President of the Assembly is decided shall be convened by the President of the Assembly within 15 days from the date of the submission of the motion for dismissal.

In addition to the convocation for the sessions, a motion for dismissal shall be submitted to the councilors.

The Assembly shall decide on the motion for dismissal no later than 30 days from the day the motion is submitted.

**Article65**

U slučaju da predsjednik skupštine ne sazove skupštinu u roku iz prethodnog člana skupštinu će sazvati podnosilac predloga za razrešenje.

**Article66**

The motion for dismissal opens a debate.

Prior to the opening of the hearing, the proponent's representative shall have the right to explain the proposal.

President of the Assembly has the right to express his / her opinion on the proposal and the reasons stated for his / her dismissal.

The Assembly, after considering the proposal for dismissal, the report of the working body of the Assembly and the debate in the Assembly, passes the Decision..

**Article67**

 The President of the Assembly shall be dismissed by secret ballot.

The Assembly may, at the proposal of at least one-third of the councilors, decide to vote on the motion for the dismissal of the President of the Assembly.

Public voting is done by calling the councilor and pronouncing the words '' for '', '' against '' or '' abstention '' clearly.

The secret ballot shall be conducted in accordance with the provisions of this Statute, which relate to the decision on the secret ballot.

**Article 68**

The session of the Assembly at which the proposal for dismissal of the President of the Assembly is discussed shall be chaired by a Councilor designated by the Assembly.

If the Assembly does not accept the proposal for dismissal of the President of the Assembly, it cannot be repeated within 12 months from the day of the vote on the dismissal.

**Article 69**

The President of the Assembly shall terminate his mandate by force of law in cases established by law.

 **1.6. The Secretary of the Assembly**

**Article 70**

 The Assembly has a secretary.

The Secretary of the Assembly is appointed on the basis of a public competition for a term of five years.

The Assembly Committee on Elections and Appointments decides on the opening of a public competition for the election of the Secretary of the Assembly and establishes a committee for the examination of professional skills.

The Assembly Secretary is appointed and dismissed by the Assembly, at the proposal of the President of the Assembly.

The person who has VII 1 level of education qualification, law school, passed professional examination test for work in state bodies and at least five years of work experience may be appointed as Secretary of the Assembly.

**Article71**

The Secretary of the Assembly organizes and takes care of performing professional, administrative and other tasks for the Assembly and its working bodies and performs other tasks determined by the Statute and other acts of the Assembly.

The Secretary of the assembly manages the work of the assembly service with all the rights and obligations of the chairman of local government bodies and for its work and the work of the assembly service, is accountable to the president of the assembly and the assembly.

The Act on Internal Organization and Systematization of the Assembly Service shall be adopted by the Secretary of the Assembly, with the consent of the President of the Assembly.

The rights and obligations of the Secretary of the Assembly shall be decided by the competent working body of the Assembly.

**Article72**

 The mandate of the Assembly Secretary shall be terminated:

- by the expiry of the period for which he has been appointed,

- upon personal request,

- termination of employment by force of law and

- dismissal.

**Article73**

 The Secretary of the Assembly shall be dismissed if:

- does not perform or negligently performs the tasks stipulated by the law and the statute of the municipality;

- was sentenced to an unconditional sentence of imprisonment by a final judgment;

- has been convicted by a judgment which has the force of res judicata of an offense which renders him unworthy of office.

**Article74**

The motion for the dismissal of the Assembly Secretary may be submitted by the President of the Assembly or at least one third of the members of the Assembly.

The motion for the dismissal of the Secretary of the Assembly shall be submitted to the Assembly in writing and must be signed by the applicant himself.

The proposal should include the reasons why the Secretary of the Assembly is to be dismissed, with a justification.

The opinion of the competent working body of the Assembly shall be obtained on the proposal for dismissal of the Secretary of the Assembly.

Prior to the deliberations in the Assembly, the proposal shall be submitted to the Secretary of the Assembly for information and clarification regarding the reasons for the dismissal.

At the session of the Assembly, the proposer has the right to explain the proposal and the reasons why he / she is seeking dismissal.

The Secretary of the Assembly shall have the right to comment on the reasons for dismissal at the session of the Assembly.

After the discussion on the submitted proposal has been completed, the Assembly President shall submit a motion for the dismissal of the Assembly Secretary and vote on the results of the vote.

Unless the Assembly accepts the motion to dismiss the Secretary of the Assembly, it cannot be repeated within 12 months from the day of the vote on the resolution.

 **2. The Mayor**

**Article 75**

 The Mayor is the executive body of the municipality.

The function of the Mayor is professional.

 The Mayor is elected by the Assembly, for a term of four years, by a majority vote of the total number of councilors.The Mayor shall be elected no later than 30 days from the date of constitution of the Assembly.

With regard to the conditions for election of the mayor, the provisions of the law governing the election of councilors and deputies shall apply.

The election of the mayor who is elected from the councilors ends the mandate of the councilor.

**Article 76**

 The Mayor gives a solemn declaration before the Assembly:

 '' I solemnly undertake to perform the duty of the Mayor in accordance with the Constitution, law and statute of the municipality''.

 **2.1. Affairs of the Mayor**

**Article 77**

 Mayor:

1. represents and pleads the municipality;

2. proposes regulations and other acts adopted by the Assembly;

3. takes care and responsibility for the implementation of laws, other regulations and general acts, the strategic plan for the development of the municipality and other development plans and programs, as well as for the implementation of strategic documents of national importance;

4. takes care of and is responsible for executing delegated and entrusted tasks;

5. submit a report on the state of property of the municipality;

6. decides on the alienation of property rights to real estate by non-direct agreement, in accordance with the law governing state property;

7. determine the organization and manner of work of local government, in the opinion of the Chief Administrator;

8. Appoints and dismisses the Vice-President of the Municipality, with the consent of the Assembly;

9. appoints and dismisses the Chief Administrator, the heads of bodies, or special services referred to in Article 69, Paragraphs 1 and 3 of the Law on Local Self-Government;

10. Appoints and dismisses the Chief City Architect;

11. appoints and dismisses manager;

12. submits to the Assembly an annual report on its work and the work of local government bodies;

13. directs and coordinates the work of local government bodies and public services, with a view to more efficient exercise of their functions and better provision of public services, on which it adopts appropriate acts;

14. Approves the acts on internal organization and systematization of local government bodies and public services;

15. exercise administrative control over the work of local government bodies and public services;

16. adopts acts within its competence and acts in the execution of delegated and entrusted tasks, unless otherwise stipulated by a special regulation;

17. is responsible for executing decisions and other acts adopted by the Assembly and adopting acts for their implementation;

18. adopt acts ensuring the implementation of the municipal budget;

19. Adopts the establishment plan;

20. Adopts an integrity plan;

21. Adopts an annual training plan for local officials and state employees;

22. disposes of the funds of the current budget reserve in accordance with the decision of the Assembly;

23. Resolves the conflict of competencies between local government bodies, public services and legal entities entrusted with carrying out certain tasks by a decision of the Assembly;

24. Decides on the exemption of the Heads of Authority and the Chief Administrator;

25. provisionally adopts acts within the competence of the Assembly, in accordance with the law;

26. performs other tasks stipulated by law, statute and municipal acts.

The Mayor may have a professional service to manage.

**Article 78**

 The Mayor shall be accountable to the Assembly for the performance of tasks within his / her jurisdiction.

The Mayor is also accountable to the Government for carrying out delegated and entrusted tasks.

**Article 79**

 The President may delegate certain tasks within his competence to the Vice President of the Municipality.

 The Vice President is responsible for performing the tasks referred to in paragraph 1 of this Article to the Mayor.

 **2.2. The Mayor's Acts**

**Article80**

 In carrying out the tasks specified by law and this Statute, the Mayor makes: decisions, instructions, ordinances, orders, decisions and conclusions.

       The decision determines the organization and operation of local government bodies and regulates individual issues in accordance with the powers established by law or other regulation.

       The Instruction prescribes the manner of work and performance of tasks of local government bodies and other entities that perform tasks of interest to the municipality in the implementation of laws, decisions of the Assembly and other regulations.

       The Ordinance further elaborates on certain issues regulated by law, the decision of the Assembly and other regulations.

       An order is issued to deal with a specific situation of general importance in cases where it is provided for by law or regulation.

       The decision decides on the formation of expert councils and commissions, gives consent to acts issued by local government bodies and other entities that perform tasks of public interest and in other cases, in accordance with the law.

       The conclusion determines the tasks of local government bodies and entities performing public interest tasks, takes positions, decides on the approval of funds from the municipal budget and other issues within the jurisdiction of the President, which are not decided by other acts.

 **2.3. Method and procedure for election of the Mayor**

**Article81**

 A candidate for mayor may be nominated by at least one-third of the councilors in the Assembly.

 A councilor may participate in nominating only one candidate.

The proposal includes: the name of the candidate, a brief biography and explanation of the nomination, as well as the name of the rapporteur on behalf of the applicant.

**Article 82**

 The proposal of the candidate for Mayor shall be submitted to the President of the Assembly in writing and must be signed by the applicants.

 The proposal shall be submitted with the consent of the candidate for mayor to accept the candidature.

The President of the Assembly submits to the councilors all received proposals of candidates for the Mayor.

 If there are more nominees for the mayor, the president of the assembly determines the list of candidates.

The order in the list of candidates is determined by the president of the assembly by lot.

The competent working body of the Assembly shall submit to the Assembly a report on the fulfillment of the conditions for election of the Mayor.

**Article 83**

The procedure for election of the Mayor shall be carried out in accordance with the provisions of this Statute governing the election of the Mayor.

**2.4. The termination of the mandate of the Mayor**

**Article 84**

The mandate of the Mayor shall expire upon the expiration of the term for which he has been elected, by dismissal by the Assembly, dismissal by the Government, resignation and by force of law.

The termination of the mandate of the Mayor due to his resignation and by force of law shall be stated by an act of the Assembly.

**2.5. Dismissal of the Mayor**

**Article 85**

 The Assembly may dismiss the Mayor if he/she:

- fails to propose budget and final budget statement within the prescribed deadline;

 - does not ensure the implementation of the strategic plan for the development of the municipality and other development plans and programs, as well as strategic documents of national importance;

 - fails to submit an annual report on its work and the work of the bodies and services referred to in Article 69 of the Law on Local Self-Government within the time limit referred to in Article 58 paragraph 1 item 12 of the Law on Local Self-Government;

- does not enforce court decisions;

**Article 86**

 A motion for the dismissal of the Mayor may be submitted by at least one-third of the members of the Assembly.

 The Assembly decides on the proposal for dismissal of the Mayor within 30 days from the day the proposal is submitted, by a majority vote of the total number of councilors.

**Article 87**

The provisions of the Articles of Association governing the dismissal of the President of the Assembly shall apply mutatis mutandis to the content of the proposal and the procedure for the proposal for dismissal of the Mayor.

**Article 88**

 The provisions of the law on local self-government on termination of the term of office of the Mayor prior to the expiration of the term to which he was elected, by resignation, by force of law or by dismissal by the Government, are directly applicable.

**Article 89**

 In the event of termination of the mandate of the Mayor, the Vice President of the Municipality shall perform the function of President until the election of a new Mayor.

In the event of termination of the term of the Mayor, the election of the President of the Municipality shall be made no later than 30 days from the date of termination of the term.

**3. The Vice-president**

**Article 90**

 The municipality has a vice-president.

The function of the vice president is professional.

**Article 91**

 The mandate of the vice-president is as long as the mandate of the Mayor.

The Vice President of the Municipality replaces the Mayor in the event of his absence or impediment within the scope of the powers conferred upon him by the Mayor.

The vice president shall terminate his/her mandate before the expiration of the term for which he was elected by dismissal, resignation and by force of law.

**Article92**

The vice president may be dismissed before the expiration of his/her mandate if the tasks entrusted to him/her by the mayor are not carried out in accordance with the law.

The vice president may resign, informing the mayor.

The vice president shall terminate the mandate by force of law in cases determined to terminate the mandate by force of law to the mayor.

 **VIII LOCAL GOVERNMENT**

**Local government bodies and services**

**Article 93**

 Local government bodies (secretariats, administrations and directorates) are formed for the performance of local government affairs.

Professional services may be formed for the performance of professional and other tasks within the competence of the Chief Administrator and Chief City Architect, as well as joint professional and other tasks for the needs of the municipality.

Special services (communal police, protection and rescue services and other services, in accordance with the law) are set up to perform specific tasks of local government.

**Article 94**

 Local government bodies:

1) enforce laws, other regulations and general acts;

2) prepare and evaluate the impact analysis of decisions and other regulations (RIAs) made by the Assembly and the Mayor;

3) exercise administrative control over the implementation of regulations and other general acts;

4) ensure the performance of tasks of public interest to the local population;

5) decide in the first instance administrative procedure on the rights, obligations and real interests of natural persons, legal entities and other parties;

6) decide on the remedies of users of services of general interest;

7) keep records prescribed by law and by-laws of the Assembly and the Mayor;

8) performs other tasks established by law, statute and other acts of the municipality.

**Article 95**

Local government bodies carry out administrative supervision which includes:

 1) control over the legality of acts of public services that address the rights, obligations and legal interests of citizens and legal entities;

 2) monitoring the legality and expediency of the work of public services;

3) inspection.

**Article96**

 In exercising administrative control, local government bodies:

1) propose to the Mayor to initiate the procedure for reviewing the constitutionality and legality of general acts of public services or some of their provisions and to suspend the execution of that act before the completion of the proceedings before the Constitutional Court of Montenegro;

2) impose measures for fulfilling the established obligations;

3) propose measures for overcoming the problems, that is, eliminating shortcomings in the work of public services;

4) Initiate to adopt or amend regulations;

5) file a motion for misdemeanor or criminal charges;

6) inform other bodies, if there are reasons for taking measures within their jurisdiction;7) take other measures, in accordance with special regulations.

**Article97**

 The municipality has a department for performing communal police operations.

The communal police service provides communal order and communal supervision in accordance with the law.

The legality and expediency of the work of the communal police service is supervised by the Mayor.

**Article98**

 The municipality has a protection and rescue service.

 The Protection and Rescue Service performs the activities of protection and rescue of citizens, material and cultural goods and environmental protection of disasters, natural disasters, technical-technological and other disasters, in accordance with the law governing protection and rescue.

The legality and completeness of the work of the protection service is supervised by the Mayor.

 **2. The Chief Administrator**

**Article 99**

 Chief Administrator:

- performs tasks of the second instance body in administrative matters within the competence of the bodies and special services of local government;

- coordinates the work of local government bodies and services in performing tasks requiring mutual cooperation (preparation of regulations, action plans, strategic development plan of the municipality and other development plans and programs, preparation of reports on their realization and expert information materials, reports on law enforcement, municipal regulations, etc.);

- gives an opinion on the act defining the organization and manner of work of local government;

- gives professional instructions and instructions for work to local government bodies and services, for the proper implementation of laws and other regulations;

- prepares an annual report on management of administrative matters within the competence of the municipality;

- submits to the Mayor an annual report on work in other reports at the request of the Mayor;

- performs other tasks stipulated by law, municipal statute and acts of the mayor.

A professional service may be set up to perform the duties of the Chief Administrator, managed by the Chief Administrator and responsible for its work.

In the case referred to in paragraph 3 of this Article, the Chief Administrator shall issue an act on the internal organization and systematization of the professional service, decide on the selection of candidates in the procedure of employment and the rights and obligations of the employees in the service.

**Article100**

 The Chief Administrator is appointed on the basis of a public competition for a term of five years.

 A person with a VII 1 level of education qualification, a law school, a bar examination and at least five years of work experience may be appointed Chief Administrator.

Questions regarding the conduct of public competition and how to test the ability of candidates for the Chief Administrator shall be governed by the provisions of the Law on Local Self-Government governing the filling of posts within the category of senior management.

**Article 101**

 The Chief Administrator is terminated:

- by the expiry of the time to which he was appointed;

- upon personal request;

- termination of employment by force of law;

- dismissal.

**2.1. Razrešenje glavnog administratora**

**Article 102**

 The Chief Administrator is dismissed if:

- does not perform or negligently performs the tasks specified by the law, the municipal statute and the acts of the mayor;

- was sentenced to an unconditional sentence of imprisonment by a superior judgment;

- has been convicted by a superior judgment of an offense which renders him unworthy of the office;

- the Mayor does not accept the annual report on his work.

**Article 103**

 The procedure for dismissal of the Chief Administrator is initiated by the Mayor.

The act of initiating the dismissal procedure of the Chief Administrator shall contain the reasons why the dismissal procedure is initiated.

The act of initiation of the dismissal procedure shall be submitted to the Chief Administrator, who shall have the right to comment on the reasons for the dismissal given in the act of initiation within 10 days from the date of receipt of the act of initiation of the procedure.After the expiration of the deadline for the statement, the Mayor shall issue an act on the dismissal of the Chief Administrator.

**3. Local government chief, assistant, chief city architect and manager**

**Article104**

 The work of local government bodies, services performing joint, professional and other tasks for the needs of the municipality and special services is managed by the head of the local government body, ie the head of the service, the chief of communal police, the commander of the protection service, or the head of another special service (hereinafter: the head of the body or services).

The head of the body or service is appointed on the basis of a public competition for a term of five years.

The head of the body or service shall be accountable to the Mayor for his work and the work of the organ or service he manages.

The term of office of the authority or service shall be terminated and dismissed for the reasons set out in Articles 79 and 80 of the Law.

The head of the organ or service shall adopt the act on internal organization and systematization and the program of work of the organ or service, which he manages, with the prior consent of the mayor, decides on the selection of candidates in the procedure of employment and rights and obligations of employees and performs other tasks, in accordance with law, statute and other municipal acts.

**Article105**

 If the head of the body, or the body whose work he/she manages, does not execute tasks within his competence in a timely and lawful manner, the mayor shall alert the head of the body in writing to take measures to achieve the function of the body.

The warning contains specific reasons and measures for elimination of identified irregularities and defects in work.

If the elder does not act on the warning, the mayor will dismiss the organ head.

**Article106**

The head of the authority or service may have an assistant.

The assistant to the head of the organ or service is appointed on the basis of a public competition for a period of five years.

The decision to appoint an assistant to the head of the authority or service is made by the head of the authority or service, with the consent of the Mayor.

The Assistant to the Head of the Authority or Service shall be terminated and dismissed for the reasons set out in Articles 79 and 80 of the Law

**Article 107**

 The municipality may have a chief urban architect, who performs the tasks prescribed by the law governing the planning of space and the construction of structures.

If a professional department is set up to perform the duties of the chief city architect, that department is managed by the chief city architect and is responsible for its work.In the case referred to in paragraph 2 of this Article, the Chief City Architect shall issue an act on the internal organization and systematization of the professional service, decide on the selection of candidates in the procedure of employment and the rights and obligations of employees in the service.

The Chief Architect is appointed on the basis of a public competition.The chief city architect is dismissed for the reasons set out in section 80 of the law.

**Article 108**

 The municipality may have a manager.

The manager is appointed, based on a public competition, for a period of five years.

The manager is terminated and dismissed for reasons set out in sections 79 and 80 of the law.

A person with a university degree, a professional examination for work in state bodies and at least five years of work experience may be appointed as a manager.

**Article 109**

 Manager proposes and participates in the preparation and implementation of municipal development plans and programs that foster economic development, entrepreneurial initiative and public-private partnership, provide environmental protection and sustainable development, prepare and manage projects funded by international funds and other sources, monitor their implementation, prepares information and reports on project implementation, establishes and maintains a database of plans, programs and projects, initiates amendments to regulations that hamper a business initiative and performs other tasks entrusted to it by the Mayor.

 At least once a year, the manager submits a report on his work to the mayor. The manager is responsible for his work to the Mayor.

**Article 110**

 Municipal authorities, public services and legal entities exercising public authority and providing public services to citizens, in the performance of their tasks and tasks, use the means of modern information and communication technology. The funds referred to in paragraph 1 of this Article shall be obtained and used in accordance with unique standards of information and communication technology.

**4. Local officials, clerks and employees**

**Article 111**

The Mayor, the President of the Assembly, the Vice President of the Municipality, the Secretary of the Assembly and the Chief Administrator are local officials.

The rights and obligations of local officials are decided by the competent working body of the Assembly.

**Article 112**

The duties of the Mayor, the Vice-president, the Chief Administrator, the head of the authority, ie, the City Architect, the manager and the heads of public services are incompatible with the function of councilor.

Prevention of conflicts of public and private interest of elected, appointed and appointed persons in the body of local self-government, body of local government and the chief administrator shall be ensured in accordance with the law governing the prevention of corruption.

**Article113**

The provisions of the Law on the Application of the Law on Local Legal Status of Local Servants and Employees, in particular with regard to employment, job filling, scheduling, rights and obligations, professionaltraining and training, disciplinary and material responsibility, termination of employment and protection of rights local government.

**Article114**

The rights, obligations and responsibilities of a local official or state employee which are not regulated by the Law on Local Self-Government or a special law are subject to the regulations on civil servants and state employees, as well as general labor regulations.

 **IX HUMAN RESOURCES MANAGEMENT**

**Article 115**

Regarding human resources management, the provisions of the Law on Local Self-Government are applied.

 **X LOCAL SELFGOVERNMENT**

 **Local communities**

**Article 116**

 Citizens establish a local community, in accordance with the decision of the assembly.

 The decision of the Assembly regulates the conditions of establishment, jobs, organs, organization and work of organs, manner of decision making, financing and other issues of importance for the work of the local community.

Exceptionally from paragraph 1 of this Article, the assembly may, when necessary for the exercise of the rights and duties of citizens, temporarily establish local communities until the establishment of a local community, in accordance with paragraph 1 of this Article.

**Article 117**

 In the local community, citizens decide and participate in deciding on the realization of local needs and interests in the areas of settlement, housing, consumer protection, culture, physical culture, environmental protection and improvement, as well as other areas of life and work, in accordance with the statute.

**Article 118**

Funds to meet the needs of local people in the local community are provided from:

1) municipal revenues that can be ceded to the local community;

2) own resources of the local population that are pooled directly, through self-contribution or otherwise;

3) donation of legal and natural persons;

4) compensation for services provided by the local community through its activities, in accordance with the decision of the municipal assembly;

5) gifts and other means

**Article 119**

The register of local communities is kept by the competent body of local government.

By entering the register, the local community acquires the status of a legal entity.

The content and manner of keeping the register of local communities is determined by the Ministry.

 **XI CITIZENS' PARTICIPATION IN LOCAL GOVERNANCE**

**Article 120**

 Citizens participate in deciding on their needs and interests directly and through freely elected representatives in local self-government bodies.

An alien may exercise individual rights in local self-government under the conditions and in the manner prescribed by law.

**Article121**

 In order to satisfy cultural, sports, educational, health, information and other needs, the local population participates in public administration bodies and other legal entities exercising public authority and providing services to citizens, in the manner established by special laws and other regulations.

**Article 122**

 The municipality creates the conditions, encourages and assists the participation of the local population in the exercise of local self-government, through various forms of participation of the population in expressing and deciding on matters of common interest.

 Forms of direct participation of citizens in declaring and deciding are: initiative, citizens' initiative, assembly of citizens, referendum (local and municipal) and other forms of declaring and deciding established by the statute.

 **1. An Initiative**

**Article 123**

 Citizens have the right to submit an initiative to the competent municipal authorities to consider and decide on certain issues of interest to the local population.

 **2. A citizen initiative**

**Article 124**

 Citizens are entitled to a citizens' initiative.

 The citizen initiative proposes the adoption or amendment of an act regulating significant issues within the competence of local self-government.

Citizens' initiative can be raised on issues such as: spatial planning and planning, environmental protection, communal services, taxes, fees and fees, culture and sports and other relevant issues within the jurisdiction of the municipality.

**Article 125**

Citizens initiative can be submitted by at least 2% of voters enrolled in the municipal electoral roll, according to data on the number of voters from the last election.

 The citizen initiative must be signed manually by the applicants with the data: full name, citizens' unique identification number and address of residence.

 The citizen initiative which does not contain all the elements referred to in paragraphs 1 and 2 of this Article shall be considered incomplete and shall be returned to the applicants for amendment.

**Article 126**

 The municipal body to which the citizens' initiative is addressed will submit the initiative to the competent local government body and the working body of the assembly for opinion.

 The bodies and working body referred to in paragraph 1 of this Article are obliged to give their opinion within 15 days from the day of submission of the initiative.

**Article 127**

 The Assembly is required to make a statement on the citizens' initiative at the first next session after receiving the opinion.

When the assembly accepts the citizens' initiative, it will be the responsibility of the competent local government body to prepare within 60 days a proposal for an act to regulate the issues that are the subject of the initiative.

 In drafting the act of the authority referred to in the previous paragraph, it is obliged to allow the representative of the applicant of the citizens' initiative to participate.

 **3. Citizen Assembly**

**Article 128**

 The citizen assembly is convened by the competent body of the local community on its own initiative or at the proposal of at least 1% of citizens from the area for which the assembly is organized.

The Assembly of Citizens may be convened by the President of the Assembly and the Mayor in order to obtain the opinion of citizens on certain issues of local interest, as well as by the Assembly councilor who is registered in the electoral roll of the areas for which the Assembly is organized, for the purpose of obtaining opinions on a particular issue from the citizens.

 The assembly of citizens is called by public invitation at least 7 days before the day of the meeting.

 The invitation shall be published in the media, shall be displayed on the notice board of the Assembly and the local community, public facilities, other advertising spaces, the front door of residential buildings and in other convenient ways.

**Article 129**

 The request for convening a citizens' assembly must contain a written explanation of the issues that the assembly should consider.

 If the request for convening a quorum is submitted by citizens, the request must include the name and surname of the citizen, address and handwritten signature.

**Article 130**

 If the conditions for convening the Assembly are fulfilled, it will be convened no earlier than 8 days, or no later than 30 days after receiving the request.

The assembly of citizens decides by majority vote of those present.

**Article 131**

 Citizens at the Assembly:

- make proposals to the municipal authorities regarding the preparation of programs and plans for the development of the municipality, the plan of urban planning, protection and improvement of the environment.

- consider initiatives and proposals for establishing local communities and changing the boundaries of local communities, and

- other issues of importance to the local population, in accordance with the law, statute and decision of the Assembly.

**Article 132**

 The requests, proposals, initiatives, attitudes and opinions of the citizens' assembly are obliged for the competent bodies of the municipality to consider and inform the citizens within 60 days.

**Article133**

 Other issues related to the convocation, manner of work and decision-making at a meeting not regulated by this Statute shall be settled by a decision of the Assembly.

 **4. Referendum**

**Article 134**

 For the purpose of expressing citizens on certain issues within the competence of the municipality, a referendum may be called for the territory of the municipality (municipal referendum) or for part of the territory of the municipality (local referendum).

**Article 135**

 A municipal referendum shall be called in cases provided for by law.

A municipal referendum may be called: for the prior declaration of citizens on introducing self-contribution, deciding on issues raised by a citizens' initiative not accepted by the assembly, and on other issues of particular importance within the competence of the municipality on which the assembly is entitled to make decisions.

**Article 136**

 The proposal for calling a municipal referendum can be submitted by the Mayor, one-third of the councilors and 3% of voters enrolled in the municipal electoral roll, according to data on the number of voters from the last elections.

**Article 137**

A local referendum may be called for the purpose of the prior declaration of citizens on issues of direct interest to citizens from the territory for which the referendum is called, in particular:

- introduction of local self-contribution

 - the construction of infrastructure facilities for the area, and

- other issues of interest to citizens in the area.

The decision on calling a local referendum is made at the proposal of at least 20% of voters from the territory of the municipality for whom a referendum is called.

**Article 138**

 The procedure for calling and conducting the referendum shall be conducted in accordance with the law, this Statute and the decision on calling it.

 **5. Self-contribution**

**Article 139**

 The decision to introduce self-contribution is made by citizens directly, by secret ballot, in accordance with the law.

A decision is considered to be made when the majority of the total number of citizens who have voting rights and residence in the territory in which the funds are raised, as well as citizens without voting rights and residence in the area in which the funds are raised, declare it property (local population), and the means improve the conditions of use of that property.

**Article 140**

 The form and manner of direct expression of citizens is decided by the Assembly by a majority vote of the total number of councilors.

**Article 141**

 The initiative to make a self-contribution decision can be submitted by at least one-third of the total number of councilors, the mayor or 20% of the total number of voters in the territory for which the decision is made.

With the initiative for introducing self-contribution, a program is submitted, which identifies the sources, purpose and manner of providing the total financial resources for realization of self-contribution.

The proposal for a decision on self-contribution shall be determined by the Assembly by a majority vote of the total number of councilors.

The decision on introducing self-contribution determines: purpose, area, time for which self-contribution is introduced, total amount of funds collected, self-contributor, discharged persons, amount of self-contribution (base, proportional rate, etc.), method of calculation and realization citizen oversight of the intended use of funds and other issues of importance for introducing self-contributions.

 **6. Other forms of citizen expression**

**Article 142**

 Everyone has the right to submit a civil complaint or petition local government bodies, as well as to request information from the authorities within their area of work.

 The complaint, ie petition referred to in paragraph 1 of this Article, may be submitted electronically, in accordance with the law.

**Article 143**

 The body to which the civil complaint-proposal is addressed shall be obliged to consider it and make a decision or, in the case of incompetence, forward it to the competent authority, of which it shall inform the applicant.

The competent authority is obliged to make a decision, ie to give notice as soon as possible, but not more than 30 days, and to inform the applicant accordingly.

**Article144**

The Assembly shall, by a special decision, regulate the manner and procedure of participation of the local population in the performance of public affairs.

**Article 145**

 Public hearings are conducted for the adoption of the Statute, plans and programs for individual areas in the municipality, urban projects, budgets and general acts that determine the rights and obligations of citizens.

 **XIICOOPERATION OF LOCAL GOVERNMENT AND CITIZENS**

**Article 146**

 The authorities of the municipality are obliged to ensure the exercise of the rights and duties of the local population in a lawful and effective manner while respecting the personality and dignity of citizens.

Councilors and local officials are required to comply with the code of ethics.

For dealing with administrative matters, local government bodies are obliged to publicly state the standards of compliance with the law and decision governing the organization and operation of local government bodies and public services.

**Article147**

In order to create conditions for more complete and efficient performance of tasks within the competence of local government, especially in relation to the exercise of citizens' rights, local government bodies may organize work in local communities.

 The tasks referred to in paragraph 1 of this Article, the manner and place of their performance shall be determined by the Chief Administrator.

**Relations between local authorities and non-governmental organizations**

**Article 148**

 In order to promote an open and democratic society, local self-government bodies, bodies and services referred to in Article 69 of the Law and public service shall cooperate with non-governmental organizations.

 In order to achieve the cooperation in the manner prescribed by law, the municipal authorities will ensure that the working versions, drafts and proposals of general acts, plans and programs of development and reports on the work of bodies and public services are made available to non-governmental organizations in a timely manner through a web site, introducing content, insight into material with the competent authority and otherwise.

**Article 149**

 In addition to the forms of cooperation established by law, the President of the Assembly will allow the representative of the non-governmental organization to participate in the work of the Assembly on a particular issue for which the non-governmental organization expresses interest, without the right to decide (vacant chair).

 The procedure and manner of participation of representatives of non-governmental organizations in the work of the Assembly will be further regulated by the Rules of Procedure of the Assembly.

**Article 150**

 At least once a year, the President of the Assembly will organize a working meeting of the Presidents of Clubs of Councilors and representatives of non-governmental organizations in order to promote further cooperation.

At least once a year, the Mayor will organize a working meeting of the Chief Administrator, the heads of organs and public services and representatives of the non-governmental sector in order to review the achieved level and improve further cooperation.

 **Relations between local governments and public services founded by state**

**Article 151**

 The provisions of the Law on Local Self-Government governing issues of relations and cooperation with public services and other legal entities founded by the State are directly applicable.

 **Relations of local self-government bodies and state and state administration bodies**

**Article 152**

Relations between local self-government bodies and state bodies and state administration bodies are based on mutual cooperation and control of state bodies over the legality of the work of local self-government bodies.

 **XIIIPUBLICITY AND TRANSPARENCY OF WORK**

**Article 153**

 In addition to the manner established by law, publicity and transparency of the work of municipal bodies and public services shall ensure:

- free access to information in accordance with the law,

- informing the public,

 - by publishing reports of municipal bodies and public services in the media or otherwise,

- publishing publications on the work of bodies within their scope of work that are of immediate interest to citizens.

The manner and procedure of public realization and transparency referred to in paragraph 1 of this Article shall be more closely regulated by the Rules of Procedure of the Assembly and the decisions of the Assembly.

**Article 154**

 In order to ensure publicity and transparency of the work of municipal bodies and public services, the Mayor, the President of the Assembly and the Chief Administrator are obliged, at least once every three months, to inform the citizens about the activities of the organs in the past and planned activities through local media or otherwise. the next period.

 **XIV LOCAL SELF-GOVERNMENT PROTECTION**

**Article 155**

In order to improve the work of local self-government, a Council for the Development and Protection of Local Self-Government (hereinafter: the Council) may be established in the municipality.

The council has a president and 4 members.

The members of the Council are elected by the municipal assembly from among prominent and distinguished citizens of the municipality and experts in the field of importance for local self-government.

The Council has the right to submit proposals to the state bodies, local self-government bodies and public services for the improvement and development of local self-government, raising the level of quality of public services, protection of the constitutionally and legally established rights and duties of the municipality and protection of the freedoms and rights of the local population.

In the exercise of its function, the Council has the right to request information from state bodies, municipal bodies and public services founded by municipalities on matters within their competence.

Bodies and services referred to in paragraphs 4 and 5 of this Article shall be obliged to declare their requests and proposals to the Council within a reasonable time, and not later than 60 days from the day of submission of the request, proposals.

**Article156**

 Persons who have been legally convicted of an official offense, a criminal offense of corruption, fraud or theft, regardless of the sanction imposed, or who have been convicted of another criminal offense for a term of imprisonment of more than 6, may not be elected as a member of the Council. (six) months.

**Article 157**

 The representative of the council attends and participates in the work of the assembly without the right to decide.

**Article 158**

 The manner in which the council is selected and operated and other issues relevant to its work shall be more closely governed by the decision establishing the council

 **XV TRANSITIONAL AND FINAL PROVISIONS**

**Article 159**

 The procedure for amending the statute is initiated by a proposal for a decision to amend the statute.

 The proposal referred to in paragraph 1 of this Article may be submitted by at least one third of the councilors, the mayor and at least 5% of voters registered in the electoral roll of the municipality, according to data on the number of voters from the last elections

**Article 160**

 Decisions and other acts which obligation to adopt and comply with this Statute shall be adopted within six months of the entry into force of the Statute.

**Article161**

 On the day this Statute enters into force, the Statute of the Municipality of Zabljak (“Official Gazette of the Republic of Montenegro - Municipal Regulations”, No. 9/05, 23/07 and “Official Gazette of Montenegro - Municipal Regulations”, No. 3/11 and 7/14 shall cease to apply.

**Article162**

This Statute shall enter into force on the eighth day after its publication in the Official Gazette of Montenegro - Municipal Regulations.

No: 030/18-01-305

Žabljak, 17.07.2018.

##### Assembly of Žabljak

 **President of the Assembly,**

 Vidoje Tomčić, s.r.