

Pursuant to Article 39, paragraph 2, point 1 of the Law on Local Self-Government (Official Gazette of the Republic of Srpska, 97/16) and Article 4 of the Law on the City of Bijeljina (Official Gazette of the Republic of Srpska, 70/12), at the session held on 21 April 2017, the Assembly of the City of Bijeljina adopted the following

## **S T A T U T E OF THE CITY OF BIJELJINA**

### **I – BASIC PROVISIONS**

#### Article 1

(1) This Statute shall regulate the territory, seat and symbols of the City of Bijeljina, as the local self-government units in the Republic of Srpska, realisation of human rights and freedoms, and realisation of guaranteed rights of minorities, City affairs, organisation and work of City authorities, property and funding the operations, acts and transparency, forms of direct participation of citizens in local self-government, cooperation with other self-government units, procedure for adopting and amending the Statute, and other issues of local interest.

(2) Individual terms in this Statute used to mark male or female gender shall imply both genders.

#### Article 2

(1) The City of Bijeljina shall be a territorial self-government unit (hereinafter: the City) in which the citizens participate in the realisation of common interests, directly and through their freely and democratically elected representatives.

(2) The City authorities shall, within the limits of the law, regulate and manage public affairs within their competence and in the best interest of local population.

#### Article 3

(1) The territory of the City shall include the following settlements: Amajlije, Balatun, Banjica, Batković, Batar, Bijeljina, Bjeloševac, Brijesnica, Brodac Donji, Brodac Gornji, Bukovica Donja, Bukovica Gornja, Velika Obarska, Velino Selo, Vršani, Glavičice, Glavičorak, Glogovac, Gojsovac, Golo Brdo, Gradac-Stupanj, Dazdarevo, Dvorovi, Dijelovi, Donji Zagoni, Dragaljevac Donji, Dragaljevac Srednji, Dragaljevac Gornji, Zagoni, Janja, Johovac, Kacevac, Kovanluk, Kovačići, Kojčinovac, Kriva Bara, Ljeljenča, Ljeskovac, Magnojević Donji, Magnojević Srednji, Magnojević Gornji, Mala Obarska, Međaši, Modran, Novi, Novo Naselje, Novo Selo, Obrijež, Ostojićevo, Patkovača, Piperci, Popovi, Pučile, Ruhotina, Slobomir, Suho Polje, Triješnica, Trnjaci, Čipirovine, Hase, Crnjelovo Donje, Crnjelovo Gornje, Čađavica Gornja, Čađavica Srednja, Čađavica Donja, Čardačine, Čengiće.

(2) The City borders shall be established using peripheral boundaries of cadastre municipalities belonging to the City.

#### Article 4

- (1) The City shall act as a legal entity.
- (2) The seat of the City shall be in Bijeljina, Trg kralja Petra I Karadorđevića broj 1.
- (3) The City shall be represented by the Mayor.

## Article 5

(1) The City has its coat of arms and flag which represent historical, cultural and natural heritage of the City.

(2) The coat of arms of the City, in greater level, is presented on an azure slightly pointed shield, between two argent doves with gules legs in the cantons (opposing fields), facing each other with wings elevated, an argent silhouette of the dome of the Tavna Monastery which raises from the argent base of the shield in which a gules beam is leaned on a same pillar. Above the shield there is a golden mural crown with four visible merlons (upright sections), symbolising a community with over 100,000 inhabitants. In the central part of the crown there is a central projection (prominent front) of the main facade of Bijeljina City Hall, also golden. The shield supporters are: dexter – Filip Višnjić, in a traditional costume, in natural colours, holding 'gusle' (*single*-stringed musical instrument) on his chest with his right hand; sinister – Prince Ivo of Semberija in clothes of his time, in natural colours, holding a money bag on his chest with his left hand. Next to Filip Višnjić there is a spear with a flag of the Republic of Srpska, finished with gold fringes, and next to Prince Ivo of Semberija there is a same spear with a gold-fringed flag of the City. Both spears have golden ferrules and golden dove-shaped finials on top. Mount (base) is a plain covered by grass, and next to the shield there is a golden ear of wheat dexter and a golden ear of corn sinister. At the bottom there is a white ribbon containing the letters BIJELJINA (БИЈЕЉИНА in Cyrillic). The middle coat of arms is identical to the previous description, with a mural crown above it, a golden ear of wheat and a golden ear of corn at the base, and a ribbon containing the letters BIJELJINA (БИЈЕЉИНА in Cyrillic). The lesser coat of arms features an escutcheon with a described heraldic composition.

(3) The flag of the City is square and contains the composition of the escutcheon (dome of the Tavna Monastery, with two heraldically placed white doves), but at the base, instead of a beam leaned on a pillar, there are two red wavy lines (symbols of Drina and Sava rivers).

(4) Etalons (prototypes) of coat of arms and flag of the City shall be kept by the secretary of the City Assembly.

## Article 6

(1) The greater coat of arms of the City shall be officially used as the mark and symbol of the City on the City Hall building, inside the official premises of the Mayor and his/her deputy, president and vice-presidents of the City Assembly, as well as in special occasions in which the significance and tradition of the City is pointed out.

(2) The middle coat of arms of the City shall be officially used as the mark and symbol of the administrative authorities of the City, to mark official premises, and as a mark on acts of these authorities.

(3) The lesser coat of arms of the City shall be used by companies, institutions, and other organizations founded by the City, as well as for wider usage. The lesser coat of arms shall be property of all citizens of the City.

(4) The coat of arms of the City, any of its levels (greater, middle, lesser), may be used only in accordance with heraldic, vexillologic, and sphragistic practice.

(5) As a rule, the coat of arms of the City shall be shown in prescribed enamels and colours. The coat of arms can be shown in black and white transcription, using a standard heraldic method, provided that the representation is in accordance with heraldic and vexillologic principles.

(6) As a rule, the coat of arms is displayed on the access roads at the boundaries of the City territory. The middle coat of arms may also be displayed on the signs containing street names in the City territory.

#### Article 7

(1) The flag of the City of Bijeljina shall be displayed on the City Hall and buildings of other city authorities; inside the official premises of the Mayor and his deputy, the president, vice-presidents, and a secretary of the City Assembly, heads of city administrative authorities, city administrative organizations and technical services; at celebrations, festivities, and other mass political, cultural, sport, and official events important to the City; at the meetings with other local communities, competitions, and other gatherings (political, cultural, scientific, sport, etc.) in which the City participates or is presented, in accordance with the rules and practice of organizing such gatherings, and in other cases, if the use of flag is not in contrary to the vexillologic practice.

(2) The City flag must be displayed on City holidays on the buildings of City authorities, as well as in other situations when special rules prescribe displaying of the flag of the Republic of Srpska or Bosnia and Herzegovina.

(3) On mourning days it is flown half-mast.

(4) The City can have a special, unique flag which shall be kept at the City Assembly. This flag shall be used indoors and can be made in especially decorative manner and decorated with golden fringes on free edges. The unique flag symbolises the City itself and it shall be used in the most solemn occasions, only in the presence of the Mayor or his deputy, president or vice-president of the City Assembly or persons who represent them in these functions. The unique flag can be used outdoors only at proposal of competent working body of the Assembly and with a written approval of the Mayor or president of the City Assembly.

#### Article 8

(1) The coat of arms and flag of the City cannot be used as a trademark or a service mark, sample or model, or as another mark for marking goods or services.

(2) The coat of arms and flag cannot be used if damaged or are inappropriate to use because of its appearance. The coat of arms and flag can be used as part of other emblems, or signs, or the flag can contain a certain date or words, only in accordance with heraldic, vexillologic, and sfragistic practice.

(3) The usage of the coat of arms or flag of the City on objects intended for commercial purposes can be approved by the Mayor, with previously obtained opinion of competent working body of the Assembly.

(4) The usage of the coat of arms or flag in art and education is free, provided it is not in contrast to public order, social and moral norms, heraldic and vexillologic practice and tradition, and if it is not diminishing the reputation and importance of the City.

(5) The usage of the coat of arms and flag of the City shall be governed by a special decision of the City Assembly.

#### Article 9

On special and protocol occasions, the Mayor shall wear special markings, or symbols of the City (insignia). The appearance and contents of those shall be prescribed by the City Assembly, pursuant to law and other regulations.

## Article 10

(1) The City authorities shall have stamps which are used in jobs in their scope of work.

(2) The stamp shall be used to validate originality of a public document or other acts which are used by the City authorities to make decisions or in official correspondence and communication with other authorities, legal entities and citizens.

(3) Contents of the text, shape of the stamp, number of stamps, their usage, safe keeping and disposal shall be prescribed by the acts of the City authorities, pursuant to law.

## Article 11

(1) The City shall have its holiday.

(2) The holiday of the City shall be “Bijeljina City Day” which shall be celebrated on 24 September, to commemorate the first liberation of Bijeljina in the Second World War.

(3) The City shall establish a traditional event called “Panteleimon's days” (Serbian: Pantelinski dani), in accordance with the decision of the City Assembly.

## Article 12

(1) The City shall establish and award awards and recognitions.

(2) The types of awards and recognitions, criteria and awarding procedure shall be regulated by a special decision of the City Assembly.

## Article 13

(1) Within its competencies, the City shall provide for realisation, protection, and improvement of human rights and freedoms of citizens, and individual and collective rights of the minorities, pursuant to the law.

(2) Everyone shall have the right to access all public institutions and buildings in the City, right to move freely, and to choose their place of permanent or temporary residence, right to do business or to work in the City territory, right to sell and to buy movable and immovable property, pursuant to the law.

(3) All citizens can equally participate in the performance of public jobs, pursuant to the Constitution and the law.

(4) The City shall encourage activities and provide assistance to the citizens' associations whose activities are in the best interest of the City.

(5) Within its competencies, the City shall provide, encourage, and improve gender equality and achievement of equal opportunities.

(6) Within its competencies, the City shall encourage and take measures in order to accomplish equal opportunities for people with disabilities.

(7) All citizens and legal entities that own property perform business or another activity or make profit in the City territory, shall participate in funding the functions and powers of the City through taxes, fees, charges and other contributions, pursuant to the law.

## Article 14

(1) Official languages in the City shall be: language of Serbian people, language of Bosniak people, and language of Croatian people.

(2) Official scripts shall be Cyrillic and Latin, pursuant to the law.

(3) The City authorities, when deciding on requests, conducting procedures, compiling records, shall issue official acts in an official language and script used by the authorised official of the City authority. However, at the applicant's request, they shall issue the official act in a language and script the applicant used in the procedure.

(4) Applicants can submit documents to the City authorities in any of the official languages.

#### Article 15

(1) In local communities of the City where national minorities are absolute or relative majority of the population, at their request, usage of their language shall be ensured, pursuant to the law.

(2) National minorities shall realise other protected rights, pursuant to the law and acts of the City.

#### Article 16

(1) The City shall ensure a proportional representation of constituent peoples and groups of other peoples in the City authorities, in accordance with the result of the last census.

(2) Application of the principle of proportional representation of constituent peoples and groups of other peoples mentioned in Paragraph 1 of this article shall be ensured by the decisions and other acts of the City authorities, pursuant to the law.

## II – ACTIVITIES OF THE CITY

#### Article 17

(1) Activities of the City include activities within independent competencies and activities transferred by a special law.

(2) Activities within independent competencies of the City include activities in organisation of work and management of the City, and activities in provision of services.

(3) The City shall have the right to deal with all issues of local interest which are not outside of its competencies, or assigned to another government level.

### 1. Independent activities

#### Article 18

In organising of work and management of the City, the City shall have the following competencies:

- 1) adopting strategy, or City development programme;
- 2) adopting strategic and implementation documents concerning spatial planning for the City territory;
- 3) adopting budget and budget financial reports;
- 4) landscaping and provision of usage of building land and business space;
- 5) organisation of communal police;
- 6) inspection supervision activities, pursuant to the law;

- 7) organisation of activities related to local economic development;
- 8) management and disposal of the City property;
- 9) establishing and organising city administration;
- 10) performing property-legal affairs, pursuant to the law;
- 11) collection, collection control, and forced collection of City revenues, pursuant to the law;
- 12) activities of legal representation of the City, pursuant to the law;
- 13) keeping records about persons who had regulated military service;
- 14) adopting measures to accomplish gender equality;
- 15) ensuring application of laws and other regulations placed under the competence of the City.

#### Article 19

The City shall have the following competencies in provision of services:

- 1) performing specific functions in culture, education, sport, health and social protection, civil protection, information, crafts, tourism, catering, and environmental protection;
- 2) organisation and provision of utilities: production and delivery of water, gas, heat energy, public transportation of people in urban and suburban traffic, waste water drainage and treatment, funeral activities, maintenance, organisation and equipping public green and recreational areas, maintenance of public traffic areas in settlements, drainage of atmospheric waters and other waters from public areas, cleaning of public areas in settlements, and other utility activities, pursuant to the law.
- 3) establishment of companies, institutions and other organisations for provision of services which are under the competence of the City, their organisation and management.
- 4) organisation and provision of construction, maintenance and usage of public buildings and utility infrastructure in order to perform the functions of the City.

#### Article 20

The City shall have the following competencies in spatial planning and construction:

- 1) adopting spatial planning documents and ensuring their implementation;
- 2) monitoring the spatial planning and settlements in its territory;
- 3) issuance of location requirements, building permits and occupancy permits, in accordance with the competencies prescribed by a special law;
- 4) providing usage of building land, giving building land for use, determining fees for maintenance and use of building land and care for its landscaping, improvement and protection;
- 5) providing conditions for landscaping of settlements and use of public and other areas, assigning space for parking and establishing conditions and manner of their usage and management, establishing the manner of municipal waste disposal and determining the areas where certain business activities can be performed;
- 6) providing conditions and manner of construction, or placing and removing buildings on public areas in settlements and on undeveloped land and establishing conditions for removal of buildings posing an immediate threat to lives and health of people, for neighbouring buildings and traffic safety; and
- 7) other competencies pursuant to the law.

## Article 21

The City shall have the following competencies in residential and utilities affairs:

- 1) prescribing rules for maintaining order in buildings;
- 2) deciding on introduction of special fee for condominium owners, under conditions prescribed by a special law, for collecting funds for urgent interventions in buildings;
- 3) prescribing requirements and providing supervision over the maintenance of buildings;
- 4) establishing the amount of rent for the apartments under its management, and the amount of rent for state owned apartments in its territory under the conditions prescribed by the law governing their usage;
- 5) deciding on organisation of jobs related to the maintenance of buildings under its management, the amount of rent, and establishes criteria and manners of payment of maintenance costs for business premises and apartments used for business activities;
- 6) providing for the eviction procedure of persons who moved in illegally into the state owned apartments and joint rooms in buildings, and other jobs related to residential affairs, as prescribed by the law;
- 7) providing utility activities, organisational, material, and other requirements for construction and maintenance of utility facilities and utility infrastructure;
- 8) adopting the programme for joint utility consumption;
- 9) providing locations and construction conditions and maintenance of cemeteries and establishing requirements and manner of burials, as well as the ways of organising these jobs;
- 10) providing conditions for construction and maintenance of streets and squares, local roads, village, field and other uncategorised roads, prescribing and providing management of these roads and streets and giving approvals for their construction;
- 11) providing implementation of preventive and other measures and activities related to traffic safety;
- 12) providing organisation and manner of provision of public transportation of travellers in the City territory and taxi transport;
- 13) providing supervision of utility activities and inspection supervision; and
- 14) other competencies pursuant to the law.

## Article 22

The City shall have the following competencies in culture:

- 1) providing protection of cultural goods of interest to the City, except for cultural goods which are defined by the law as goods of importance for the Republic of Srpska or Bosnia and Herzegovina,
- 2) providing protection and maintenance of monuments and memorials important for cultural and historic tradition, unless their protection and maintenance is governed by other regulations,
- 3) organising events and annual celebrations in culture important for the City and for the development of cultural and artistic creation in the City,
- 4) providing conditions for collecting, processing, safe-keeping and making books and other publications available for use, and conditions for work of libraries founded by the City,
- 5) providing construction, reconstruction and maintenance of buildings of cultural institutions in the City founded by the City,

6) providing conditions for research, collecting, processing, safe-keeping, protection and presentation of museum collections and other conditions for work of museums founded by the City, pursuant to the law,

7) participating in the maintenance and protection of cultural goods in the City which are protected by the Republic of Srpska or Bosnia and Herzegovina, in accordance with financial capabilities, and

8) other competencies in culture, pursuant to the law.

#### Article 23

(1) The City shall have the following competencies in primary, secondary and higher education:

1) proposing number and layout of primary schools in the City territory,

2) proposing primary school enrolment areas in the City territory,

3) appointing school board members on behalf of the City,

4) providing funds for running costs of secondary schools, funds for regular and investment maintenance of secondary schools' buildings,

5) participating in providing part of funds necessary for construction, regular and investment maintenance of secondary schools' buildings, in accordance with financial capabilities,

6) providing other funds prescribed by the law,

7) providing funds and prescribing scholarship requirements,

8) encouraging development and using special measures to provide conditions for work of young talents, and

9) other competencies in education, pursuant to the law.

(2) In pre-school education, the City shall found pre-school institutions, take part in funding the pre-school education and perform other activities, pursuant to the law and this Statute.

#### Article 24

The City shall have the following competencies in healthcare:

1) improvement and preservation of health of population, prevention and elimination of health consequences caused by epidemics, natural and other disasters and emergencies, in cooperation with other competent institutions,

2) providing implementation of measures for preventive and primary healthcare of population,

3) proposing the healthcare institutions network plan in its territory,

4) making plans and providing implementation of disinfection, disinsection and deratisation in the City territory, in order to prevent onset and spreading of infectious diseases,

5) monitoring health of population and epidemiological situation in the City territory, and taking measures for their improvement,

6) providing organisational and other conditions for examination of bodies of people who died, for professional determination of the time and cause of death outside of healthcare institution, organising and funding coroner affairs,

7) providing additional funds for healthcare which is beyond determined values of standards and norms of mandatory health insurance,

8) providing funds to conduct vaccination and care of patients with addiction, pursuant to the law,



- 9) providing funds to cover the costs of healthcare of socially vulnerable categories, in accordance with capabilities.
- 10) founding the Health Board, and
- 11) other competencies in population healthcare, pursuant to the law.

#### Article 25

The City shall have the following competencies in protecting the rights of veterans, disabled veterans, families of killed and missing soldiers and civilian victims of war:

- 1) establishing the status and rights of veterans, disabled veterans, families of killed and missing soldiers and civilian victims of war, pursuant to the law,
- 2) providing funds to improve the status of veterans, disabled veterans, families of killed and missing soldiers and civilian victims of war, in accordance with available funds,
- 3) regulating and providing solutions to housing needs of veterans, disabled veterans, families of killed and missing soldiers and civilian victims of war, pursuant to the law, and
- 4) other competencies in protecting the rights of veterans, disabled veterans and civil victims of war, pursuant to the law.

#### Article 26

The City shall have the following competencies in social welfare:

- 1) monitoring the social needs of citizens, families and vulnerable groups, and accordingly defining policy of expanded social welfare in its territory,
- 2) adopting the City social welfare development programme and encouraging development of social welfare programmes in the City,
- 3) creating conditions for a quality social services for citizens (services for children, elderly, incapacitated, disabled persons who are in social need, families with problems and other socially vulnerable persons),
- 4) founding Social Welfare Centre and providing staff, space, financial and technical conditions for its work,
- 5) monitoring social needs of citizens, providing equal conditions for disabled persons, establishing programmes to improve the quality of life of these persons, their families and other vulnerable groups, defining policies of expanded social welfare in the City,
- 6) monitoring and assisting social and humanitarian organisations and citizens in humanitarian activities,
- 7) providing funds for exercising rights related to social welfare pursuant to the law,
- 8) developing other specific content, in accordance with the needs and abilities in social welfare, and
- 9) other competencies in social welfare, pursuant to the law.

#### Article 27

The City shall have the following competencies in social care for children and youth:

- 1) providing conditions for stay of children at preschool institutions, preschool education, preventive healthcare of school age children, stay of children at preschool institutions pursuant to the law, vacations and recreation of children for up to 15 days at children's resorts, reimbursement of the costs of children's stay at preschool institutions, vacations and recreation of children,

- 2) providing conditions for maintenance, construction, upgrading, equipping and modernising the facilities of social care institutions for children and youth founded by the City, and conditions for the work of those institutions which ensure the exercise of rights in this area within the competence of the City,
- 3) providing coordination of activities of authorities, and other institutions dealing with social care of children,
- 4) adopting youth policy and annual youth policy implementation action plan in the City,
- 5) keeping register of youth organisations registered in the City,
- 6) working on improving the role and status of youth in its territory, and accordingly adopting and implementing documents which contribute to creation of conditions for youth organising and care for the youth,
- 7) planning and providing conditions for work of youth councils and participating in funding programmes and projects which contribute to the implementation of youth policy at the City level,
- 8) providing accessible and customised facilities and conditions in which the young people can express themselves and show their creative abilities, as well as to perform youth activities according to the established criteria,
- 9) preparing and implementing annual professional development programme related to youth work and activities of interest to the City, and
- 10) other competencies in social care for children and youth, pursuant to the law.

#### Article 28

The City shall have the following competencies in sport and physical education:

- 1) providing conditions for development and improvement of sport and physical education,
- 2) providing conditions for construction, maintenance and use of sport and recreational facilities,
- 3) providing conditions and issuing consents for organisation of sport competitions and events of importance to the City,
- 4) providing conditions for development and improvement of amateur sports,
- 5) providing special conditions for increase of quantity and quality of work with young sport talents,
- 6) providing and directing implementation of schools and student's sport competitions,
- 7) providing special conditions for construction maintenance and use of sport and recreational facilities, as well as conditions for development and improvement of sports for people with disabilities,
- 8) issuing licences for work of professionals at sport organisations in the City, and
- 9) other competencies in sport and physical education, pursuant to the law.

#### Article 29

The City shall have the following competencies in tourism, catering, crafts and trade:

- 1) providing conditions for the development of tourism, tourist sites and development and improvement of utility, sport, recreational and other activities which contribute to tourism development,
- 2) establishing the sojourn tax,

- 3) providing conditions for the development of tourist information and propaganda activity,
- 4) providing conditions for the development and improvement of catering, prescribing working hours and categorising catering facilities pursuant to the law,
- 5) providing conditions for the development and improvement of crafts, home crafts and trade, encouraging development of shortage crafts, in accordance with the interests and needs of the citizens, and
- 6) other competencies related to these areas, pursuant to the law.

#### Article 30

The City shall have the following competencies in economy, entrepreneurship and agriculture:

- 1) taking general measures to create a favourable business environment for the development of business and entrepreneurship, as well as improvement of general conditions of business and investments in economy, pursuant to the regulations,
- 2) obtaining, governing, equipping and trading of building land intended for the development of business and entrepreneurship, or building business capacities, pursuant to the regulations,
- 3) adopting the programme and taking measures to encourage development of small and medium sized enterprises, pursuant to the law,
- 4) providing adequate informing of businessmen and entrepreneurs related to the procedure and requirements for establishment and operation of small and medium sized enterprises and entrepreneurial shops,
- 5) establishing and keeping the register of entrepreneurs,
- 6) establishing programme of usage of funds collected for the change of purpose of agricultural land into non-agricultural purposes and collected rent for agricultural land owned by the Republic of Srpska, from the fee for changing the purpose of agricultural land to the non-agricultural purposes,
- 7) adopting the programme of usage of funds for incentives for agricultural production,
- 8) adopting forest-agricultural base for forests owned by state and the annual plan of management in privately owned forests,
- 9) adopting the programme of usage of funds collected from fees for selling forest wood assortments,
- 10) adopting the programme of health care of animals in the City,
- 11) keeping records about the quality of livestock, selected male breeding animals, prescribing conditions and methods of keeping bees and setting up apiaries and determining areas for bee selection, and
- 12) other competencies related to these areas, pursuant to the law.

#### Article 31

The City shall perform the following tasks related to protection of natural resources and the environment:

- 1) adopting basics of protection, usage and improvement of agricultural land, and taking care of their implementation,
- 2) determining the erosion areas and prescribing anti-erosion measures,
- 3) providing conditions for use and manner of managing natural lakes, springs, public wells and public taps, taking care about their protection, and creating conditions to keep the river banks, lakes and canals clean,

- 4) providing preservation of natural values in its territory and adopting acts on announcing protected areas,
- 5) establishing protected monuments of nature and protected areas with sustainable use of natural resources and managing them, in accordance with regulations governing the nature protection,
- 6) providing conditions for preservation, use and improvement of areas with natural healing properties and managing areas with natural healing properties with established special protection regime,
- 7) providing general conditions and ways of building and maintenance of water supply in rural settlements, their usage and establishing sanitary and technical conditions for wastewater disposal,
- 8) establishing water management conditions, issues water management approvals and water management permits for facilities and works determined by law,
- 9) prescribing and taking long term measures and activities from the plan for environmental protection of interest for the City by providing clean environment in the City; performing drainage of torrent waters, collection and treatment in the territory of the City; performing adequate wastewater treatment on the territory of the City; performing protection from and measurement of noise, vibration and air pollution, which are result of performance of certain activities; managing green areas and protected natural areas,
- 10) adopting a local environmental protection plan and waste management plans, pursuant to the law,
- 11) prescribing emission limit values for certain harmful and dangerous substances in cases determined by law,
- 12) taking care about improvement of air quality and remediation for areas with endangered air quality and taking appropriate measures,
- 13) adopting air quality plan and taking other measures pursuant to the law and publishing information related to the air quality,
- 14) issuing agricultural approvals for changing purpose of agricultural land to non-agricultural purpose,
- 15) conducting the procedure of leasing agricultural land owned by the Entity with the consent of the competent ministry,
- 16) leasing real estate that has been transferred to the City in accordance with the law,
- 17) establishing and providing certain conditions for keeping and protection of domestic animals and establishing measures for their organised and harmless disposal, providing quarantine conditions for animals in domestic trade,
- 18) establishing and maintaining the cadastre of bee pastures and phenological maps,
- 19) providing for inspection supervision related to environment protection,
- 20) cooperating with other local self-government units on the environment protection and improvement plan,
- 21) performing other jobs related to protection of natural resources and the environment, pursuant to the law.

## Article 32

The City shall provide public informing about the issues important for the life and work of citizens, and especially:

- 1) publishing decisions and other acts made by the City Assembly and the mayor in the Official Gazette of the City of Bijeljina, on the web site of the City and on the bulletin boards of the City Administration,
- 2) providing and organising continuous informing,

- 3) making documents of the City authorities available to the representatives of the media, citizens' associations and other interested parties, pursuant to the law,
- 4) organising press conferences and other forms of informing the public through media,
- 5) providing and establishing citizen information points,
- 6) organising and maintaining the official web site of the City,
- 7) organising a special system of informing in case of natural disasters, epidemics or other situations dangerous for lives, health and property of citizens, and
- 8) developing and improving public information system in other ways.

#### Article 33

The City shall perform the following tasks related to protection and rescuing citizens and property during natural and other disasters:

- 1) adopting assessment of possible vulnerability to natural and other disasters,
- 2) establishing preventive measures in case of immediate danger from natural and other disasters,
- 3) deciding on organisation and functioning of civil protection related to protection and rescue, and providing its implementation in accordance with a single system of protection and rescue in the Republic of Srpska,
- 4) adopting the civil protection development programme related to protection and rescue,
- 5) organising and performing tasks related to fire protection, pursuant to the law,
- 6) adopting fire protection plan for the territory of the City,
- 7) planning and establishing funding sources and performance of civil protection and fire protection tasks,
- 8) forming the emergency committee and civil protection units,
- 9) considering situation in protection and rescue,
- 10) implementing fire protection measures, in accordance with the law and fire protection plan,
- 11) prescribing measures for mitigation and elimination of immediate consequences of natural and other disasters, and
- 12) performing other jobs related to protection and rescue, pursuant to the law.

#### Article 34

- (1) The City shall have the following competencies in general administration:
  - 1) providing and organising keeping registers of births, marriages and deaths, and deciding in first-instance administrative procedure related to civil registers and civil status,
  - 2) providing keeping records about citizens of the Republic of Srpska – Bosnia and Herzegovina, and issuing certificates from these records,
  - 3) organising service for provision of legal aid to citizens,
  - 4) organising verification of signatures, copies and manuscripts, pursuant to the law,
  - 5) organising jobs of reception office, document management and archives,
  - 6) other competencies prescribed by the law and acts of the City authorities.
- (2) Performance of certain jobs related to general administration can be organised at local community offices, pursuant to the law, this Statute and acts of the City authorities.

#### Article 35

(1) The City shall organise a service for provision of legal aid to its citizens in order to protect and exercise their rights and interests in the territory of the City.

(2) Service for legal aid shall prepare submissions and provide legal advice to citizens in all legal procedures, except criminal and misdemeanour liability proceedings, establishment and termination of companies and entrepreneurial activities.

(3) Service for legal aid cannot represent clients at the courts, state and other authorities, foundations and other organisations.

(4) The City Assembly shall decide on the amount of fee for providing legal aid to citizens.

(5) Organisation and jobs of the service for provision of legal aid shall be governed by the act organising the City Administration.

## **2. Transferred jobs**

### Article 36

(1) The City shall perform jobs of republic administration when they are transferred under its competence pursuant to the law.

(2) Transferring jobs of republic administration to the City shall be accompanied by awarding funds and providing other necessary conditions for their efficient execution.

## **III – ORGANISATION AND OPERATION OF CITY AUTHORITIES**

### Article 37

The City authorities shall be:

- 1) City Assembly, and
- 2) Mayor

### Article 38

The city officials shall be:

- 1) Mayor,
- 2) Deputy Mayor,
- 3) President of the City Assembly, and
- 4) Vice-president of the City Assembly

## **1. City Assembly**

### Article 39

(1) The City Assembly shall be the authority of representatives, which makes decisions and policies of the City.

(2) The City Assembly shall have the following competences:

- 1) adopting the Statute of the City;
- 2) adopting decisions and other general acts and providing their authentic interpretation;
- 3) adopting budget,

- 4) adopting financial reports,
- 5) adopting City development plans and programmes, local economic development plan, investments plan, and capital investments plan;
- 6) adopting strategic documents related to spatial development of the City;
- 7) adopting construction land development program;
- 8) adopting implementation plans related to spatial development of the City;
- 9) adopting decisions and other general acts related to performance of functions in culture, education, sport, healthcare, war veterans and disabled persons protection, civil protection related to protection and rescue, social welfare, social care for children and youth, informing, crafts, tourism, catering, economy, private entrepreneurship, agriculture, forestry, and environmental protection;
- 10) adopting decisions and other general acts related to cooperation of the City with citizens' associations, especially those with activities of interest to the City;
- 11) adopting decisions related to utility fees and other public revenues, when it is authorised by the law;
- 12) giving consent for the price of utility services;
- 13) adopting decisions and other general acts related to organisation and functioning of civil protection related to protection and rescue, and fire protection, as well as other jobs related to protection and rescue, pursuant to the law;
- 14) adopting decisions on acquiring, managing and disposal of the City property;
- 15) adopting decisions on establishing names of streets, squares, parts of settlements and local communities;
- 16) adopting decision on announcing the City holiday;
- 17) adopting decisions on organisation of traditional events and marking of important dates and events in the City;
- 18) adopting decisions on the use of City symbols;
- 19) adopting decisions on membership of the City in the Association of Local Authorities, and in other associations and organisations,
- 20) adopting decisions on establishing cooperation with other municipalities and cities, pursuant to the law;
- 21) adopting public areas usage plan;
- 22) adopting decisions on proclamation of honorary citizens and governing the rights and obligations of those decisions;
- 23) adopting decisions on awarding accolades;
- 24) appointing and dismissing the president of the City Assembly, the vice-president of the City Assembly, deputy mayor, and the members of permanent and temporary working bodies of the City Assembly, appointing and dismissing the secretary of the City Assembly, heads of departments and services, and electing, appointing or dismissing other officers pursuant to the law;
- 25) establishing the City Assembly technical service and its working bodies;
- 26) establishing the Appeals Board and considering the Board's work report;
- 27) launching initiatives for territorial changes and changes of the name of the City or a settlement;
- 28) deciding on the City indebtedness;
- 29) adopting the Rules of Procedure;
- 30) adopting the Code of Conduct of the City Assembly;
- 31) reviewing the Mayor's annual work report and providing its opinion about it;
- 32) reviewing information related to public order, security of citizens and property in the City;

- 33) deciding on launching an initiative to recall the Mayor, pursuant to the law governing the election of the mayor;
- 34) reviewing the Mayor's report on work within the bodies of the utility companies;
- 35) deciding on disposal of capital of the utility companies owned by the City;
- 36) appointing and dismissing directors and managing boards of institutions founded or co-established by the City;
- 37) establishing companies, institutions, and utility companies and companies performing activities of public interest, and managing them, pursuant to the law;
- 38) announcing public loans and self-contributions;
- 39) calling for a referendum, pursuant to the law;
- 40) adopting decisions on establishing local communities in the City territory;
- 41) reviewing work reports and operation programmes of companies, organisations, and institutions established by the City;
- 42) reviewing and deciding on civic initiatives, pursuant to the law;
- 43) performing other jobs prescribed by the law and this Statute.

#### Article 40

- (1) The City Assembly shall have 21 councillors.
- (2) The councillors of the City Assembly shall be elected directly for the term of four years, pursuant to the election regulations.
- (3) A councillor of the City Assembly shall have the rights and obligations of a councillor and make decisions at the Assembly from the day of accepting the term of office of a councillor, pursuant to the election regulations.

#### Article 41

- (1) The City Assembly shall decide on issues within its competence by a majority vote of the total number of councillors, except when otherwise prescribed by law.
- (2) Making decisions shall be regulated by the Rules of Procedure of the City Assembly, pursuant to the law and this Statute.

#### Article 42

- (1) Councillors of the City Assembly shall have the right and duty to participate in the work of the City Assembly and its working bodies, to propose discussion on certain issues, submit proposals for decisions and other acts within the competence of the City Assembly, to submit amendments to proposed regulations, to ask questions, to submit initiatives for solving certain issues within the competence of the City authorities, to perform entrusted tasks conscientiously and responsibly, as well as other rights and duties pursuant to the law, this Statute, Rules of Procedure of the City Assembly and the Code of Conduct.
- (2) Councillors shall have the right to be regularly notified about all issues important for performance of their duties, to receive professional assistance with preparation of proposal materials and other acts within the competence of the City Assembly, and to be provided with the data and other information necessary for their work.
- (3) Councillors shall have the right to receive the councillor's allowance for the performance of their duties in the amount of up to 50% of average net salary paid in the City Administration during the previous year, excluding the salaries of the officials.
- (4) The councillor's allowance amount and the right to expenses the councillors incur during performance of their duties shall be established by a decision made by the City



Assembly, as well as the cases in which the councillors shall not have the right to the councillor's allowance.

#### Article 43

(1) Function of a councillor of the City Assembly shall be incompatible with the function of mayor, deputy mayor, city officer, employees of the state administration authorities, and other cases prescribed by the law.

(2) A person employed by the City Administration cannot be a councillor of the City Assembly.

#### Article 44

(1) The City Assembly shall have a president, two vice-presidents and a secretary, appointed for the duration of the term of office of the City Assembly.

(2) Vice-presidents of the City Assembly cannot be members of the same constituent people or members of Others.

#### Article 45

President and vice-presidents of the City Assembly shall be elected during the constituent session, among the councillors, by secret ballot, by majority of votes out of total number of councillors, in accordance with the Rules of Procedure of the City Assembly.

#### Article 46

President of the City Assembly shall represent the City Assembly, convene and chair the sessions, sign acts of the Assembly and perform other tasks pursuant to the law, this Statute, Rules of Procedure and acts of the City Assembly.

#### Article 47

(1) Vice-president of the City Assembly shall perform tasks prescribed by this Statute, Rules of Procedure and acts of the City Assembly, and shall replace the president of the City Assembly and act on his behalf when he is absent or prevented from performing his duties.

(2) The rules of replacement of the president of the City Assembly, in cases described in paragraph (1) of this article, shall be governed by the Rules of Procedure of the City Assembly.

#### Article 48

(1) President of the City Assembly can be recalled before expiration of his term of office, provided he fails to perform his rights and duties pursuant to the law, this Statute, Rules of Procedure and acts of the City Assembly, due to immoral and inappropriate behaviour, due to major omissions in his work or abuse of office, and in other cases prescribed by law.

(2) Vice-president of the City Assembly can be recalled before expiration of his term of office, provided he fails to perform his rights and duties pursuant to the law, this Statute, Rules of Procedure and acts of the City Assembly when acting on his behalf and when

replacing the president of the City Assembly, due to immoral and inappropriate behaviour, due to major omissions in his work or abuse of office, and in other cases prescribed by law.

(3) The procedure for the recall of the president and vice-president of the City Assembly, as well as the termination of office in other cases prescribed by law, shall be governed by the Rules of Procedure and acts of the City Assembly.

(4) The procedure for election of a new president or vice-president of the City Assembly must be completed within 60 days of the entry into force the decision on the recall or termination of office.

#### Article 49

(1) The first session of the newly elected Assembly shall be convened by the previous president of the City Assembly, no later than 30 days of publishing the report of the authority competent for implementation of elections.

(2) If the previous president or vice-president of the City Assembly is absent, the first session shall be convened by the oldest councillor of the previous convocation.

(3) If the first session is not convened by the authorised person from the first or second paragraph of this article, the session shall be convened by the majority of the councillors of the new convocation.

(4) The first session of the City Assembly shall be chaired by the oldest councillor of the new convocation until the president is elected. The oldest councillor shall be assisted by the two youngest councillors of the new convocation, who shall be from the political parties with the largest number of councillors in the City Assembly.

(5) Until the president of the City Assembly is elected, the chairman of the first session shall have all the rights and duties of the president of the Assembly related to convening and chairing the session.

#### Article 50

(1) During the first session of the newly elected City Assembly the political subjects shall inform the chairperson about the number of councillors of the City Assembly who form the majority by submitting verified signatures of the councillors who form this majority.

(2) If the majority changes during the term of the City Assembly, the councillors who form this majority are obliged to submit a notice to the president of the City Assembly with certified signatures of the councillors who form this majority.

(3) Certification of the signatures referred to in paragraphs (1) and (2) of this article shall be done pursuant to the law governing the certification of signatures, manuscripts and copies.

#### Article 51

(1) The sessions of the City Assembly shall be convened by the president of the City Assembly when necessary, in accordance with the work programme, and, by rule, once a month, and at least once in two months.

(2) The president of the City Assembly shall convene the Assembly on his own initiative or at the request of the mayor or one third of councillors, within 15 days from the submission of the request.

(3) If the session of the Assembly is not convened by the president of the City Assembly within the period referred to in paragraph (2) of this article, or by the vice-president of the City Assembly when the president of the City Assembly is unable or refuses

to do so, the Assembly shall be convened by the request submitter within eight days of the expiry of deadline referred to in paragraph (2) of this article.

(4) In case referred to in paragraph (3) of this article, the session of the Assembly shall be chaired by a councillor appointed by the City Assembly when the president or vice-president of the City Assembly are unable or refuse to chair the session.

(5) The session of the Assembly convened pursuant to provisions of paragraphs (2) and (3) of this article must be held within 15 days of the day of convening.

(6) The session of the City Assembly convened contrary to the provisions of paragraphs (1) through (5) of this article shall be deemed illegal, and acts passed at this session shall be deemed null and void.

(7) Sessions of the City Assembly shall be held in a secular environment.

## Article 52

(1) In the event of the termination of the term of a City official, handover of duties between officials shall be performed.

(2) Handover of duties, official acts and official stamp between the official handing over duties and the newly elected official taking over duties shall be performed at the official premises.

(3) The handover of duties shall imply submission of:

- 1) report on performing jobs from the scope of work of the authority,
- 2) financial report and report on assumed, but outstanding and unfulfilled obligations,
- 3) report on cases and projects in progress, and
- 4) handover of found official acts, stamps and other files and reports important for the work of the authority.

(4) Provisions related to the handover of duties are also applied to the cases of handover of duties, official acts and official stamp between appointed persons in public enterprises, public institutions and other organisations founded by the City, as well as between organisations which are about to stop their operation and newly founded organisations in the service of the City.

(5) Provisions related to the handover of duties are also applied to the cases of handover of duties between appointed officials in managerial positions, pursuant to the law.

## Article 53

(1) Handover of duties shall be performed no later than eight days from entering into force the decision on election or appointment.

(2) Handover of duties after elections for City authorities shall be performed no later than eight days from the confirmation of the term by authority competent for implementation of elections for the mayor, and for other officials of the City no later than 15 days from the constitution of the Assembly or elections at the session of the City Assembly.

(3) The Assembly shall be deemed constituted by electing the president of the Assembly.

## Article 54

(1) Handover of duties shall be performed in the presence of the Commission for handover of duties (hereinafter: the Commission).

(2) City Assembly shall appoint the Commission for the period of four years, with an option of reappointment.

(3) The Commission shall have three members, one of which shall be the president of the Commission, and all of them shall have substitutes.

(4) When the handover of duties is performed between mayors or between officials on managerial positions, employees of the City Administration shall be appointed into the Commission.

(5) When the handover of duties is performed between presidents of the Assembly, the Commission shall be made of the Assembly councillors.

(6) When the handover of duties is performed between persons referred to in article 52(4) of this Statute, two Commission members shall be Assembly councillors, and one shall be employee of a public enterprise, public institution or other organisation founded by the City.

(7) Secretary of the Assembly, or the public enterprise, public institution or other organisation where the handover is performed shall attend the handover and make minutes for the needs of the Commission.

(8) If the Assembly, or the public enterprise, public institution or other organisation, does not have a secretary, the minutes shall be made by the president of the Commission.

#### Article 55

Handover of duties minutes shall contain the following:

- 1) place, date and legal grounds for the handover of duties,
- 2) name or function of the person handing over duties and the person receiving the duties,
- 3) names of persons attending the handover of duties,
- 4) number and date of the act forming the Commission,
- 5) signature and general information on the official acts being the subject of the handover, according to year, type, quantity and state of the acts,
- 6) number of official stamps being the subject of the handover,
- 7) names of the Commission members signing the minutes,
- 8) notes regarding the subject of the handover, and
- 9) signatures of the Commission members and signatures of all authorised attendees.

#### Article 56

(1) City Assembly can appoint permanent and temporary commissions, boards and councils, as the working bodies of the City Assembly, for the needs of performing its tasks.

(2) Number of members, scope and manner of work of permanent working bodies of the City Assembly shall be governed by the Rules of Procedure of the City Assembly, while the temporary working bodies shall be governed by the City Assembly's decisions to form these bodies.

(3) Members of the City Assembly working bodies shall have the right to compensation, in accordance with the decision of the City Assembly's decision.

#### Article 57

(1) City Assembly shall appoint the secretary of the City Assembly for the term that lasts until the end of term of the Assembly which appointed him, after conducting a public competition pursuant to law.

(2) Secretary of the City Assembly can be a person who meets general and special requirements prescribed by law.

(3) Secretary of the City Assembly can be relieved of duty in cases prescribed by law.

(4) In case of termination of the term of secretary, the City Assembly shall appoint an acting secretary, pursuant to law.

#### Article 58

(1) Secretary of the City Assembly shall perform jobs prescribed by law, this Statute, Rules of Procedure of the Assembly and other acts of the City Assembly.

(2) Secretary of the City Assembly shall prepare proposal of the agenda in cooperation with the president of the City Assembly and the mayor, and he shall secure conditions for work of the City Assembly.

(3) Secretary shall provide professional assistance to the president of the City Assembly, shall provide professional opinion on a certain legal issue emerging during sessions of the City Assembly at the request made by chairperson or a councillors' club, and shall perform other jobs prescribed by the Rules of Procedure of the City Assembly.

(4) Secretary of the Assembly shall edit Official Gazette of the City of Bijeljina, and shall be responsible for its contents.

#### Article 59

(1) Technical service of the City Assembly shall be formed by a decision made by the City Assembly for the needs of work of the City Assembly and its working bodies.

(2) Technical service of the Assembly shall perform professional, administrative and technical jobs for the needs of convening and holding sessions of the Assembly and its working bodies.

(3) Exceptionally, the Assembly can make a special decision to transfer jobs of the Technical service of the Assembly to the City Administration.

(4) Secretary of the Assembly shall be head of the Technical service of the City Assembly and he shall be responsible for its work.

(5) Secretary of the Assembly shall be responsible for his and the work of the Technical service to the president of the Assembly.

#### Article 60

Rules of the Procedure of the City Assembly shall govern the manner and the procedure for the constitution of the City Assembly; rights and duties of the councillors; education of the councillors' clubs; manner and procedure of election, recall and termination of office of the president and vice-president of the City Assembly and their rights and obligations; manner and procedure of election, recall and termination of office of the deputy mayor; manner of appointment and termination of office of the secretary of the City Assembly and his rights and duties; manner of work and procedure for convening a session of the City Assembly, establishing the agenda for a session, making decisions and determining results of voting; procedure for proposing and adopting general acts, notifying public about the work of the City Assembly, election of the working bodies of the City Assembly, their composition, competencies and manner of work; procedure for the election, appointment and termination of office of other persons within the competence of the City Assembly; handover of duties between officials and other persons elected and appointed by the Assembly; work

programme of the Assembly; manner of recording minutes of the sessions of the Assembly and its working bodies; performing professional, administrative and technical jobs for the needs of the Assembly and its working bodies, as well as other issues important for the organisation and work of the City Assembly, pursuant to law and this Statute.

## **1.1.Appeals Board**

### Article 61

(1) Pursuant to law and other regulations, the Appeals Board shall make decisions in the second instance on the appeals of participants of the public competition for employment at the City Administration, on the appeals related to the status issues of employees, as well as other appeals pursuant to law.

(2) President and members of the Appeals Board shall be appointed by the City Assembly after completed public competition, for the term of four years, with a possibility of re-election.

(3) Remuneration amount for the work of the president and members of the Appeals Board, as well as other issues related to establishment and work of the Appeals Board shall be governed by the City Assembly through a special decision, pursuant to law.

(4) The Appeals Board shall report to the City Assembly at least once a year.

## **2. Mayor**

### Article 62

(1) The mayor shall be the chief executive officer of the City.

(2) The mayor shall represent the City.

(3) The mayor shall manage the City Administration and shall be responsible for its work.

### Article 63

(1) The mayor shall be elected for the four-year term at general direct elections, pursuant to electoral legislation.

(2) Termination of the mayor's term and his recall before expiration of the term of office shall be conducted pursuant to electoral legislation.

### Article 64

(1) If the mayor does not perform his function in accordance with the law or does not implement the decisions of the City Assembly, one third of the councillors can initiate a procedure for his recall.

(2) The recall can also be initiated by 10% of the voters registered in the electoral register of the City.

(3) The City Assembly shall put every initiative for the recall of mayor on the agenda and pass a decision within 30 days from the reception of the initiative.

### Article 65

(1) If the City Assembly decides to initiate the procedure for a recall of the mayor, the procedure shall be conducted, and the citizens shall decide directly, pursuant to electoral legislation.

(2) The term of office of the mayor shall be terminated if majority of those who voted opt for recall, after the competent authority determines that the term of office of the mayor was terminated due to recall, pursuant to the law.

#### Article 66

In case of a recall, resignation or permanent inability of the mayor to perform his function, and more than a year of the term is left, elections for mayor shall be organised, pursuant to electoral legislation.

#### Article 67

(1) The mayor shall have a deputy who shall help him in performance of his duties.

(2) The deputy mayor shall perform duties delegated by the mayor and act on his behalf when the mayor is absent or unable to perform his duties.

(3) The term of office of the deputy mayor shall last until the end of the term of the Assembly which elected him.

#### Article 68

(1) The deputy mayor shall be elected and recalled by the City Assembly, by secret ballot at the mayor's proposal, by majority of votes of the total number of councillors, pursuant to the law, this Statute and the Rules of Procedure of the City Assembly.

(2) In case the term of mayor's office is terminated before the expiration of the term for which he was elected pursuant to electoral legislation, the deputy mayor shall perform the duties of the mayor until a new mayor is elected, and he shall have all competencies of the chief executive officer of the City.

(3) If the deputy mayor, in case described in paragraph (2) of this article, is unable to perform the duties of a mayor for any reason or the City does not have a deputy mayor, the City Assembly shall appoint an acting deputy mayor who shall have all the competencies of an executive officer of the City, pursuant to law, this Statute and the Rules of Procedure of the City Assembly.

(4) In case described in paragraph (3) of this article, the City Assembly shall elect the acting deputy mayor by secret ballot, until the mayor is elected, at the proposal of one third of the councillors.

#### Article 69

(1) If the mayor's term of office is terminated before expiration of the term for which he was elected, one third of the councillors can propose to the Assembly to recall the deputy mayor.

(2) In case described in paragraph (1) of this article, the City Assembly shall decide on the recall of the deputy mayor by secret ballot.

(3) The City Assembly shall decide on the recall of the deputy mayor in other cases prescribed by law and this Statute by public vote.

#### Article 70

(1) Deputy mayor can be recalled before expiration of the term if he is validly convicted of a crime, for immoral and inappropriate behaviour, for serious omissions or abuse of function, if he does not perform the duties entrusted by the mayor, and in other cases defined by law.

(2) The proposal for the recall of the deputy mayor shall be submitted by mayor to the City Assembly in written, with an explanation.

(3) The City Assembly shall decide on the recall of the deputy mayor according to the procedure provided for his election, in accordance with this Statute and Rules of Procedure of the City Assembly.

(4) The City Assembly passes the decision on termination of the function of the deputy mayor in a manner defined by the Rules of Procedure of the City Assembly, except in case defined in paragraph 3 of this article.

(5) The procedure for the election of a new deputy mayor must be completed within 60 days of coming into force of the decision on recall of the deputy mayor.

#### Article 71

(1) Mayor shall have the following competencies:

- 1) proposing the Statute of the City,
- 2) proposing decisions and other acts adopted by the City Assembly,
- 3) preparation of draft budget and submission of annual budget, financial report, economic plan, strategic development plan, sectoral development plans, investment programme, spatial and urban plan and other plans and regulatory documents related to the use and management of space and land, including the use of public land managed by the City, to the City Assembly for adoption, pursuant to the law,
- 4) informing the City Assembly on all issues from the competencies, rights, and obligations of the City,
- 5) conduction of local policies in accordance with the decisions of the City Assembly, execution of the local budget and execution of decisions and other acts of the City Assembly,
- 6) execution of laws and other regulations of the Republic of Srpska which are under the competence of the City,
- 7) deciding on establishment of City Administration,
- 8) adopting the Rulebook on organisation and classification of jobs in the City Administration,
- 9) proposing appointment and removal of heads of departments or services,
- 10) in protection and rescue of citizens and property from natural and other disasters, performing jobs prescribed by law and this Statute, and especially:
  - adoption of a plan for protection and rescue from natural and other disasters, and providing for its implementation,
  - ordering measures to mitigate and remove consequences of natural and other disasters,
  - managing the civil protection system in the field of protection and rescue in the City,
  - appointing an emergency response team and establishing civil protection units,
  - adoption of annual training plan for the emergency response team, civil protection units, and commissioner for protection and rescue,
  - ordering to act in accordance with the preparedness plan,



- declaring emergency situations and state of natural and other disasters,
  - ordering mobilisation, alerting, and evacuation, and provides resources necessary for emergency accommodation in case of natural and other disasters,
- 11) taking operational and other measures in case of disturbances or interruptions in provision of utility services,
  - 12) managing cooperation of the City with other local self-government units, international, and other organisations, in accordance with the decisions and conclusions of the City Assembly and its working bodies,
  - 13) giving consents to statutes and other general acts of companies and public institutions founded by the City,
  - 14) submission of reports to the City Assembly concerning the work in the bodies of companies providing utility services,
  - 15) adoption of annual operational plan of the mayor and the City Administration,
  - 16) submission of reports to the City Assembly concerning his work, and the work of the City Administration,
  - 17) launching an initiative to stop the execution of a regulation, general or individual act adopted by the City Assembly until a decision is made by the competent court, if he thinks it is contrary to the Constitution or law,
  - 18) signing contracts on behalf of the City, in accordance with the acts of the City Assembly,
  - 19) making second instance decisions on appeals submitted against the first instance decisions, unless they are to be decided by the authorities of the Republic of Srpska,
  - 20) deciding on the use and disposal of the City property, pursuant to the law and decisions adopted by the Assembly,
  - 21) deciding on disposal of funds in accordance with the acts adopted by the Assembly,
  - 22) approval of the use of the name of the City and settlements in business names of enterprises, institutions and other organisations performing jobs of interest to the City,
  - 23) deciding on exclusion of an officer of the City Administration, and
  - 24) other jobs prescribed by law and this Statute.
- (2) Mayor shall be responsible for the lawfulness of the acts proposed to the City Assembly.

## **2.1.City Administration**

### Article 72

Mayor shall establish the structure and internal organisation of the City Assembly in a decision on establishing the City Administration and the Rulebook on organisation and classification of jobs in the City Administration, within the limits prescribed by law.

### Article 73

City Administration shall perform the following tasks:

- 1) execution and implementation of regulations of the City Assembly and the mayor,
- 2) preparation of draft decisions and other acts adopted by the City Assembly and the mayor,

- 3) execution and implementation of laws and other regulations, and providing for execution of the jobs in the competence of the City, and
- 4) performance of professional and other jobs given to the City Administration by the City Assembly and the mayor.

#### Article 74

(1) City Administration shall be organised to act as the service for the citizens with the work based on the principles of economic efficiency, effectiveness and publicity of the work of the City authorities in the execution of their competences.

(2) When adopting the Rulebook on organisation and classification of jobs in the City Administration, the starting point shall be its scope of work determined by law, other regulations and the following principles:

- 1) unification of the same or similar, i.e. interconnected jobs into appropriate organisational units,
- 2) legal and timely decision-making on rights and obligations and on the legal interests of individuals and legal entities pursuant to the law,
- 3) professional and rational performance of jobs and achieving responsibility of the employees, and appointed persons, and
- 4) efficient management of organisational units and constant supervision of performance of jobs.

#### Article 75

(1) Departments and services as basic organisational units are organised within the City Administration.

(2) Depending on the scope and type of jobs, sections can be organised within departments and services as internal organisational units.

(3) Independent sections can be formed for performing specific jobs within the City administration.

(4) For more efficient and more economical performance of certain jobs within the competence of the City Administration, and for more efficient exercise of rights and interests of the citizens, local community offices are formed in individual settlements, in charge of one or more settlements, pursuant to the law, this Statute and acts of the City authorities.

(5) The Rulebook on internal organisation and classification of jobs in the City Administration includes positions of the Technical service of the Assembly which are defined according to the proposal with explanation of the secretary of the Assembly.

#### Article 76

(1) Mayor can form his office as a separate organisational unit for the execution of advisory, protocol and administrative-technical jobs.

(2) Mayor can have advisors.

(3) Mayor can appoint a city manager and city architect, or a spatial planner to work on preparation and implementation of development programmes and projects which encourage economic development of the City, provide for environment protection, sustainable development, encourage entrepreneurial initiatives, public and private partnership, pass acts for spatial planning and initiate changes of regulations in order to create incentive environment for the development of the City.

## Article 77

(1) Upon a mayor's proposal, the City Assembly appoints a head of a department or a service within the City Administration, for the period of the term of the City Assembly convocation which appointed him, through a completed public competition, pursuant to the law.

(2) Head of a department or a service of the City Administration shall manage the department or the service and shall be responsible for their work.

(3) Head of a department or a service can be a person who meets the general and special requirements defined by law and the Rulebook on organisation and classification of jobs in the City Administration.

(4) Head of a department or a service shall report to the mayor, pursuant to the law.

## Article 78

(1) Upon a proposal by the mayor, the Assembly can dismiss a head of department or service in cases prescribed by law.

(2) After expiration of the term of a head of department or service, upon a proposal of the mayor, the Assembly shall appoint an acting head of department or service, pursuant to the law and this Statute until the new appointment, and no longer than for the period of 90 days.

(3) Acting head of department or service must meet the general requirements for employment at the City Administration and special requirements for appointment prescribed by the law and Rulebook on organisation and classification of jobs in the City Administration.

## Article 79

(1) Jobs at the City Administration are performed by city officials, employees and persons with a special status.

(2) Employment in the City Administration can only be done according to the employment plan passed by the mayor, pursuant to the law.

(3) A person who meets the general requirements for employment at the City Administration can be employed provided this person meets special requirements prescribed by law and the Rulebook on internal organisation and classification of jobs and in accordance with the priorities prescribed by law.

(4) If more applicants meet the prescribed requirements, priority shall be given to an applicant belonging to the constituent people or others who are less represented at the City Administration, according to the results of the last census in the City, pursuant to law, this Statute and other regulations.

## Article 80

(1) Number of inhabitants of the City territory, according to the results of the last census, shall be the criterion based on which a maximum number of employees is established at the City Administration, pursuant to law.

(2) Rulebook on internal organisation and classification of jobs in the City Administration cannot prescribe more positions or employees, in relation to the maximum number of employees who can be employed by the City Administration, pursuant to paragraph 1 of this article.

### **3. Mutual relations between the City authorities**

#### Article 81

Mutual relations between the City Assembly and the mayor shall be based on principles of mutual respect and cooperation, with individual responsibility for achieving their own competences and joint responsibility for the development and functioning of the City.

#### Article 82

(1) Mayor shall regularly inform the City Assembly about the implementation of the City policies, answer councillors' questions and initiatives in a manner and within the time limits prescribed by this Statute and the Rules of Procedure of the City Assembly.

(2) The City Assembly shall consider proposals of acts, or reports and information submitted by the mayor, and to provide their opinion about them within the time limits prescribed by this Statute and the Rules of Procedure of the City Assembly.

### **IV – PROPERTY AND FUNDING OF THE CITY**

#### Article 83

(1) Property of the City shall include immovable and movable property, funds and property rights, pursuant to law.

(2) The City Assembly shall decide on acquiring and disposal of rights over immovable property.

(3) Mayor shall decide on accepting immovable property as the City's property, on the grounds of receiving gifts or other assignment by previous owners without encumbrances, in accordance with the acts of the City Assembly.

(4) Mayor shall decide on acquiring and disposal of movable property and funds, pursuant to law and acts of the City Assembly.

(5) City authorities are obliged to manage and dispose of the City's property in general and common interests of the citizens and local community as a whole, with the care of a good housekeeper and businessman, pursuant to law and this Statute.

#### Article 84

The City shall have budget funds prescribed by law and decisions of the City Assembly, in order to perform the jobs established by the Constitution, the law and this Statute.

#### Article 85

(1) The City shall have budget which is an estimate of the budget funds and budget expenditures for one fiscal year, and it shall be an integral part of a single budget system in the Republic of Srpska.

(2) Budget funds of the City shall be budget revenues and other receivables, while budget expenditures consist of budget expenses and other expenditures, including the debts repayment.

(3) Budget revenues, as part of the budget funds of the City shall be:

1) funds allocated from the public revenues accounts of the Republic of Srpska, pursuant to law, and

2) original revenues of the City consisting of taxes, fees, fines in accordance with the City regulations, as well as other revenues, pursuant to law and decisions of the City Assembly.

#### Article 86

(1) Beneficiaries of the City budget shall establish an internal control system, as well as the internal audit function, pursuant to law and generally accepted standards, and to provide lawful, efficient and responsible spending of the budget funds.

(2) Beneficiaries of the City budget, which are founded by the City, shall submit annual reports on their operations, implementation of operational plans and usage of the budget funds to the City Assembly.

(3) Other beneficiaries of the City budget shall submit reports to the mayor regarding the intended use of the approved City budget funds.

#### Article 87

(1) City budget shall be adopted for the calendar year in accordance with the established budget calendar, pursuant to law.

(2) If the City Assembly fails to adopt a decision to adopt budget in accordance with the budget calendar, they shall adopt a decision on the temporary funding, pursuant to law.

(3) The decision defined in paragraph (2) of this article shall be adopted by the City Assembly, at the mayor's proposal.

#### Article 88

(1) Mayor shall prepare the draft budget for the City and submit it to the City Assembly for opinion.

(2) Public discussion on the draft budget of the City shall be organised pursuant to law and decision of the City Assembly.

(3) Mayor shall submit a budget proposal to the City Assembly for adoption, pursuant to law.

#### Article 89

(1) Mayor shall provide for execution of the City budget, pursuant to law and decisions of the City Assembly.

(2) Mayor shall submit reports on budget execution to the City Assembly, in accordance with the deadlines and manner prescribed by law.

### **V – ACTS OF THE CITY AUTHORITIES**

#### Article 90

(1) The City authorities, within their competence, shall adopt statute, rules of procedure, decisions, rulebooks, programmes, orders, instructions, conclusions, recommendations, resolutions, strategies, plans and programmes.

(2) The City Assembly shall adopt statute, rules of procedure, decisions, conclusions, recommendations, resolutions, strategies, plans and programmes.

(3) Mayor shall pass decisions, rulebooks, orders, instructions, conclusions, plans and programmes.

#### Article 91

(1) Proposal of acts under the competence of the City Assembly can be submitted by the mayor, any of the councillors, working bodies of the City Assembly, and 1000 of voters from the City territory.

(2) Citizens and citizens' associations can submit initiatives to the City authorities for adopting acts under their competences, in accordance with the procedure defined by the law governing citizen initiatives.

(3) If the initiative asks for a change of regulations and general acts under the competence of the City Assembly, the list of signatories of the initiative must contain at least 500 signatures of the citizens registered in the electoral roll of the City, unless the law or this Statute prescribes otherwise.

#### Article 92

(1) Proposal for a change or adopting an appropriate act under the competence of the City authorities, in the form of the citizens' initiative, must be prepared in accordance with the Rules of Procedure of the City Assembly.

(2) If an initiative for adopting or change of an act under the competence of the City Assembly in accordance with the paragraph (1) of this article is submitted, the mayor shall provide his opinion on the initiative within 30 days from initiative reception. Mayor shall inform the initiative submitters and the City Assembly about his opinion in written.

#### Article 93

(1) The Statute, Rules of procedure, decisions and other general acts of the City Assembly and mayor shall be published in the Official Gazette of the City of Bijeljina, and shall enter into force no earlier than the eighth day from the day of publishing.

(2) Decisions and other general acts of the City authorities cannot have retroactive effect.

(3) Official Gazette of the City of Bijeljina shall contain authentic interpretations of the City authorities' acts, acts on election, appointment and dismissal, acts on disposal of real estate owned by the City, and other acts when City authorities decide on them as the passers of a certain act.

(4) City Assembly shall govern the issuance of the Official Gazette of the City of Bijeljina through a special decision.

#### Article 94

(1) Legal entity or an individual who thinks their rights or legal interests are violated by a City authority act can ask from a competent ministry to perform supervision of the act's legality, pursuant to law.

## **VI – TRANSPARENCY OF ACTIVITIES**

### Article 95

(1) Activities of the City authorities shall be public.

(2) City authorities shall inform the public about the activities under their competence and report on their activities using the means of public information, internet, in electronic, printed and any other appropriate form and manner.

(3) City authorities shall submit to the public annual activity plans for the next year and reports on activities from the previous year which compare the achieved results to the activity plans and programme goals.

(4) Manners of informing the public on the activities of City authorities shall be governed by special acts of the City authorities.

### Article 96

(1) Notifications and information on activities of the City authorities can be provided by the president of the City Assembly when they are related to the activities of the City Assembly, and the mayor when they are related to the executive authorities of the City.

(2) President of the Assembly and mayor can authorise officers or other individuals for providing appropriate information and those persons shall be responsible for the truthfulness and timeliness of information.

### Article 97

(1) City authorities shall provide transparency of their activities through regular provision of information through the means of public information, regular organisation of media conferences, regular annual public meetings with the citizens, by publishing information on the number of employees at the City Administration by category, as well as in other appropriate ways.

(2) Mayor can decide that his text is published in all phases of adoption during the procedure of preparation and adoption of a general act through the means of public information and the web site of the City, and to set a deadline for submission of remarks in written.

(3) In addition to the options determined in paragraphs (1) and (2) of this article, the transparency of activities of the City authorities shall be also provided through freedom of access to information of public importance, pursuant to law.

### Article 98

(1) Sessions of the City Assembly and its working bodies shall be public, unless provided otherwise by law.

(2) Media shall be provided by invitations and material for the sessions of the City Assembly, as well as specially prepared material for sessions or other public events organised by City authorities, in order to inform the public.

(3) Representatives of the media, organisations and associations, as well as interested citizens, can attend the sessions of the City Assembly, in a manner and under the conditions defined in the Rules of Procedure of the City Assembly.

(4) City Assembly can decide to have their sessions broadcasted through electronic media.

#### Article 99

(1) Legal entities and individuals shall be entitled to submit objections and complaints about the work of City authorities, as well as about improper attitude of City Administration officials when the legal entities and individuals turn to them in order to exercise their rights, interests or performance of duties.

(2) City authorities shall govern the objections and complaints through special acts, pursuant to law and this Statute.

(3) Mayor shall reply to submitted objections and complaints within 30 days from the date of their submission.

(4) Objections and complaints about the work of the mayor shall be considered by the City Assembly and they shall take a position on them within 30 days from the date of their submission, in accordance with the procedure defined in the Rules of Procedure of the City Assembly.

#### Article 100

(1) Mayor shall organise his service for informing the public about the work of the City authorities through his acts.

(2) Acts of the mayor defined in the paragraph (1) of this article shall govern the duties of the information officer, as well as other participants in gathering, delivery and publishing of official information.

(3) Within the premises of the City authorities there shall be a special checkpoint for informing the public, distribution of informational materials and provision of help to citizens in exercising their rights.

#### Article 101

(1) The names of authorities must be displayed on the buildings in which the City authorities are located.

(2) Office layout of the City authorities must be displayed in appropriate places inside the buildings.

(3) Names of officials, officers and employees with the label of their jobs must be displayed at the entrance of the official offices.

### **VII – PARTICIPATION OF CITIZENS IN LOCAL SELF-GOVERNMENT**

#### Article 102

(1) In performance of jobs of the local self-government the citizens shall decide through their freely elected representatives in the City Assembly and directly.

(2) The forms of direct citizens' participation in the local self-government shall be:

- 1) referendum,
- 2) citizens' initiative,



- 3) citizens' assembly
- 4) local community,
- 5) public hearing,
- 6) citizens' panels,
- 7) "citizens' hours" in the City Assembly,
- 8) Elected officials' responsibility forum, and
- 9) Other forms of participation in a manner defined by a special regulation.

(3) Forms and manners of direct participation of the citizens in the local self-government shall be governed by a special decision of the City Assembly, pursuant to law and this Statute.

#### Article 103

By directly participating in the local self-government, the citizens shall decide on:

- 1) construction of utility infrastructure facilities, manner of securing funds for construction of these facilities, and manner of using and managing these facilities,
- 2) launching the initiative to adopt and amend regulations and general acts under the competence of the City,
- 3) giving recommendations and objections to the work of local self-government authorities,
- 4) launching the initiative to remove settlements from the composition of the City, adding settlements to the composition of the City, or another territorial change, pursuant to law,
- 5) specific issues related to the environmental protection, pursuant to law, and
- 6) other issues, pursuant to law and this Statute.

#### **1. Referendum**

#### Article 104

(1) City Assembly can call a referendum for the territory of the City for one or more settlements and for a part of a settlement, on the issues under the competence of the City Assembly related to special needs and interests of the citizens.

(2) Referendum can be called for citizens to vote on a certain question under the competence of the City Assembly.

(3) In the decision making process, the City Assembly shall take the results of the citizens' votes on a referendum into account.

#### Article 105

Proposal for calling a referendum can be submitted by 1/3 of the councillors, the mayor, and at least 3,000 voters, who are registered in the electoral roll of the City.

#### Article 106

(1) City Assembly shall decide on calling a referendum by a majority vote of the total number of councillors.

(2) At least 30 days and no more than six months shall pass from the date of entering into force of the decision to call a referendum to the day of the referendum.

#### Article 107

(1) Citizens with a right to vote, with a registered residence on the territory of the City, or part of the City for which a referendum is called, shall have the right to vote on a referendum.

(2) Referendum shall be implemented in accordance with the procedure prescribed by law, regulations adopted pursuant to law and this Statute.

#### Article 108

(1) Referendum shall be implemented by the Commission for referendum implementation and the elections committees.

(2) The commission for referendum implementation shall be appointed by the City Assembly no later than ten days from entering into force of the decision on calling a referendum.

(3) The Commission for referendum implementation shall have a president and four members.

(4) The president and the members of the Commission for referendum implementation shall have substitutes.

(5) The president and the members of the Commission for referendum implementation shall be appointed until the results of the referendum had been confirmed at the City Assembly session.

(6) The president, members of the Commission for referendum implementation and their substitutes must have a right to vote and experience in elections implementation.

(7) The president, members of the Commission for referendum implementation and their substitutes shall be entitled to a compensation for their work, in accordance with the decision of the City Assembly.

(8) The president of the Commission for referendum implementation and his substitute shall be graduates of law.

#### Article 109

(1) Elections committee shall be appointed for each polling place, no later than ten days before the date of referendum.

(2) Elections committee shall have a president and two members.

(3) President and members of the elections committee shall have substitutes.

(4) President, members of the elections committee and their substitutes must have a right to vote.

(5) President, members of the elections committee and their substitutes shall have a right to compensation for their work, in accordance with the decision of the City Assembly.

#### Article 110

(1) Referendum shall be valid if the majority of the citizens with a voting right and who are registered in the electoral register casted their votes.

(2) The referendum question shall receive the citizens' support if the majority of the citizens who casted their votes voted for it.

### **2. Citizens' initiative**

## Article 111

- (1) Citizens shall start an imitative to:
  - 1) adopt or amend the Statute,
  - 2) adopt or amend the act governing a certain issue from an independent scope, and
  - 3) call a referendum.
- (2) Assembly shall hold a hearing within 60 days from the reception of the initiative mentioned in paragraph 1 of this article and provide citizens a response with an explanation.

## Article 112

- (1) City Assembly is obliged to consider every citizens' initiative, provided it was started in a manner and form prescribed by law and through a procedure prescribed by law, this Statute and Rules of Procedure of the City Assembly.
- (2) If the implementation of a citizens' initiative requires funds, the initiative must contain a proposal on how to secure these funds.
- (3) The citizens' initiative must contain citizens' signatures, and the number of the signatures must not be less than 5% of the voters registered in the electoral roll of the City, unless the law or this Statute provides otherwise.

## Article 113

- (1) Before collecting signatures for a citizens' initiative, a formal correctness of the proposal in the initiative can be checked.
- (2) Formal correctness of the proposal in the citizens' initiative shall be checked by the secretary of the City Assembly, and if the proposal is not in order or not clear, the secretary shall provide instructions to the proposer to eliminate the irregularities of the proposal in the citizens' initiative.

## Article 114

- (1) Subject of a citizens' initiative can be a general or specific proposal.
- (2) If a general proposal from the competence of the City Assembly is submitted, in accordance with paragraph (1) of this article, the mayor must submit his opinion with the proposal to the City Assembly within 30 days from the reception of the initiative. Then the City Assembly shall make a decision on the initiative.
- (3) If the City Assembly accepts the general proposal mentioned in paragraph (2) of this article, the City Assembly will instruct the mayor to prepare a draft regulation which is asked for in the initiative.
- (4) Representatives of the organisers of the citizens' initiative are entitled to submit their opinion on the draft regulation to the City Assembly, before the final decision.
- (5) If the object of the citizens' initiative is a specified proposal, in terms of paragraph (1) of this article, such proposal must be compiled in accordance with the Rules of Procedure of the City Assembly.
- (6) A procedure in accordance with paragraphs (2) through (4) of this article shall be conducted for the proposal defined in paragraph (5) of this article.

### **3. Citizens' assembly**

## Article 115

(1) At the citizens' assembly the citizens discuss and provide proposals on issues from the competence of the City authorities which are of direct and common interest for the citizens of a certain part of the City, or area for which the citizens' assembly was organised. They initiate and propose manners to solve certain issues and adoption of acts from the competence of the City Assembly, and they decide on certain issues, pursuant to law, this Statute and acts of the City Assembly.

(2) Citizens' assembly shall be organised for a settlement, local community or a part there of (street, block, hamlet).

#### Article 116

(1) Citizens' assembly can be convened by mayor, president of the City Assembly, and president of the local community council.

(2) President of the local community council is obliged to convene a citizens' assembly at a written request of at least 5% of voters residing in the territory for which the assembly is convened.

(3) Citizens' assembly shall be held and the discussions, proposals and decisions shall be valid if sufficient number of voters is present, as prescribed by a special decision of the City Assembly.

(4) Decision on convening, conditions and manner of organising citizens' assemblies shall be adopted by the City Assembly.

#### **4. Local community**

#### Article 117

(1) Local community shall be formed through a decision made by the City Assembly, for the area where there is interest of inhabitants, which is a territorial and functional unit, where there is a mutual connection of the citizens and possibility to achieve common interests and needs.

(2) Local community shall be formed for a part of a settlement, or for a territory of one or more mutually connected settlements.

(3) Initiative to form a local community can be submitted by at least 10% of citizens residing in the territory of the settlement, part of settlement or settlements for which forming of a new local community is suggested, or at least 1/3 of the councillors of the City Assembly or the mayor. The initiative can also include a change of territory or name of an existing local community.

(4) Decision mentioned in the paragraph (1) of this article shall establish the name, territory, and jobs performed a local community, keeping a registry, and other issues important for the work of the local community.

(5) Draft decision mentioned in the paragraph (1) of this article shall be submitted for a public hearing according to a procedure prescribed by the Rules of Procedure of the City Assembly and a special decision of the City Assembly.

(6) Local community shall not have a legal entity status.

#### Article 118

(1) Within the local community, the citizens shall satisfy their needs and interests through:

- 1) initiatives and participation in public hearings when preparing and adopting spatial and urban plans of the City for the territory of the local community,
- 2) initiatives, opinions and participation in construction of utility facilities and buildings of general use.
- 3) initiatives and participation in public hearings about activities related to development of economy and social affairs,
- 4) collection and submission of applications and complaints to the City authorities, public enterprises and institutions related to their work, as well as initiatives and suggestions of the citizens for solving issues of their common interest.
- 5) participation in securing spatial, financial and organisational conditions for sport and recreation,
- 6) organisation of different forms of humanitarian aid in its territory,
- 7) protection from natural disasters, and organisation, elimination or mitigation of the consequences of natural disasters,
- 8) cooperation with citizens' associations related to issues of interest for citizens of the local community, and
- 9) performance of other jobs, pursuant to law, this Statute and acts of the City Assembly.

(2) The citizens shall participate in the procedure for establishing proposals for construction of utility infrastructure facilities in the territory of the local community through the local community council (hereinafter: council).

(3) City Assembly can make a special decision to entrust the jobs under the City's jurisdiction to a local community, pursuant to law and this Statute.

(4) City Administration shall perform administrative and professional jobs, registrations and maintenance of local community registers for the needs of the local communities.

#### Article 119

(1) Local community shall have its stamp.

(2) Form, contents and usage of the stamp of local community shall be governed by a special decision made by the City Assembly, pursuant to law.

#### Article 120

(1) Initiative to found a local community, change its territory or name shall contain the following:

- 1) information about the territory for which the local community is to be founded, change of its territory or name, borders of the local community, number of inhabitants and other data,
- 2) manner in which the founding of a local community is suggested, or the change of its territory or name, and
- 3) reasons for suggesting the founding of the local community, change of its territory or name.

(2) Initiative mentioned in paragraph (1) of this article must be explained and it must contain necessary information to enable making an appropriate decision on the initiative through a prescribed procedure.

(3) If the initiative for founding a local community, change of its territory or name is submitted by citizens, that initiative shall be signed by citizens, pursuant to article 117(3) of this Statute.

## Article 121

(1) In the procedure of considering the initiative to found a local community, change its territory or name, the City Assembly can decide to have a public hearing about it at a citizens' assembly.

(2) In the case referred to in paragraph 1 of this article, the citizens' assembly shall be convened by authorised person, pursuant to law and decision of the City Assembly.

## Article 122

(1) Body of a local community shall be a Council with at least five, and no more than 11 members.

(2) Council shall have a president elected by the members of the council by a majority vote of the total number of members.

(3) The term of the Council shall be four years.

(4) President and members of the Council can receive remuneration for their work, in accordance with a special decision of the City Assembly.

## Article 123

(1) Number of members of the Council for each local community shall be established by the City Assembly by a special decision, according to the following criteria:

- 1) for local communities with up to 1000 registered voters – five members,
- 2) for local communities with 1001 to 5000 registered voters – seven members,
- 3) for local communities with 5001 to 10000 registered voters – nine members, and
- 4) for local communities with over 10000 registered voters – eleven members.

(2) Decision referred to in paragraph (1) of this article shall be made by the City Assembly based on the data of the city authority competent for maintenance of the electoral roll regarding the number of registered voters in the local community.

(3) At the mayor's proposal, the City Assembly shall reconsider the number of Council members of every local community every four years, in accordance with the changed data on the number of registered voters.

## Article 124

The Council shall perform the following jobs:

- 1) Taking care about the implementation of decisions made by citizens at the citizens' assembly,
- 2) Proposing local community development plan, in accordance with the City development plans,
- 3) Adopting programme of measures and activities for the implementation of local community development plans and programmes,
- 4) Cooperating and participating in other subjects' activities acting in the territory of the local community,
- 5) Managing funds available to the local community and establishing priorities for the use of funds received through donations and gifts,
- 6) Starting initiatives to build and maintain utility facilities and utility infrastructure, and manner of securing funds, improving environmental protection, arrangement of settlements, improving conditions for education and upbringing, culture, social

- and health care of population, development of tourism, sport and recreation, and in other areas of common interest of the local population,
- 7) Establishing priorities list for construction of utility facilities and utility infrastructure, in accordance with decisions made at citizens' assembly,
  - 8) Deciding on the use of buildings assigned to local community, in accordance with the decisions made by the City Assembly,
  - 9) Submitting reports on its work and the work of local community to the citizens' assembly, and
  - 10) Other jobs pursuant to law, this Statute and decisions made by the City Assembly.

#### Article 125

(1) The Council shall be elected at the citizens' assembly by the voters registered in the electoral roll, with a registered residence in the territory of the local community, directly, by secret ballot and in accordance with election regulations.

(2) The citizens' assembly shall make a decision on the elections for the Council if the following criteria of attendance is met:

- 1) for local communities with up to 1000 registered voters – at least 30 voters,
- 2) for local communities with 1001 to 3000 registered voters – at least 50 voters,
- 3) for local communities with 3001 to 10000 registered voters – at least 75 voters, and
- 4) for local communities with over 10000 registered voters – at least 100 voters.

(3) The candidates with the most votes shall be elected members of the Council, unless the election regulations provide otherwise.

#### Article 126

(1) City Assembly shall make a decision on calling the elections for the Council.

(2) Elections for the Council shall be held no later than 90 days from the constitution of local authorities in accordance with election regulations.

#### Article 127

The term of office of the president or member of the Council shall end in the following cases:

- 1) At personal request,
- 2) At the end of the term of office,
- 3) By deregistration of residence out of the local community,
- 4) If they are deprived of working capacity by a valid decision,
- 5) By death,
- 6) By relief of duty, and
- 7) By recall of the Council.

#### Article 128

(1) The president or a member of the Council can be relieved of duty even before the end of the term of office, if they do not participate in the work of the Council for a long time, if they are absent for a long time due to a long and serious illness, for immoral and improper behaviour, if they are sentenced to prison for a crime or for abuse of authorities by a valid judgement.

(2) The Council can be recalled if they fail to perform their duties for a long time, or if they perform their duties in a way that is contrary to the interests of the citizens.

#### Article 129

(1) Initiative to relive a member of the Council of duty can be submitted by the president of the Council or any member of the Council. The Council shall decide on the initiative by majority of votes of the members of the Council.

(2) Proposal for relief of duty of the president or a member of the Council, or recall of the Council, can be submitted directly by at least 5% of the voters registered in the electoral roll of the local community, in written, with reasons for relief or recall.

(3) President of the Council shall include proposals referred to in paragraphs 1 and 2 of this article into the agenda of the citizens' assembly within 15 days from the day the initiative had been adopted or from reception of the proposal for relief of duty or recall.

(4) If the president of the Council fails to act pursuant to paragraph 3 of this article, the citizens' assembly shall be conveyed by a person authorised to convey the citizens' assembly in the local community.

(5) The citizens' assembly shall decide on the proposal for relief of duty of the president or a member of the Council, or recall of the Council, by a majority of the votes of the citizens attending the assembly.

#### Article 130

(1) If the term of office of the president or a member of the Council ends before the expiry of the period on which they were elected, the next candidate from the proposed list of the candidates with the most number of votes at the elections of the Council members shall become the member of the Council, unless provided otherwise by the election regulations.

(2) If the Council is recalled, the City Assembly shall call for early elections for the Councils, unless provided otherwise by the election regulations.

#### Article 131

(1) Supervision over the work of the Council shall be done by a organisational unit of the City Administration performing tasks of general administration, unless there is a special organisational unit dealing with issues related to the work of local communities.

(2) While performing supervision, the organisational unit referred to in paragraph 1 of this article shall be authorised to request delivery of reports and information about the work of the Council, to point out to the problems, to request solving them and to suggest ways for the solving of certain or disputable issues arising from the work of the Council, to prepare and submit reports, information and proposals for applying appropriate measures to improve the work of local communities, and to perform other jobs pursuant to law, this Statute and acts of the City authorities.

#### Article 132

(1) The funding for the work of the local communities shall be provided by the City budget.

(2) In addition to the funds referred to in paragraph 1 of this article, the funding for local communities can be provided by:

- 1) funds of citizens secured through self-contribution,



- 2) funds granted by interested companies and other organisations and institutions,
  - 3) donations and gifts,
  - 4) personal participation of the citizens of the local community, and
  - 5) other legal sources.
- (3) City Assembly can make a special decision to entrust to local community to use certain City property in order to satisfy common needs of the local population and establish conditions and manner of use of that property, pursuant to law and this Statute.

## **5. Public hearing**

### Article 133

- (1) Public hearing shall be organised for the following topics:
  - 1) draft Statute of the City,
  - 2) draft decision on the City budget,
  - 3) City development plan,
  - 4) City spatial plan and draft urban and regulatory plans, pursuant to special regulations, and
  - 5) Other acts directed to the public hearing by a competent City authority.
- (2) Implementation of a public hearing is more closely regulated by the rules of procedure and a special decision of the City Assembly.

## **VIII – CITY COOPERATION**

### **1. Cooperation with the government authorities, organisations and associations**

#### Article 134

- (1) The City authorities shall cooperate with other government authorities in Republika Srpska and Bosnia and Herzegovina on the basis of established competencies of the City and those authorities, in order to achieve the interests of the City and its citizens.
- (2) The City shall have rights and obligations towards other government authorities as provided for by law and other regulations.

#### Article 135

- (1) The City can join domestic and foreign associations of local communities and cooperate with the local self-government units in other countries, pursuant to law and this Statute.
- (2) Decision on joining associations, or cooperating referred to in paragraph 1 of this article shall be adopted by the City Assembly.
- (3) In accordance with the decision referred to in paragraph 2 of this article the City Assembly, or the mayor authorised by the City Assembly, shall conclude an agreement, protocol or covenant on cooperation, or partnership, unless provided otherwise by the law.
- (4) The City shall be a member of the Association of Municipalities and Cities of Republika Srpska.

#### Article 136

(1) In order to perform jobs under the competence of the City in full, the City authorities shall cooperate with political parties, religious communities, non-governmental organisations and other entities.

(2) The City authorities shall take measures for improvement of cooperation, mutual assistance and accepting initiatives and proposals of the non-governmental organisations registered in the territory of the City, in different forms of their activities, pursuant to law and in accordance with the interests of the City.

#### Article 137

(1) The mayor shall implement cooperation of the City with other local self-government units, international and other organisations, in accordance with this Statute, decisions and conclusions of the City Assembly and its corresponding working bodies.

(2) The president of the City Assembly shall achieve parliamentary cooperation with other local self-government units, international and other organisations, in accordance with this Statute, acts of the City Assembly and its corresponding working bodies.

### **2. Cooperation of the City with other local self-government units**

#### Article 138

(1) In performing its duties, the City shall cooperate with other local self-government units in order to perform tasks of mutual interest.

(2) The City shall establish cooperation with one or more local self-government units in order to perform jobs under its competence determined by law in a more efficient and economical manner, with the goal of promoting development and achieving common interests.

#### Article 139

(1) Proposal for establishing cooperation can be submitted by mayor or 1/3 of the councillors of the Assembly, as well as the citizens and citizens' associations in the form of citizens' initiative, business entities, public institutions and public enterprises pursuant to law and this Statute.

(2) The City Assembly shall make a decision on the submitted proposal and the Technical service of the Assembly shall inform the proposer, by delivering an act within 15 days from the day of submission.

(3) Cooperation of the City with other local self-government units shall be established on the grounds of a decision made by the City Assembly and the agreement on establishing cooperation, unless provided otherwise by law.

#### Article 140

(1) Cooperation of the City can be achieved in the forms of cooperation prescribed by law and in accordance with the procedure prescribed by law.

(2) The City shall establish cooperation with other local self-government units by:

- 1) forming a joint work group,
- 2) establishing joint public enterprise, or a company,
- 3) establishing joint public institution,
- 4) public-private partnership,

- 5) joining financial, material and other assets, on a project basis, and
- 6) performing certain jobs of the local self-government unit on behalf of another local self-government unit or several units.

(3) In addition to the forms of cooperation established in paragraph 2 of this article, the City can develop other forms of cooperation for the exchange of experiences with other local self-government units, provision of professional assistance, as well as other forms of cooperation which contribute to the improvement of functioning of the City authorities and other local self-government units, and which contribute to the improvement of the citizens' quality of life.

#### Article 141

The City can establish cooperation with the local self-government units from Federation of Bosnia and Herzegovina and Brčko District of Bosnia and Herzegovina, and establish cross-border and international cooperation, pursuant to law.

#### Article 142

Funds for funding the cooperation of the City shall be provided in the City budget, through donations of individuals and legal entities, and from other sources prescribed by law.

### **IX – PROCEDURE FOR ADOPTING AND AMENDING THE STATUTE OF THE CITY**

#### Article 143

(1) Statute of the City shall be amended by a decision on amendments or by adopting a new statute.

(2) The procedure for amending the statute of the City shall include procedure for preparing a draft general act, organising a public hearing about the draft and deciding on the proposal of the general act, pursuant to law, this Statute and Rules of Procedure of the City Assembly.

(3) Exceptionally, the City Assembly can, on a proposal of authorised proposer, decide on adopting amendments of the City statute directly or on the grounds of the decision proposal, if the amendments are small-scale or if the amendment is a compliance with the specific provisions of the law.

#### Article 144

(1) Initiative for amending the statute can be submitted by any councillor of the City Assembly, as well as the permanent working body of the City Assembly dealing with the statutory issues.

(2) Initiative for amending the statute can be submitted by citizens in the form of a citizens' initiative, pursuant to law, this Statute and Rules of Procedure of the City Assembly.

(3) Initiative shall be submitted to the mayor in written, with an explanation.

(4) Mayor shall express his opinion on the initiative referred to in paragraph 3 of this article within 30 days from the day of submission, and he shall inform the applicant and the City Assembly about his opinion.

(5) During the procedure of giving his opinion on the initiative, the mayor shall acquire opinion of the working body of the Assembly dealing with the statutory issues.

#### Article 145

(1) Proposal for adoption and amendments of the statute can be submitted by the mayor, at least 1/3 of councillors of the City Assembly or 1500 voters from the City territory.

(2) Proposal referred to in paragraph 1 of this article must be elaborated, and shall be submitted to the president of the City Assembly in the form of draft general act, in accordance with the Rules of Procedure of the City Assembly.

(3) Mayor shall provide opinion on the draft general act related to the amendments of the City statute, unless he is the proposer of the amendment of the statute, within fifteen days from the day of reception of the draft general act.

(4) At the first session after receiving the act referred to in paragraph 2 of this article or opinion referred to in paragraph 3 of this article, the City Assembly shall have a principle discussion and make a decision to organise public hearing on the draft act for the amendment of the City statute, in accordance with this Statute and Rules of Procedure of the City Assembly.

#### Article 146

(1) Proposal of the general act for amending the City statute shall be prepared by an authorised proposer, after completed public hearing on draft general act, and shall be delivered to the president of the City Assembly, unless otherwise provided by this Statute.

(2) Mayor shall provide opinion on the proposal of general act related to the amendments of the City statute, unless he is the proposer of the amendment, within fifteen days from the day of reception of the proposal of general act.

(3) At the first session after receiving the proposal of the act and opinion referred to in paragraph 2 of this article, the City Assembly shall decide on the proposal of the general act related to the amendments of the City statute, in accordance with the Rules of Procedure of the City Assembly.

#### Article 147

(1) The City Statute and its amendments shall be adopted by the City Assembly by public voting, by a majority of votes of the total number of councillors.

(2) If the City Assembly does not accept the proposal for the statute amendments, the statute or the general act related to the amendments of the City statute cannot be included in the agenda of the City Assembly for at least three months from the day the proposal was refused.

### **X - TRANSITIONAL AND FINAL PROVISIONS**

#### Article 148

The City authorities shall harmonise the general acts with the provisions of this Statute within three months from the day of its coming into force.

#### Article 149

Entry into force of this Statute shall invalidate the Statute of the City of Bijeljina (Official Gazette of the City of Bijeljina, 8/13, 27/13 and 30/16).

Article 150

This Statute shall enter into force on the eighth day from the day of publishing in the Official Gazette of the City of Bijeljina.

ASSEMBLY OF THE CITY OF BIJELJINA

Number: 01-023-1/17  
B i j e l j i n a  
Date: 21 April 2017

P R E S I D E N T  
OF THE ASSEMBLY  
OF THE CITY OF BIJELJINA

Slaviša Marković