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Kumamoto City, which is blessed with clean underground water and embraces historical heritage sites such as Kumamoto Castle and a variety of cultures, is a city where comfortable urban functions and rich nature exist in harmony.

We have a responsibility to develop this city, which has grown through the wisdom and tireless efforts of many people, into a city where everyone can live a rich and secure life with hope and pride, and to pass it on to the next generation. This must be done based on respect of the individuality of each person and equality under the law guaranteed by the Japanese Constitution while protecting the environment—such as rich nature—so that children can continue to love this city as their beloved hometown even after they grow up.

Today, people's values are diversifying as society matures and decentralization is progressing. Under such circumstances, regional autonomy nowadays has to proceed voluntarily and independently through the collaboration of the citizens, the city assembly, the mayor and others, while the citizens are aware of their role as principals of self-governance and proactively participate in the city administration and community developments on the condition of information sharing.

Additionally, the city assembly, the mayor and others have to proceed with the city administration based on the trust of the residents who have the sovereignty, while keeping public welfare in mind.

Therefore, in order to realize the main purpose of regional autonomy and to build up our Kumamoto City with all the citizens, this ordinance has been established as the highest standard of our city's self-governance shared by the citizens, the city assembly, the mayor and others.

## Chapter 1. General Rules

#### (Purpose)

Article 1. In addition to the clarification of the fundamental philosophies of this city's self-governance, the purpose of the Kumamoto City Autonomy Basic Ordinance is to realize a society with rich diversity and full of vitality while progressing self-governance based on the main purpose of regional autonomy stipulated in the Constitution of Japan. This is done by establishing principles for the roles of citizens, the city assembly, the mayor and others, as well as for progression of our self-governance.

#### (Definition)

Article 2. The definitions of the words used in this ordinance are specified herein:

- (1). A "resident" refers to a person who lives within the boundaries of Kumamoto City.
- (2). A "citizen" refers to a person who falls under any of the following:
  - a) Residents
  - b) Persons who commute to work or school within the boundaries of Kumamoto City
  - c) Individuals, corporations, and other organizations that operate businesses or work within the boundaries of Kumamoto City (hereinafter referred to as "business operators, regional organizations, civic activity groups and others".)
- (3). "The mayor and others" refer to the mayor, the Board of Education, the Election Management Committee, the Personnel Committee, the Audit Committee, the Agriculture Committee, the Fixed Assets Evaluation and Review Committee, the public enterprise manager, and the fire chief.
- (4). "Participation" refers to initiatively taking part in the process from planning to implementation, as well as evaluation of measures.
- (5). "Collaboration" refers to working together to achieve the same goal, with everyone assuming roles and responsibilities and standing in an equal position.
- (6). "City administration" refers to the activities carried out by the mayor and others or the city assembly.
- (7). "Self-governance" refers to governing our own region responsibly according to our own will.
- (8). "Community developments" refers to the activities to make not only the area where each person lives or works more attractive and comfortable, but the entirety of Kumamoto City.
- (9). "Community activities" refers to the activities to solve local problems carried out by various organizations and groups connected by regional or common interests.

#### (Fundamental policies of self-governance)

Article 3. The fundamental policies for promoting the expansion of resident autonomy and establishing group autonomy based on the main purpose of regional autonomy are herein:

- (1). Promotion of the citizens' welfare
- (2). City administration based on the trust that appropriately reflects the will of the residents who have the sovereignty
- (3). Respect the human rights of each person
- (4). Promotion of the city administration and community developments through information sharing, trust, and collaboration
- (5). Promotion of the city administration and community developments through voluntary and proactive participation of the citizens

- (6). Realization of a sustainable society that remains in the future
- (7). Promotion of the independent city administration based on an equal relationship between the central and local governments

(Fundamental principles of autonomy operations)

Article 4. The citizens, city assembly, the mayor and others shall conduct the autonomy-based management grounded on the following fundamental principles:

- (1). Principle of information sharing: To share information regarding the city administration and community developments.
- (2). Principle of participation: To carry out the city administration and community developments through participation.
- (3). Principle of collaboration: To carry out the city administration and community developments through collaboration.

## **Chapter 2. Roles of Citizens, City Assembly, Mayor and Others**

(Rights of the citizens)

Article 5. In addition to the rights stipulated in the Constitution and laws of Japan, the citizens have the following rights in order to realize the fundamental philosophies of self-governance. However, the rights that cannot be held by law are excluded.

- (1). The right to request information from the mayor and others and the city assembly
- (2). The right to participate in the city administration and community developments, express opinions, or make proposals

(Duties of the citizens)

Article 6. In addition to the duties stipulated in the Constitution and laws of Japan, the citizens shall fulfill the following responsibilities in order to realize the fundamental philosophies of self-governance.

- (1). Proactively participate in the city administration and community developments, and strive to engage in community developments.
- (2). Take responsibility for one's own words and behavior when participating in the city administration and community developments.

2. The business operators, regional organizations, civic activity groups and others shall strive to harmonize with society and engage in community developments as well as sufficiently consider the impact that their businesses or activities have on social life.

(Roles of the city assembly)

Article 7. The city assembly has the authority stipulated in the Local Autonomy Act (Act No. 67, 1949) and other laws and regulations, and assumes the following roles:

- (1). To monitor the city administration conducted by the mayor and others, and strive to realize fair, neutral, and highly transparent city administration.
- (2). To strive to hear and collect opinions from a wide range of the citizens.
- (3). To strive for easy-to-understand and open assembly operations.

(Duties of the city assembly members)

Article 8. The city assembly members assume the following duties:

- (1). To respond to the trust of the citizens and perform tasks faithfully.
- (2). To strive to carry out activities related to policy proposals and legislation.

(Duties of the mayor)

Article 9. The mayor, as the representative of the city that has received the trust of the residents, shall conduct the city administration comprehensively to promote the welfare of the citizens by exercising the authority stipulated in the Local Autonomy Act and other laws and regulations.

(Roles of the mayor and others)

Article 10. The mayor and others shall assume the following roles:

- (1). To conduct the city administration which is fair, neutral, honest, and highly transparent.
- (2). To increase citizen satisfaction by improving the quality of administrative services while accurately understanding the intentions of the citizens and the actual situation of regions.

(Duties of city employees)

Article 11. In addition to striving to improve the knowledge and ability to complete the tasks, city employees shall fulfill their duties from the citizen's perspective as the servants of the entire city assuming the roles in auxiliary positions to the mayor.

### **Chapter 3. Principles and Systems of City Administration**

(Fundamental principles of the city administration)

Article 12. The mayor and others and the city assembly shall conduct the city administration based on the following fundamental principles:

- (1). To conduct the city administration based on the fundamental philosophies of self-governance and the fundamental principles of autonomy operation.
- (2). In addition to conducting comprehensive and organized city administration under sound finances, achieve maximum effectiveness with minimum expenses when processing administrative duties.
- (3). To fulfill accountability to the citizens.

(Comprehensive and organized city administration)

Article 13. In order to promote comprehensive and organized city administration, the city shall formulate a comprehensive plan that summarizes the fundamental plan and implementation plan for the fundamental scheme and its realization.

2. When formulating a comprehensive plan, the mayor and others shall carry out the procedures for participation of the citizens (hereinafter referred to as "citizen participation") and appropriately reflect the opinions of the citizens.

3. In the progression management of the comprehensive plan, the mayor and others shall carry out administrative evaluations under the citizen participation procedures, reflect the result in the comprehensive plan, as well as widely publicizing the results to the citizens.

4. When the mayor and others formulate or modify a comprehensive plan, they shall inform the citizens of it.

(Efficient and effective city administration)

Article 14. The mayor and others shall constantly engage in administrative and fiscal reform in order to conduct efficient and effective city administration.

2. The mayor and others shall appropriately conduct the management of administrative and fiscal reform progression and publicize them to the citizens.

3. The mayor and others shall prepare easy-to-understand materials about the fiscal situation and publicize them to the citizens.

(Organizational structure)

Article 15. The mayor and others shall maintain an efficient and functional organizational system in order to accurately respond to changes in the socio-economic status and the diversifying issues of the city administration.

(Comprehensive administrative services)

Article 16. The mayor and others shall provide comprehensive administrative services while developing coordination among the organizations in order to respond accurately and flexibly to the requests from the citizens and the diversifying issues of the city administration.

(System of human resources)

Article 17. The mayor and others shall conduct appropriate personnel evaluations and personnel assignments.

2. The mayor and others shall train staff to have the knowledge and ability to accurately respond to the issues of the city administration.

(System of whistle-blowing)

Article 18. The mayor and others shall maintain a system to receive whistle-blowing. (Referring to reports made by the city employees and others regarding issues such as illegal acts in order to ensure the proper operation of the city administration. The definition of “whistle-blowing” is the same hereinafter.)

2. The mayor and others shall take appropriate measures to ensure that the whistleblowers do not suffer any disadvantage due to their actions.

(Deliberation assembly, etc.)

Article 19. In addition to affiliated organizations established based on laws and regulations, the city shall establish a deliberation assembly, etc. as necessary.

2. The mayor and others shall strive to appoint persons with knowledge as members of the deliberation assembly, etc. as well as appointing the necessary human resources from a wide range of citizens through public recruitments.

(Administrative procedures)

Article 20. The mayor and others shall strive to protect the rights and profits of the citizens by carrying out appropriate administrative procedures while ensuring fairness and improving transparency of the city administration.

(Handling of opinions, etc.)

Article 21. The mayor and others shall strive to respond promptly and sincerely to citizens' opinions, proposals, consultations, requests, and complaints regarding the city administration.

2. The mayor and others shall record and publicize the progress, results, etc. of the responses in the preceding paragraph.

(Accountability of explanations)

Article 22. The mayor and others and the city assembly shall explain information regarding the measures to the citizens in an easy-to-understand manner at each stage of planning, implementation, and evaluation of the measures.

(Ombudsman)

Article 23. Pursuant to a separate ordinance, the city shall establish an ombudsman as an organization to handle citizens' complaints regarding the city administration conducted by the mayor and others standing on a fair and neutral position.

Article 24. Deleted

(Ordinance No. 14 of 2019)

## **Chapter 4. Information Sharing, Participation and Collaboration**

(Principles of information sharing)

Article 25. The mayor and others and the city assembly shall understand that information regarding the city administration is shared property with the citizens, and strive to disclose and provide it proactively and promptly to the citizens.

2. The citizens shall strive to proactively provide information regarding the community developments to the mayor and others and the city assembly.

3. The mayor and others shall maintain a system to provide information regarding the city administration and community developments.

(Protection of personal data)

Article 26. In order to protect the fundamental human rights of the citizens and realize a trusted city administration, the mayor and others and the city assembly shall properly manage personal data and take appropriate protective measures in cases such as its use and provision.

(Principles of participation)

Article 27. The citizens, the city assembly, the mayor and others shall engage in the city administration and community developments through participation.

2. The city administration and community developments through participation is carried out under the cooperation of the diverse citizens who make up the regional communities.

(Participation of youth and children)

Article 28. The citizens, the city assembly, the mayor and others shall strive to create an environment in which the rights of youth and children (referred to as citizens under the age of 18) to participate in the city administration and community developments are effective.

(Ordinance No. 14 of 2019, partially revised)

(Principle of collaboration)

Article 29. The citizens, the city assembly, the mayor and others shall share the purposes and information, and collaboratively engage in the city administration and community developments under mutual understanding and trust.

2. The mayor and others have to ensure that the voluntariness and independence of the citizens are not compromised when promoting the collaboration.

(System for citizen participation and collaboration)

Article 30. The mayor and others shall maintain a system to expand and promote citizen participation at each stage of planning, implementation, and evaluation of significant measures.

2. The mayor and others shall select effective citizen participation methods according to each case and publicize and implement them.
3. The mayor and others shall comprehensively consider the opinions expressed and proposals presented through citizen participation, and strive to reflect them appropriately in the measures as well as publicize the results to the citizens.
4. The mayor and others shall maintain a system to expand and promote collaboration.

(Community developments ordinance based on participation and collaboration)

Article 31. The fundamental matters for expanding and promoting participation and collaboration shall be stipulated in a separate ordinance.

## **Chapter 5. Community Activities**

(Regional community activities)

Article 32. The citizens shall solve regional issues close to them such as disaster prevention, welfare and the environment, etc. through mutual collaboration, and strive to promote voluntary and independent regional community activities which support society diversely (referred to as “regional community activities” hereinafter).

2. When carrying out the regional community activities, the citizens shall be aware of their own roles to make the region a pleasant place to live with consideration and interaction, and proceed with the activities with sufficient respect for each other in the context of diverse cultural backgrounds.
3. The mayor and others shall support the promotion of the regional community activities by the citizens.

(Civic public interest activities)

Article 33. In addition to the activities stipulated in the preceding article, the citizens shall deepen their understanding for the citizen activities that are carried out voluntarily under the purpose of public interest and social contribution (hereinafter referred to as "civic public interest activities") as well as strive to protect and improve those activities.

2. The mayor and others shall support the promotion of civic public interest activities.

(Coordination of regional community activities and civic public interest activities)



Article 34. The citizens engaged in regional community activities and civic public interest activities shall strive to coordinate with each other while taking advantage of the characteristics of each activity.

2. The mayor and others shall provide support to ensure the coordination described in the preceding paragraph is carried out smoothly.

(Ordinance No. 77 of 2014, added)

## **Chapter 6. Community Developments in Wards**

(Ordinance No. 77 of 2014, added)

(Community developments in the wards)

Article 35. In the city, voluntary and independent community developments in the wards based on the characteristics of each region shall be promoted while taking advantage of the centrality of each ward office.

2. The community developments shall be carried out by the residents of the ward initiatively through collaboration with the ward mayor and city employees involved in community developments.

3. In the case of the preceding paragraph, the residents of the ward, the ward mayor, and city employees involved in the community developments shall engage in the developments taking the following matters into account:

- (1). To collect regional information and share it inside and outside the ward.
- (2). To understand accurately regional issues.
- (3). To strive to build consensus among those involved for solution of regional issues.
- (4). To coordinate with various regional entities.

(Ordinance No. 77 of 2014, added)

(Maintenance of organizational structure, etc.)

Article 36. The mayor and others shall strive to both maintain the necessary organizational and personnel systems and secure the budget in order to promote community development in the ward.

(Ordinance No. 77 of 2014, added)

## **Chapter 7. Crisis Management**

(Ordinance No. 14 of 2019, added)

Article 36-2. Each citizen shall prepare for the occurrence of crises, such as disasters, on a regular basis and strive to help each other in the event of a crisis as well as stockpile emergency supplies, etc. and maintain cooperative relationships with neighbors.

2. Under coordination, cooperation and mutual support with the citizens and organizations concerned, the mayor and others shall strive to establish and maintain a crisis management system to secure the safety of citizens' lives, bodies, and properties from disasters, etc. as well as work quickly and accurately in the case of a crisis.

3. The citizens, the city assembly, the mayor and others shall engage in restoration and reconstruction from disasters, etc. through collaboration.

(Ordinance No. 14 of 2019, added)

## **Chapter 8. Referendum**

(Ordinance No. 77 of 2014, formerly Chapter 6 moved down / Ordinance No.14 of 2019, formerly Chapter 7 moved down)

(Referendum)

Article 37. In order to ascertain the will of the residents regarding significant matters related to the city administration, the mayor may conduct a referendum under the ordinance established for each matter.

2. The mayor shall respect the results of the referendum.

(Ordinance No. 77 of 2014, formerly Chapter 34 moved down)

(Request and proposal for referendum)

Article 38. Pursuant to the laws and regulations, persons who have the right to vote in this city may request the mayor to enact an ordinance stipulating a referendum from their representatives with the countersignatures of one-fiftieth or more of the total number of those persons.

2. Pursuant to the laws and regulations, the city assembly members may make a proposal for a referendum by submitting an ordinance stipulating a referendum to the city assembly with the approval of one-twelfth or more of the fixed number of assembly members.

3. The mayor may make a proposal for a referendum as necessary by submitting an ordinance stipulating the referendum to the city assembly.

(Ordinance No. 77 of 2014, formerly Chapter 35 moved down)

## **9. Coordination With the National Government and Other Local Governments**

(Ordinance No. 77 of 2014, formerly Chapter 7 moved down / Ordinance No.14 of 2019, formerly Chapter 8 moved down)

Article 39. In order to resolve common issues with the national and local governments, the city shall strive to cooperate and coordinate with them on equal terms.

2. In order to resolve wide-area issues, the city shall strive for the development of the entire region, coordinating with neighboring local governments.

3. The city shall strive to coordinate with other cities, etc. in Japan and abroad in order to solve common issues such as preserving the global environment.

(Ordinance No. 77 of 2014, formerly Chapter 36 moved down)

## **10. Autonomy Promotion Committee, Highest Normativity and Review of Ordinances**

(Ordinance No. 77 of 2014, formerly Chapter 8 moved down / Ordinance No. 14 of 2019, formerly Chapter 9 moved down)

(Autonomy Promotion Committee)

Article 40. In order to promote the city's self-governance and contribute to the realization of a society filled with individuality and vitality, the Kumamoto City Autonomy Promotion Committee (hereinafter referred to as "the committee") has been established as an affiliated organization of the mayor.

2. Under the mayor's inquiry, the committee shall deliberate about significant matters related to the fundamental principles of autonomy management and other matters.

3. In addition to the matters stipulated in the preceding paragraph, the committee shall be able to state its opinions about other significant matters related to the fundamental principles of autonomy management to the mayor.

4. The committee is composed of both those who have insight into self-governance and the citizens.

5. In addition to what is stipulated in each of the preceding paragraphs, necessary matters regarding organization and operation of the committee shall be stipulated in the rules.

(Ordinance No. 77 of 2014, formerly Chapter 37 moved down)

(Highest normativity)

Article 41. When enacting, reforming, abolishing, interpreting, and operating other ordinances, the matters stipulated in this ordinance shall be respected to the fullest extent and their consistency shall be considered. This is the same for enactment, reformation and operation of all types of plans.

2. The citizens, the city assembly, the mayor and others shall respect this ordinance and strive to promote the self-governance of the city.

(Ordinance No. 77 of 2014, formerly Chapter 38 moved down)

(Reforming of ordinances)

Article 42. The mayor shall reform this ordinance once every four years or less after the enforcement of the ordinance and take appropriate measures.

2. The mayor shall implement procedures for the citizen participation when reforming the ordinance.

(Ordinance No. 77 of 2014, formerly Chapter 39 moved down)

### **Supplementary Provisions**

This ordinance shall come into effect from April 1, 2010.

Supplementary provisions (Ordinance No. 77 of December 26, 2014)

This ordinance shall come into effect from April 1, 2015.

Supplementary provisions (Ordinance No. 14 of March 8, 2019)

This ordinance shall come into effect from April 1, 2019.

Supplementary provisions

This ordinance shall come into effect from October 1, 2023.