

Sec. 3. - Legislative powers.

The legislative powers of the city, except as reserved to the people by this charter, shall be vested in a council, consisting of ~~seven~~ nine members, elected from districts at-large by the electors of the city.

(Ord. No. 1749-2014, 7-21-2014)

Sec. 4. - Council members.

Each member of council shall be elected from one of nine districts by the electors of the city. All council members shall serve for a term of four years; except that at the first election the four candidates having the highest number of votes shall serve for four years, and the three candidates having the next highest number of votes shall serve for two years. To ensure a strong voice for electors in each district, and in addition to any other provision of this charter, a signature on a council nominating petition shall only be valid if the signer resides in the district the petitioning candidate seeks to represent on council.

(Amended 11-3-98; Ord. No. 1749-2014, 7-21-2014)

Sec. 4-1. – Transition.

This section provides for a transition from the seven-member council elected at-large to the nine-member council provided by this charter, and maintains the current practice of staggered terms for members of council. Notwithstanding Sec. 3 of this charter, council shall be composed of seven members until December 21, 2021. Notwithstanding Sec. 4 of this charter, the terms of all council members elected or appointed prior to the 2021 general election shall end on December 31, 2021. At the primary election in 2021, candidates for council shall be nominated from nine districts by the electors of the city, and at the general election in 2021, nine council members shall be elected from nine districts by the electors of the city. At the first meeting of council in 2022, the city clerk shall divide the council districts into two classes by drawing lots. Lot A shall consist of five districts and the members from those districts shall serve an initial two year term. Lot B shall consist of four districts and the members from those districts shall serve a four year term, and candidates for those districts shall stand for election to a four year term at the general election in 2023, marking the end of the transition period.

Sec. 5. - Vacancies.

If a city council member dies, resigns, is removed from office, ceases to hold any qualification for office, or the office is otherwise vacated during the term of office, ~~the~~ a successor, having the qualifications of a council member for the vacant seat, shall be appointed by council to serve until the first day of January following the next regular municipal election. If such election be the time for the regular election of the council member, a council member shall then be elected to serve for a term of four years; otherwise, for the unexpired term. ~~Vacancies in the council shall be filled by the council; provided, however, that, if the vacancies in the council are not filled by the council within thirty (30) forty-five days from the date following the occurrence of such vacancy, the mayor shall have in all future balloting a vote on the question of filling such vacancies.~~ Council shall adopt, in the administrative code, procedures to govern

the filling of vacancies and such procedures shall require the council to hold at least one (1) public hearing prior to any appointment.

(Amended 11-2-93; 11-3-98; Ord. No. 1749-2014, 7-21-2014)

Sec. 6. - Qualifications of council members.

Members of council shall be electors of the city, shall have resided within the corporate limits of the city of Columbus and the district the member represents for not less than one consecutive year preceding the date of the regular primary election for such office, and shall, at all times during the term of office, maintain residence in the city of Columbus and the district the member represents as the boundaries of the district were drawn at the time of the council member's appointment or election. Council members shall not hold any other public office except that of notary public, or member of the state militia or any reserve unit of the Armed Forces of the United States of America. Any member who shall cease to possess any of the qualifications herein required shall forthwith forfeit the office and the vacancy shall be filled as provided for herein.

(Amended 11-5-85; 11-3-98; Ord. No. 1749-2014, 7-21-2014)

Sec. 7. – Districting for Council.

A districting commission shall be appointed by March 1st in the year 2019. A districting commission shall then be appointed by March 1st in the year 2031 and each tenth year thereafter. The purpose of the districting commission is to conduct an open and transparent process enabling public consideration of and comment on the drawing of council district lines, culminating in the recommendation of three districting plans to council.

Sec. 7-1. – Membership of the Districting Commission.

The commission shall be formed as follows: by a two-thirds vote the council shall appoint four members, and the fifth member, who shall serve as chair of the commission, shall be jointly appointed by the mayor and president of council. All members must be qualified electors of the city. Members should reflect, to the extent practicable, the diversity of the city. No person may serve on the commission if the person is an elected official (except precinct committee members), a registered lobbyist, a candidate for elective office, or a city employee. The appointing authority may remove a member of the commission for neglect of duty, gross misconduct, failure to meet the qualification herein, or inability to discharge the duties of the commission, and such decision shall be final. All vacancies shall be filled in the same manner prescribed for the original appointment.

The commission shall be considered a public body. The records of the commission shall be a permanent public record. A majority of the members shall constitute a quorum to do business. Members of the commission shall serve without compensation. The council shall appropriate sufficient funds to meet the reasonable operational needs of the commission.

Sec. 7-2. – Districting criteria.

The districting commission shall create and submit three districting plans which lay out the boundaries of the nine council districts for the city of Columbus, using the following criteria:

1. Districts shall comply with the United States and Ohio constitutions, and with all applicable local, state and federal laws, including, but not limited to, the federal Voting Rights Act and any successor thereto.
2. Each district shall have reasonably equal population with other districts based on data from the most recent federal census, except where deviation is required to comply with the federal Voting Rights Act and any successor thereto or is otherwise allowable by law; but in no instance may the population of the largest district exceed that of the smallest district by more than one percent.
3. Districts shall be geographically contiguous, with boundaries of each district comprised of a single nonintersecting continuous line.
4. To the extent practicable, district boundaries shall be drawn to encourage geographic compactness such that nearby areas of population are not bypassed for more distant populations.
5. To the extent practicable, district boundaries shall be drawn to maintain the geographic integrity of a neighborhood or community of interest.
6. To the extent practicable, district boundaries shall be drawn using the boundaries of existing election precincts, council districts, and geographically identifiable boundaries, such as roads and waterways.
7. Districts shall not be drawn for the overt purpose of favoring or disfavoring any political group.

Sec. 7-3. – Adoption of a Districting Plan.

The commission shall develop no less than three districting plans that comply with the requirements of the charter. In developing these plans, the first districting commission shall conduct public meetings in nine areas of the city before submitting plans to council; and subsequent commissions shall hold one public meeting in each of the nine council districts. Audiovisual records of the meetings shall be made available using a medium readily accessible by the general public.

The commission shall provide a means whereby any resident of the city of Columbus may submit a proposed districting plan for review by the commission. The commission shall establish and publicize a period of no less than 30 consecutive days for residents to submit such plans.

The commission shall make at least three plans available for public inspection and comment no less than 30 consecutive days prior to approval and submission of such plans to the council.

No later than nine months after appointment, the commission shall vote to approve and submit three districting plans to the council, including with each plan a statement explaining how the plan complies with the districting requirements herein. Council shall not modify any districting plan or portion thereof, except to ensure compliance with the requirements of this charter. No later than December 31st of the year of submission, council shall pass an ordinance, which shall be an emergency measure, adopting one of the districting plans. The districting plan so adopted shall be effective at the next succeeding primary and general municipal elections and shall remain in effect until a new districting plan has been approved as provided for herein.

Upon council adoption of a districting plan, the districting commission shall be automatically dissolved.

If territory is annexed into the city after the adoption of the districting plan, council shall by ordinance, which shall be an emergency measure, amend the districting plan to attach the territory to the contiguous council district sharing the largest boundary with the territory. If territory is detached from

the city after adoption of the districting plan, council shall by ordinance, which shall be an emergency measure, amend the districting plan to detach the territory from the council district within which it previously resided.

If a districting plan is invalidated by a court of competent jurisdiction, the provisions of this charter shall be followed forthwith to develop a new districting plan.

Sec. 17. - Legislative procedure.

~~Four~~ Five members shall constitute a quorum to do business, but a lesser number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

(Ord. No. 1749-2014, 7-21-2014)

Sec. 18. - ~~{Action on ordinances or resolutions.}~~

The action of council shall be by ordinance or resolution and the affirmative vote of at least ~~four~~ five members of council shall be necessary to adopt any ordinance or resolution. The vote upon the passage of all ordinances, and upon the adoption of such resolution as the council by its rules shall prescribe, shall be taken by "yea" and "nays" and entered upon the journal. Every ordinance and resolution of the council, so adopted, shall be maintained as a permanent electronic record that is made available to the public pursuant to the general laws of the state governing public records.

(Ord. No. 1749-2014, 7-21-2014)

Sec. 20. - ~~{Reading procedure.}~~

No ordinance, unless it be an emergency measure, shall be passed until it has been read at two regular meetings, not less than one week apart, or the requirement of such reading has been dispensed with by an affirmative vote of at least ~~five~~ six members of council.

Sec. 22. - Emergency measures.

All ordinances and resolutions shall be in effect from and after thirty days from the date of their passage by the council except as otherwise provided in this charter. The council may, by a vote of ~~six~~ seven of its members, pass emergency measures to take effect at the time indicated therein. An emergency measure is an ordinance or resolution for the immediate preservation of the public peace, property, health or safety, or providing for an emergency in the usual daily operation of a municipal department, in which the emergency is set forth and defined in a preamble thereto.

Sec. 41-5. - Election of ~~council members and other~~ municipal officers.

~~The candidates for nomination to the office of city council member who shall receive the greatest vote in such primary shall be placed on the ballot at the next regular municipal election in number not to exceed twice the number of vacancies in the city council to be filled, and the~~ Every elector of the city may vote for any municipal office appearing on a primary, general, or special election ballot. The two candidates for nomination to any municipal office, including a councilmember elected by district, for

~~each of the other offices to be filled~~ who shall receive the greatest number of votes in a primary election shall ~~also~~ be placed on the ballot at such a regular municipal election, and the candidates at the regular municipal election, ~~equal in number to the places to be filled~~, who shall receive the highest number of votes for their respective offices at such regular municipal election, shall be declared elected. A tie ~~between two or more candidates for the office of city council member, or between candidates for any other office~~, shall be decided by lot under the direction of the election authorities, as provided by the general election laws of the state.

Sec. 41-3. - Nomination of council members and other officers.

(a) Candidates for the office of city council member and for mayor, city attorney, and auditor, shall be nominated by a nonpartisan primary election. The name of any elector of the city shall be printed upon the primary ballot if there is filed with the election authorities a valid nominating petition in accordance with the following provisions:

(1) The requirements for such petition form and circulation, and for the validation of such petition and the parts thereof and signatures thereon, shall be as provided for nonpartisan nominations in general laws of the state, unless otherwise provided for by this charter or ordinance of council.

(2) Such petition shall be signed by not less than one thousand registered electors of the city and such signatures shall be affixed thereon no more than one year prior to the date of filing; except that, to ensure a strong voice for electors in each council district, such petition for a council candidate from a district shall be signed by not less than two hundred and fifty registered electors of the district.

(3) Such petitions shall be filed with the election authorities no later than four p.m., not less than ninety days previous to the day of such primary election.

(4) Such petitions shall contain the names and addresses of five registered electors of the city of Columbus designated in advance by the candidate or candidates as a nominating committee.

(b) Notwithstanding the provisions of paragraph (a) of this section, if no petition in accordance with the provisions of this section is filed for any of the offices to be voted on at the next regular municipal election, or if the number of persons filing such petitions does not exceed, as to any such office, the number of candidates which would be placed upon the ballot at the next regular municipal election, then no primary election should be held for the purpose of nominating candidates for such office to be voted upon at such next regular municipal election. The election officials whose duty it would have been to provide for and conduct the holding of such primary election, shall declare the results thereof and issue certificates of nomination to the persons entitled thereto if such primary election had been held, shall declare each of such persons filing petitions in accordance with the provisions of this section to be nominated and shall place their names on the ballot at the next regular municipal election in the same manner as though such primary election had been held and such persons had been nominated at such elections.