

Proposed Ordinance Titled “To Establish a Community Bill of Rights for Water, Soil, and Air Protection and to Prohibit Gas and Oil Extraction and Related Activities and Projects”

OFFICIAL BALLOT SUMMARY

- Calls for changes to the Ohio and United States Constitution to recognize a right of local community self-government.
- Invalidates state and federal government permits and laws inconsistent with the ordinance.
- Allows any resident to bring a private right of action to enforce the rights and prohibitions in the ordinance.
- Allows for the recovery of costs and attorneys’ fees for any action brought by a private citizen or the city under the ordinance.
- States residents of Columbus possess the right to government based on the people’s self-governing authority and use of the phrase “City of Columbus” in enforcing the ordinance does not change that self-governing authority.
- Contains a definitional section that defines some terms contained within the initiated ordinance.
- Endows natural communities, including wetlands, streams, and rivers, with the right to exist and flourish within the City of Columbus.
- Makes any violation of the enumerated rights a misdemeanor of the first degree punishable by up to six months in jail and a maximum fine of \$1,000.
- Proclaims that the rights within the ordinance are additional to other rights retained by the people and the rights in the ordinance are fundamental, unalienable, and enforceable against both private and public entities.
- Declares the following civil rights of Columbus citizens:
 - local community self-government;
 - potable water;
 - clean air;
 - safe soil;
 - peaceful enjoyment of home;
 - freedom from toxic trespass;
 - a sustainable energy future.
- States that legitimate governments owe their existence to the people of the community that the government serves and that government exists to secure and protect the rights of the people and communities.

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- Declares that the people of Columbus possess the right to use their local government to make law and the making of law by the people through their local government does not eliminate their right of local community self-government.
- Prohibits the extraction of hydrocarbons within the City of Columbus and prohibits the use of existing wells as injection wells.
- Includes the following in the extraction of hydrocarbons prohibition:
 - Fracturing and drilling that seeks to extract hydrocarbons and all activities associated with such fracturing and drilling;
 - Use of infrastructure or transportation supporting the extraction of hydrocarbons;
 - Extraction of water for use in extraction of oil and gas;
 - Deposit, disposal, storage, processing, beneficial use or pipeline transport of liquid or solid waste resulting from the extraction of oil and gas;
 - Application for, or issuance or, a permit to engage in the prohibited activities.
- Imposes liability on neighboring municipalities, counties, or the state, for violations of the enumerated rights in the ordinance.
- Declares that any corporation that violates the ordinance shall not be deemed to be a “person” or possess any other legal rights, privileges, powers, or protections including the right to assert state or federal preemption in challenging the ordinance.
- Precludes future amendment or repeal of the ordinance except by a vote of the people.
- Requires the city to convene monthly public community meetings regarding community self-government if litigation to invalidate the ordinance is filed.