



Legislation Details (With Text)

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Title: To amend the heading of Section 46-2 of the Columbus City Charter by making a technical change to correct a heading error, in accordance with Section 237 of the Charter.

Sponsors: Zach M. Klein

Indexes:

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Attachments: 1. 1747-2014 City Administration charter amendment

Date	Ver.	Action By	Action	Result
12/15/2016	1	CITY CLERK	Attest	
12/14/2016	1	MAYOR	Signed	
12/12/2016	1	COUNCIL PRESIDENT	Signed	
12/12/2016	1	Columbus City Council	Approved	Pass
12/5/2016	1	Columbus City Council	Read for the First Time	

BACKGROUND

The purpose of this ordinance is to amend the heading of Section 46-2 of the Columbus City Charter to correct an error in the title heading of the section, which currently does not reflect the content of the section. This is a technical change that does not affect the intent or purpose of the section itself. The current heading inaccurately refers to petitions for proposed charter amendments rather than petitions for recall, which is the subject of the section. This correction to the heading needs to be made in order to avoid confusion as to the proper subject addressed by Section 46-2.

In November 2014, Columbus voters overwhelmingly approved amendments to the Columbus City Charter, including the addition of new Section 237, which states that Columbus City Council is granted the authority to, through ordinance adopted by unanimous vote of the entire council, incorporate technical changes to this Charter. It provides that these changes shall not be passed as emergency measures.

It also states that these technical changes shall not affect the intent or purpose of any part of the Charter and shall be strictly limited to a narrow set of circumstances. In consultation with the Columbus City Attorney's office, it has been determined that this change will correct the problem with clarity and uniformity in the section's title heading in reference to the section's content, and falls within the scope of Council's authority, under Section 237, to effectuate this change to the Charter.

To amend the heading of Section 46-2 of the Columbus City Charter by making a technical change to correct a heading error, in accordance with Section 237 of the Charter.

WHEREAS, Section 237 of the Charter of the City of Columbus provides that Columbus City Council is granted the authority to, through ordinance adopted by unanimous vote of the entire council, incorporate technical changes to this

Charter; and

WHEREAS, in November 2014, Columbus voters overwhelmingly approved amendments to the Columbus City Charter, including the introduction of Section 237 which allows Council to take legislative action to make technical changes to the Charter without the necessity of a vote by City residents; and

WHEREAS, this Council has determined that it is necessary to correct an error in the title heading of Section 46-2 of the Charter, in order to reflect the content of the section; and

WHEREAS, this correction to the heading of Section 46-2 of the Charter will not affect the intent or purpose of the section itself; and

WHEREAS, this ordinance furthers Council's efforts to support and uphold the Charter; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the heading of Section 46-2 of the Columbus City Charter is hereby amended to read as follows:

Sec. 46-2. - City clerk action on petition for ~~proposed charter amendment~~ recall.

Upon receipt of the report regarding the validation of signatures, the city clerk shall forthwith determine the sufficiency of the petition. If the clerk finds the petition sufficient, the city clerk shall forthwith serve notice of that fact upon the elective officer designated in the petition. If the official designated in the petition files a written resignation with the city clerk within five days after such notice, the office shall be forfeited. Such resignation shall be irrevocable, and the vacancy shall be filled in the manner of filling vacancies provided in this charter. If the elective officer whose removal is sought does not resign within five days after such notice, the city clerk shall thereupon forthwith order and provide for an election to determine the question of the removal of the elective officer. The city clerk shall solicit from such official a general statement in not more than two hundred words of the grounds upon which the person should retain office.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.