



## Legislation Details (With Text)

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**File #:** 1585-2012      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/6/2012      **In control:** Rules & Reference Committee

**On agenda:** 7/9/2012      **Final action:** 7/11/2012

**Title:** To determine the insufficiency of a petition to amend the Charter of the City of Columbus; and to declare an emergency.

**Sponsors:** Andrew Ginther

**Indexes:**

**Code sections:** Sec. 234 - Charter of the City of Columbus, Amendments

**Attachments:**

Date	Ver.	Action By	Action	Result
7/11/2012	1	CITY CLERK	Attest	
7/10/2012	1	MAYOR	Signed	
7/9/2012	1	COUNCIL PRESIDENT	Signed	
7/9/2012	1	Columbus City Council	Approved	Pass

On June 25, 2012, petitioners Jonathon C. Beard, James D. Moore, Michael D. Aaron, Willis E. Brown and Robert J. Fitrakis ("petitioners") filed with the City Clerk a petition to amend the Charter of the City of Columbus. Petitioners filed 1,214 part-petitions purporting to contain 29,527 signatures of Columbus electors.

The people have established in the Ohio Constitution and the Charter of the City of Columbus a requirement that petitioners file valid signatures of no less than 10% of the electors in the last preceding municipal election to submit such a petition to the electors of the City. Since 191,639 Columbus residents voted in the last general municipal election on November 8, 2011, petitioners must present 19,164 valid signatures.

The City Clerk has certified to the Council of the City of Columbus that the petition contains 8,471 valid signatures, as determined by the Franklin County Board of Elections. Over 70% of the signatures submitted by petitioners have been deemed invalid. Thus, petitioners have submitted valid signatures from 4% of Columbus electors.

The petitioners fail to meet the mandatory minimum standards established by the people in the Ohio Constitution and the Charter of the City of Columbus and, as such, their proposed charter amendment shall not be submitted to the electors of the City of Columbus.

To determine the insufficiency of a petition to amend the Charter of the City of Columbus; and to declare an emergency.

**WHEREAS**, The Ohio Constitution, Article 18, Section 9, and the Charter of the City of Columbus, Section 234, vest with the people the right to amend the City Charter via a citizen-initiated charter amendment petition; and

**WHEREAS**, Petitioners are vested with the responsibility to meet all applicable requirements of the Ohio Constitution, the Charter of the City of Columbus, and the Ohio Revised Code in seeking to amend the Charter; and

**WHEREAS**, The Columbus City Council is required to place a charter amendment on the ballot if the Council finds that a citizen-initiated charter amendment petition contains sufficient valid signatures and if the Council is satisfied of the legal sufficiency of the part-petitions as to form; and

**WHEREAS**, The Ohio Constitution and the Charter of the City of Columbus require valid signatures of at least 10% of the electors from the last preceding municipal election to submit a citizen-initiated charter amendment to the electors of the City; and

**WHEREAS**, The Franklin County Board of Elections reports that 191,639 residents voted in the most recent Columbus general municipal election, held on November 8, 2011; and

**WHEREAS**, This Council finds that, based on the foregoing, 19,164 valid signatures from Columbus electors must accompany a citizen-initiated petition to submit a charter amendment to the electors of the City of Columbus; and

**WHEREAS**, On June 25, 2012, five electors filed with the City Clerk a petition consisting of 1,214 part-petitions and purporting to contain 29,527 signatures of Columbus voters; and

**WHEREAS**, After a thorough, timely review of the part-petitions, the City Clerk certified to this Council that the aforementioned petition contains 8,471 valid signatures as determined by the Franklin County Board of Elections; and

**WHEREAS**, The number of valid signatures submitted by the petitioners fails to meet the requirements established by the people in the Ohio Constitution and the Charter of the City of Columbus and the petition is therefore insufficient; and

**WHEREAS**, An emergency exists in the usual daily operation of the City Clerk in that determination of the sufficiency of the petition is required forthwith; **NOW, THEREFORE**

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

**SECTION 1.** That the petition proposing a charter amendment filed with the City Clerk on June 25, 2012 by petitioners Jonathon C. Beard, James D. Moore, Michael D. Aaron, Willis E. Brown and Robert J. Fitrakis fails to meet the mandatory minimum requirements established by the people in the Ohio Constitution and the Charter of the City of Columbus and, as a result, the proposed amendment shall not be submitted to the electors of the City of Columbus.

**SECTION 2.** That the City Clerk be and hereby is authorized and directed to mail a copy of this ordinance to the aforementioned petitioners at the addresses listed in the petition filed with the City Clerk on June 25, 2012.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after passage if the Mayor neither approves nor vetoes the same.