



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #: 0464-2005, Version: 1**

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This Ordinance provides for the immediate certification to the Franklin County Board of Elections for placement on the ballot at the next ensuing election of Ordinance No. 0344-2005, which enacts an ordinance proposed by initiative petition entitled "Ordinance amending Columbus City Code chapter 715.03 to exempt certain businesses which serve intoxicating beverages from the City of Columbus Smokefree Indoor Air Act of 2004." This action is necessary in order for the proposed ordinance to be considered by the electors as required under Columbus City Charter Section 44.

To order and provide for the submission to the electors at the next ensuing election of Ordinance No. 0344-2005, which enacts an ordinance proposed by initiative petition entitled "Ordinance amending Columbus City Code chapter 715.03 to exempt certain businesses which serve intoxicating beverages from the City of Columbus Smokefree Indoor Air Act of 2004," and to declare an emergency.

WHEREAS, on February 2, 2005 an ordinance was submitted to the Columbus City Council by a petition signed by registered electors of the City of Columbus entitled "Ordinance amending Columbus City Code chapter 715.03 to exempt certain businesses which serve intoxicating beverages from the City of Columbus Smokefree Indoor Air Act of 2004"; and

WHEREAS, on February 14, 2005 the City Clerk certified said petition and submitted the proposed ordinance numbered 0344-2005 to Council at its February 14, 2005 regular meeting where it was first read and assigned to the Rules and Reference Committee; and

WHEREAS, on February 28, 2005 this Council duly defeated Ordinance No. 0344-2005 entitled "To enact the ordinance proposed by Initiative Petition entitled 'Ordinance amending Columbus City Code chapter 715.03 to exempt certain businesses which serve intoxicating beverages from the City of Columbus Smokefree Indoor Air Act of 2004'"; and

WHEREAS, pursuant to Columbus City Charter Section 44, Council is required forthwith to order and provide for the submission of such proposed ordinance that has been rejected to a vote of the electors of the City at the next ensuing election to be held not less than sixty (60) nor more than one hundred twenty (120) days thereafter; or if no such election will be held, at the next ensuing election; and

WHEREAS, an emergency exists in the usual and daily operation of the City in that it is necessary to certify this question to the Board of Elections immediately to ensure its submission to the electors at the next ensuing election and for the immediate preservation of the public peace, health, safety and welfare; now therefore

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

**Section 1.** That Ordinance No. 0344-2005, defeated February 28, 2005 by the City Council and entitled "To enact the ordinance proposed by Initiative Petition entitled 'Ordinance amending Columbus City Code chapter 715.03 to exempt certain businesses which serve intoxicating beverages from the City of Columbus Smokefree Indoor Air Act of 2004'" be and the same is hereby submitted to the electors of the City of Columbus, Ohio pursuant to Section 44 of the City Charter for their approval or rejection at the next ensuing election.

**Section 2.** That the Clerk of this Council shall forthwith serve a certified copy of this Ordinance on the Franklin County, Ohio Board of Elections.

**Section 3.** That the Franklin County Board of Elections is hereby requested to provide a separate ballot in accordance with Section 46 of the Charter of the City of Columbus, Ohio to be submitted to said electors, stating the title of the Ordinance, and below

it the two propositions, “For the Ordinance” and “Against the Ordinance.”

**Section 4.** That the Franklin County Board of Elections is hereby authorized and requested to submit to the electors of the City of Columbus, Ohio the proposed ordinance and the question hereinabove set forth at the next ensuing election conducted in accordance with and as provided by law.

**Section 5.** That for the reasons set forth in the preamble hereto, which is hereby incorporated herein by reference, this measure is hereby deemed to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and the same shall take effect and be in force from and immediately after its passage and signature by the Mayor or within ten (10) days thereafter in the Mayor neither signs nor vetoes the same.