

RECORD OF ORDINANCES

Corrected 4/14/21

Ordinance No. 04-16-2021

Passed 04-20-, 2021

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF CIRCLEVILLE THE QUESTION "SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?" AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Ohio Constitution empowers electors of local municipalities to establish home rule through the adoption of a charter form of government; and

**WHEREAS**, pursuant to Article XVIII, Section 8 of the Ohio Constitution, the electors of the City of Circleville have the authority to adopt a charter rather than be governed by the statutes of the State of Ohio; and

**WHEREAS**, as the first step in the charter process, the City of Circleville desires to submit to the electors of Circleville the following question: "Shall a commission be chosen to frame a charter?"; and

**WHEREAS**, Article XVIII, Section 8 of the Ohio Constitution requires that the question "be submitted to the electors at the next regular municipal election if one shall occur not less than sixty (60) nor more than one hundred and twenty (120) days after its passage; otherwise, it shall provide for the submission of the question at a special election to be called and held within the time aforesaid"; and

**WHEREAS**, two-thirds (2/3) of all members concurring, City Council hereby finds and determines that the best interests of the community and the citizens thereof would be best served if the question establishing a Charter Commission was submitted to the electorate; and

**WHEREAS**, Council desires this issue to be addressed by the electors of the City at the next regular municipal election, so that this ordinance is being re-submitted to be passed within the 120-day period prior to such election

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, COUNTY OF PICKAWAY, OHIO AS FOLLOWS:**

**SECTION I.** The question "Shall a commission be chosen to frame a charter?" shall be submitted to a vote of the qualified electors of the City of Circleville, Ohio, at a special municipal election to be held on August 3, 2021, at the regular places and hours of voting in said City of Circleville ("Circleville") as established by the Board of Elections of Pickaway County, Ohio. The question shall be submitted in the following form:

"Shall a commission be chosen to frame a charter?"

To the left of such wording shall appear, in boxes with appropriate places of marking, the words "Yes" and "No," and each voter shall indicate his or her vote by placing an appropriate mark in one of the places so provided or otherwise clearly shown on the voting machine as the Pickaway County Board of Elections may determine.

**SECTION II.** The ballot under which the question provided for in Section I shall be submitted shall bear no party designation. It shall have printed or written, thereon, the name of all electors who shall have been nominated as provided in Section 3, and such directions as will aid the elector, as "Vote for not more than fifteen" and the like, and certification of the election officers shall follow as prescribed by law.

If a majority of the electors voting on the question "Shall a Commission be chosen to frame a charter?" shall vote in the affirmative, the fifteen (15) electors receiving the largest number of votes for members of the commission shall constitute a Commission to frame a charter.

**SECTION III.** All nominations for members of the Commission shall be made by nomination papers signed by not fewer than twenty-five (25) of the persons eligible to vote at regular municipal elections, and the nomination papers shall be filed with the Board of Elections at least sixty (60) days before the election. In all other respects, the nominating papers shall be signed, filed and certified in the same



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manner as is provided by law for the signing, filing and certification of the nomination papers of candidates for municipal offices.

**SECTION IV.** The whole number of ballots to be printed for the election of persons to act as members of the Charter Commission shall be in accordance with all of the statutory requirements as set forth in Chapter 3505 of the Ohio Revised Code.

**SECTION V.** The ballots shall be printed so as to give each elector a clear opportunity to designate his choice of candidates. Provisions shall be made on the ballot to allow the voter to write in the name or names of any person or persons not printed on the ballot for whom he desires to vote, provided write-in candidates comply with any applicable law or valid Board of Elections rule or regulation.

**SECTION VI.** The Mayor is hereby directed to give public notice of the time and place of holding the election, by publication at least ten (10) days prior to the date of the election in a newspaper of general circulation in the City of Circleville.

**SECTION VII.** The Clerk of Council is hereby directed to certify a copy of this Ordinance within seven (7) days passage to the Board of Elections of Pickaway County.

**SECTION VIII.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, a vote of two-thirds (2/3) or more of voting members concerning ; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

**SECTION IX.** That this ordinance is hereby declared to be an emergency measure, necessary for the presentation of health, safety and welfare of the citizens of the City of Circleville, such emergency arising out of the immediate need for passage to provide sufficient time for potential members of the commission for to submit to provide sufficient time for potential members of the commission to submit nomination papers to the Board of Elections within the sixty (60) day period prior to the next regular municipal election as required by law, so that this Ordinance shall take effect and be in force immediately from and after its passage approval by the Mayor.

PASSED: 4-20-2021

Daniel M. Crawford  
PRESIDENT OF COUNCIL

ATTEST: Linda M. Orsney  
CLERK OF COUNCIL

APPROVED: 4/20/2021  
DATE

Deborah R. McHugh  
MAYOR

APPROVED AS TO FORM:

Gary D. Kenworthy  
GARY D. KENWORTHY, LAW DIRECTOR

REVIEWED BY LAW DIRECTOR  
AND APPROVED AS TO FORM