

ORDINANCE NO. 32-2015

To Provide for the Submission of an Amendment to the Charter of the City of Worthington, Ohio, for a Vote of the City Electorate at a Regular Municipal Election to be Held on November 3, 2015.

WHEREAS, on June 19, 2015 a petition committee comprised of five persons filed a certified copy of a Petition for Submission of Proposed Amendment to Charter with the Finance Director of the City; and,

WHEREAS, such copy set forth a true and exact reproduction of a proposed petition that the petition committee intended to circulate for signatures which would amend the Charter of the City by enacting a new Section 1.04 REFERENDUM AND EFFECTIVE DATE ON ZONING ORDINANCES OR OTHER ZONING MEASURES; and,

WHEREAS, on July 6, 2015 a Petition for Submission of Proposed Amendment to Charter was filed with the Clerk, comprised of 34 part-petitions containing 781 signatures; and,

WHEREAS, the Petition was submitted to the Franklin County Board of Elections on July 9, 2015 for verification of the signatures and on July 16, 2015 the City was notified by the Board of Elections that the Petition contains 692 valid signatures; and,

WHEREAS, Section 9.04 of the Charter of the City authorizes amendments to the Charter to be made as provided in Section 9 of Article XVIII of the Constitution of Ohio, which requires the City Council to submit to the electors of the City, by ordinance, a charter amendment proposed by petition of ten percent of the electors; and,

WHEREAS, according to the Board of Elections, there were 3,501 Worthington electors who voted at the last general municipal election held in 2013; and,

WHEREAS, the Constitution provides that the charter amendment question shall be submitted to the electors at the next regular municipal election if one shall occur not less than sixty nor more than one hundred and twenty days after passage of the ordinance; and,

WHEREAS, the next regular municipal election is to be held on November 3, 2015.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio, two-thirds of the members elected thereto herein concurring:

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SECTION 1. That the question of amending the City Charter by the enactment of the amendment submitted by petition signed by ten percent of the electors of the City, and the amendment establishing the effective date of amendments to the Charter, as hereinafter specifically set forth, be submitted, as a single ballot question, to the qualified electors of the City at the Regular Municipal Election to be held on Tuesday, the 3rd day of November, 2015, at the regular places and times of voting in the City:

To Enact the following proposed amendments to the Charter of the City of Worthington:

Section 1.04 of the Charter of the City of Worthington to be enacted to read as follows:

SECTION 1.04 REFERENDUM AND EFFECTIVE DATE ON ZONING ORDINANCES OR OTHER ZONING MEASURES.

(A) Notwithstanding any other provision of this Charter, the power of referendum on any ordinance or other measure passed by the Council amending the City's zoning code or changing the zoning for any property in the City may be exercised in the manner provided by the laws of the State of Ohio except that the petition may be filed upon passage of any ordinance or other measure by Council and within sixty (60) days following publication in order to afford an opportunity during that period for the filing of referendum petitions thereon.

(B) Notwithstanding any other provision of this Charter, no ordinance or other measure passed by the Council amending the City's zoning code or changing zoning for any property in the City shall go into effect until sixty (60) days following publication in order to afford an opportunity during that period for the filing of referendum petitions thereon; nor shall any such ordinance or measure be passed on an emergency basis.

Section 10.07 of the Charter of the City of Worthington to be amended to read as follows:

SECTION 10.07 WHEN CHARTER AMENDMENTS TAKE EFFECT.

Amendments to this Charter shall be voted upon at a Regular Municipal Election held on November 3, 2015, and if approved by the electorate, shall become effective as of such date.

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SECTION 2. That the ballot for said election shall conform to the election laws of the State of Ohio, and shall: (1) be entitled "Proposed Charter Amendments – City of Worthington;" (2) contain a statement that a majority affirmative vote is necessary for passage and approval of the amendment of the Sections as proposed herein; and (3) state the question to be submitted to the electorate of the City in condensed text form.

SECTION 3. That the Director of Law be and he hereby is authorized and directed to make such arrangements with the Board of Elections of Franklin County as are necessary for giving notice of said election and for placing the question on the ballot, and for printing the text of the proposed amendments for posting at polling places.

SECTION 4. That the Clerk of Council be and she hereby is directed to certify a copy of this Ordinance to the Board of Elections of Franklin County and to publish the full text of the proposed Charter amendments, as set forth in Section 1 of this Ordinance, once a week for not less than two consecutive weeks in a newspaper of general circulation in the Municipality or as provided in Section 7.16 of the Ohio Revised Code, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided.

SECTION 5. That this Ordinance, directing a question to the electorate, shall take effect immediately upon its passage and publication as provided in Section 2.19 of the Charter of the City of Worthington.

Passed August 3, 2015

/s/ Bonnie D. Michael
President of Council

Attest:

/s/ D. Kay Thress
Clerk of Council

Introduced July 20, 2015
P.H. August 3, 2015
Effective August 6, 2015