

ORDINANCE NO. 29-84

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN J. V. Stone ON THE 20th
DAY OF August, 1984.

AN ORDINANCE TO PROVIDE FOR AN ELECTION ON THE ADOPTION OF AMENDMENTS TO THE CENTERVILLE CHARTER FOR THE CITY OF CENTERVILLE, OHIO, AS REPORTED BY THE CENTERVILLE CHARTER REVIEW COMMISSION AND AMENDED BY THE CITY COUNCIL.

WHEREAS, the Council of the City of Centerville has appointed a Charter Review Commission pursuant to Section 12.04(b) of the Charter of the City of Centerville; and

WHEREAS, on June 20, 1984, said Commission reported to the Council of the City of Centerville its recommendations for amendments to the said Charter; and

WHEREAS, pursuant to said Section 12.04(b) of said Charter, the Council of the City of Centerville reviewed said recommendations and has determined to submit them to the electors of the City of Centerville for a vote at the election to be held November 6, 1984, pursuant to said Section 12.04 of the Charter with the following exceptions:

- (A) The recommendation of the said Charter Review Commission with respect to Section 4.10C shall be changed to read as follows, with the deleted portions of the existing Charter in brackets and the new matter underlined:
"Voting. [Except on procedural motions voting shall be by roll call and] On resolutions, ordinances and motions voting need not be by roll call unless specifically requested by a member of Council. All votes shall be recorded in the journal. Four (4) members of the Council shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of Council. No action of the Council, except as otherwise provided in the preceding sentence and in Sections 4.05, 4.08, 5.05, 6.04, 7.07 and 12.04(a), shall be valid or binding unless adopted by the affirmative vote of four (4) or more members of Council."
- (B) The recommendation of the said Charter Review Commission with respect to Section 7.07 shall be modified only by eliminating the title of "Competitive Bidding" and substituting "Contracting Procedure."
- (C) In addition to the recommendation of said Charter Review Commission with respect to Section 11.01 of Article XI, the following amendment shall be made to Section 11.03 Nominations, with the language to be deleted appearing in brackets and the new language underlined:
"Nominations. No primary election shall be held for the nomination of candidates for the Council. Nominations for the offices of Councilman or Mayor shall be made by petition signed by not less than one hundred (100) nor more than two hundred (200) electors of the municipality. Petitions shall be the standard forms provided by the Board of Elections for the nomination of individual

non-partisan candidates for such office. Group petitions shall not be used. Petitions shall be filed with the Board of Elections [at least ninety (90) days before the election.] as provided by law. An elector may sign only as many petitions as there are Councilmembers to be elected at the municipal election for which the nominations are made."; and

WHEREAS, it is the duty of the Council to make provisions for such election insofar as not prescribed by general law;

NOW, THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the question of adoption of the proposed amendments for the Charter of the City of Centerville as reported by the Charter Review Commission of the City of Centerville, Ohio, be with the following exceptions:

- (A) The recommendation of the said Charter Review Commission with respect to Section 4.10C shall be changed to read as follows, with the deleted portions of the existing Charter in brackets and the new matter underlined: "Voting. [Except on procedural motions voting shall be by roll call and] On resolutions, ordinances and motions voting need not be by roll call unless specifically requested by a member of Council. All votes shall be recorded in the journal. Four (4) members of the Council shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalty prescribed by the rules of the Council. No action of the Council, except as otherwise provided in the preceeding sentence and in Sections 4.05, 4.08, 5.05, 6.04, 7.07 and 12.04(a), shall be valid or binding unless adopted by the affirmative vote of four (4) or more members of Council."
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be submitted to a vote of the qualified electors of said City at an election to be held Tuesday, the 6th day of November, 1984, at the regular places of voting in said City during the hours provided for by law.

Section 2. That the ballots for said election shall, at the top thereof, be entitled "Proposed Amendments to the Charter of the City of Centerville." Thereunder shall be printed "A Majority Vote is Necessary for Adoption." The question to be submitted on said ballot shall be in words following: "Shall the proposed amendments to the Charter of the City of Centerville, Ohio, as reported by the Charter Review Commission of said City and as revised by the Council of said City be adopted." To the left of said wording, in boxes, with appropriate place of marking, shall appear the words, "Yes" and "No", and each voter shall indicate his vote by making a cross mark in the place so provided or, in the alternative, similar provisions may be made for voting by voting machine.

Section 3. Notice of the time and place of holding such election shall be given as required by law.

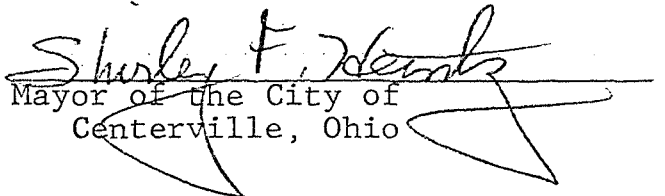
Section 4. That the Clerk be, and she is hereby, directed to cause a full text of the proposed amendments to be published once a week for not less than two consecutive weeks in the newspaper of general circulation in the City as provided by Section 731.211(B) Ohio Revised Code.

Section 5. That the Clerk be, and she is hereby, directed to certify a copy of this ordinance to the Board of Elections of Montgomery County, Ohio.

Section 6. That to pay the cost of printing and mailing said copies of said proposed amendments to the Charter of the City of Centerville, Ohio, and of publishing said notice, there be, and is hereby, appropriated from the general fund the sum of \$2,500.00, or so much thereof as may be needed.

Section 7. This ordinance shall become effective upon the earliest date allowed by law.

PASSED this 20th day of August, 1984.


Mayor of the City of
Centerville, Ohio

ATTEST:


Clerk of the Council of the
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 28-84, passed by the Council of the City of Centerville, Ohio on the 20th day of August, 1984.


Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney