

ORDINANCE NO. 44-76

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Ralph Spencer ON THE 16th
DAY OF August, 1976.

AN EMERGENCY 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 29, 1976, 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 on November 2, 1976, pursuant to said Section 12.04 of the Charter with the exception of the recommendations of said Commission with respect to amendment of Section 11.03 to provide for primary elections and the recommended amendment to Section 4.10(C) relating to the necessary vote of Council to override a decision of the Planning Commission; 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 the 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, with the exception of the recommendations relating to Section 4.10(C) and Section 11.03, be submitted to a vote of the qualified electors of said City at an election to be held on Tuesday, the 2nd day of November, 1976, 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.

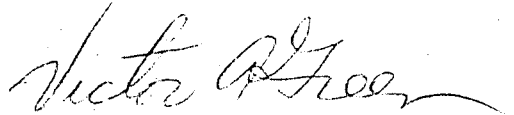
Section 4. That the Clerk be, and she is hereby, directed to mail a copy of the proposed amendments to the Charter of the City of Centerville to each elector whose name appears on the poll books of the last regular or general election held in said City, at least thirty days before the date of such election.

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 \$ 1,300.00, or so much thereof as may be needed.

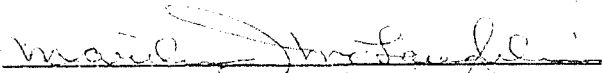
Section 7. This ordinance is declared to be an emergency measure affecting public welfare and shall become effective immediately upon passage. Said emergency is hereby declared to exist by virtue of the fact that necessary arrangements for placing said Charter amendment questions on the ballot on the date designated by the Council of the City of Centerville and the Charter Review Commission must be initiated immediately.

PASSED this 16th day of August, 1976.



Mayor of the City of Centerville, Ohio

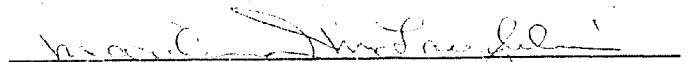
ATTEST:



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. 44-76, passed by the Council of the City of Centerville, Ohio, on the 16th day of August, 1976.


Clerk of the Council

Approved as to form and conformity with charter of the City of Centerville, Ohio.

Robert H. ...
Municipal Attorney