

ORDINANCE NO. 20-109

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF SANDUSKY OF A PROPOSED AMENDMENT TO SECTION 4 OF THE CHARTER OF THE CITY OF SANDUSKY BY REDUCING THE MINIMUM RESIDENCY REQUIREMENT FOR CITY COMMISSION CANDIDATES FROM THREE (3) YEARS TO EIGHTEEN (18) MONTHS, AND DECLARING AN EMERGENCY.

WHEREAS, the Charter Review Committee appointed by this City Commission pursuant to Section 87 of the Charter has recommended that Section 4 of the Charter be amended in order to allow more residents to be eligible to be a candidate for the City Commission by reducing the minimum residency requirement for City Commission Candidates from three (3) years to eighteen (18) months; and

WHEREAS, it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio and its citizens, to provide for the usual daily operation of a municipal department, so that the Clerk of this City Commission can certify this ordinance to the election authorities immediately in order for the question to appear on the ballot at the election to be held on November 3, 2020, and by reason thereof, the City Commission finds that an emergency exists regarding the aforesaid, and it is advisable that this ordinance be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, NOT LESS THAN TWO-THIRDS (2/3) OF ALL THE MEMBERS THEREOF CONCURRING, THAT:

Section 1. Pursuant to Article XVIII, Section 9 of the Ohio Constitution and Section 82 of the Charter of the City of Sandusky, this City Commission hereby authorizes and directs the submission to the electors of the City of Sandusky at an election to be held at the usual places of voting in said City on November 3, 2020, of the following proposal to amend Section 4 of the Charter of the City of Sandusky, Ohio:

That existing Section 4 of the Charter be amended to read as follows:

“§4 QUALIFICATIONS.

Each member of the City Commission, for at least eighteen (18) months immediately prior to his or her election shall have been, and during his or her term of office shall continue to be, a resident of the City of Sandusky, Ohio, and shall have the qualifications of an elector therein. He or she shall not hold any other public office except in the State militia, except as otherwise provided in this Charter, and shall not be interested in the profits or emoluments of any contract, job, work, or service for the Municipality. Any Commissioner who shall cease to possess any of the qualification herein required shall forthwith forfeit his or her office, and any such contract in which any member is or may become interested may be declared void by the City Commission.

A candidate may cause notice of his or her candidacy to be published and may circulate or procure the circulation of a petition for his or her nomination. Nothing in this section shall preclude a write-in candidacy. He or she shall not promise any money, office, employment, or other thing of value to secure a nomination or election; but may expend money to finance his or her campaign for election to the extent permitted by law. A violation of these provisions, or any of them, shall disqualify him or her from holding the office, if elected; and the person receiving the next highest number of votes, who has observed the foregoing conditions, shall be entitled to the office.”

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Section 2. If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, then such amendment shall thereupon take effect and such Section 4, as so amended, shall thereupon be a part of the Charter and existing Section 4, in its present form, of the Charter shall thereupon be repealed.

Section 3. It is the desire of the City Commission that the ballots for said question shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT
A majority affirmative vote is necessary for passage.

Shall Section 4 of the City Charter be amended to reduce the minimum residency requirement for candidates for City Commission from three (3) years to eighteen (18) months?

	YES
	NO

Section 4. The Clerk of the City Commission is hereby authorized and directed to forward a certified copy of this ordinance to the Board of Elections of Erie County on or before 4:00pm on August 5, 2020.

Section 5. The Board of Elections of Erie County shall cause an appropriate notice to be duly given of the election to be held on November 3, 2020, on the foregoing amendment to the Charter of the City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6. The Clerk of this City Commission is hereby authorized and directed to mail a copy of the proposed Charter amendment to each elector at least thirty days prior to the election to be held on November 3, 2020, as provided in Section 82 of the Charter, in Article XVIII, Section 9 of the Constitution of the State of Ohio, and in Section 731.211 of the Ohio Revised Code.

Section 7. There is hereby appropriated from the General Fund a sufficient sum of money to pay expenses related to aforesaid mailing and election.

Section 8. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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Section 9. That, for the reasons set forth in the last preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect immediately upon its passage and due authentication by the President and the Clerk of the City Commission.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: August 3, 2020