Village of Batavia - Ordinance 1586-26

An Ordinance to Provide for the Submission of the Question "Shall a Commission be Chosen to Frame a Charter?" for the Village of Batavia

WHEREAS, the Council of the Village of Batavia desires to create a charter form of government for the Village of Batavia; and

WHEREAS, Article XVIII, Section 8 of the Ohio Constitution provides that the legislative authority of any city or village may by a two-thirds vote of its members provide by ordinance for the submission to the electors, of the question, "Shall a commission be chosen to frame a charter."; and

WHEREAS, the Village Council of Batavia believes it to be in the best interest of the Village and its residents to adopt such ordinance.

NOW, THEREFORE, be it ordained by the Council of the Village of Batavia, Clermont County, Ohio:

SECTION 1. The question "Shall a commission be chosen to frame a charter?" shall be submitted to a vote of the qualified electors of the Village of Batavia at a special election on a date to be determined at the regular places and hours of voting in said Village, as established by the Board of Elections of Clermont 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 for marking, the words "Yes" and "No," and each voter shall indicate his or her vote in one of the boxes provided.

SECTION 2. The ballot upon which the question provided for in Section 1 shall bear no party designation. It shall have printed or written thereon the name of all electors who have been nominated as provided in Section 3, lines for write in candidates, and such directions as will aid the elector, such as "Vote for not more than fifteen" and the like, and certification of the election officers upon the back of the ballot as prescribed by law.

If a majority of the electors voting on such question "Shall a commission be chosen to frame a charter?" have voted in the affirmative, the fifteen electors receiving the largest number of votes for members of the commission shall constitute a commission to frame a charter.

SECTION 3. All nominations for members of the commission shall be made by nominating petition for member of a municipal charter commission on Ohio Secretary of State Form No. 3-P or 3-Q, signed by not less than 10% of the total number of electors in the last municipal election in the Village of Batavia. Said nominating petitions shall be filed with the Board of Elections at least 90 days prior to the election.

SECTION 4. The ballots to be printed for the election of persons to act as members of the municipal charter commission shall contain the names of all candidates arranged in alphabetical order on all ballots.

SECTION 5. The ballots shall be printed so as to give each elector a clear opportunity to designate his or her choice of candidates.

SECTION 6. The Council of the Village of Batavia hereby directs the Fiscal Officer to certify a copy of this Ordinance to the Board of Elections of Clermont County, Ohio.

SECTION 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting or meetings of this Council and any of its committees that resulted in such formal action, were in meetings open to the public and in full compliance with all legal requirements, including without limitation, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION 8. That this Ordinance shall be effective at the earliest date allowed by law.

ADOPTED: _____

Attest:

_____ _____

Stephen M. Staton, Mayor F. Justin Russell, Fiscal Officer