

ORDINANCE 2019-44

AUTHORIZING AND DIRECTING THE SUBMISSION TO A VOTE OF THE ELECTORS OF THE VILLAGE OF YELLOW SPRINGS, OHIO A PROPOSAL TO AMEND CERTAIN PROVISIONS OF THE CHARTER OF THE VILLAGE OF YELLOW SPRINGS, OHIO TO BE VOTED UPON AT THE NEXT REGULAR MUNICIPAL ELECTION ON MARCH 17, 2020 AND DECLARING AN EMERGENCY

WHEREAS, following a series of public discussions on the matters raised by the proposed Charter amendments, Village Council desires to submit the proposed Charter amendments set forth in Exhibit A and B, pursuant to the Village's home rule powers attached hereto to the electorate on the March 17, 2020 ballot, pursuant to Article XVIII §§ 8 and 9, Article XVII § 1 of the Ohio Constitution.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Village of Yellow Springs, Ohio that:

Section 1. Council hereby authorizes and directs the submission to the electors of the Village of Yellow Springs at the next regular municipal election to be held at the usual places of voting in the Village of Yellow Springs on March 17, 2020, between the hours of 6:30 a.m. and 7:30 p.m. Eastern Standard Time of that day, of a proposal to amend the Charter of the Village of Yellow Springs, Ohio.

Section 2. The ballots for the election referred to in Section 1 of this Ordinance shall, at the top thereof, be entitled "Village of Yellow Springs Proposed Charter Amendments", and the questions to be submitted on those ballots shall be as set forth in Exhibits A; B and C attached hereto and incorporated herein by reference.

Section 3. It is the desire and request of this Council that the ballot language questions posed in the Charter amendments referred to in Section 2 of this Ordinance shall be substantially in the form attached hereto as Exhibits A; B and C.

Section 4. The Council Clerk is hereby directed to certify a copy of this Ordinance to the Board of Elections of Greene County, Ohio, immediately upon the effective date of this Ordinance.

Section 5. This ordinance is hereby declared to be an emergency measure under home rule power granted by the Charter and immediately necessary to preserve the public interest and for the health, safety and welfare of the citizens of the Village, and more specifically to allow for the electorate to vote on the proposed Charter Amendments at the next regularly scheduled election and to conduct the public's business without undue delay by having the Charter Amendments take effect upon certification by the Board of Elections if approved by voters. Wherefore, this ordinance shall be in effect upon its adoption by Council.

Brian Housh, Council President

PASSED: 12-16-2019

ATTEST: Judith O. Kintner, Clerk of Council

Roll Call: Housh __Y__ MacQueen __Y__ Stokes __Y__ Kreeger __Y__ Sanford __Y__

EXHIBIT A

**PROPOSED CHARTER AMENDMENT
VILLAGE OF YELLOW SPRINGS**

YES

CHARTER AMENDMENT

NO

A Majority Affirmative Vote Is Necessary for Passage.

New text is shown in boldface underlined print. Deleted text is shown in boldface stricken print. Shall Section 6 of the Charter of the Village of Yellow Springs, Ohio be amended as follows, effective May 1, 2020?

SECTION 6. GENERAL ELECTION LAWS TO APPLY

Residents who are 16 years of age and older are eligible to vote for Yellow Springs local elected officials and issues pursuant to the home rule power and granted by this Charter. The general election laws of the State of Ohio shall control in all elections except as otherwise provided by this Charter.

EXHIBIT B

**PROPOSED CHARTER AMENDMENT
VILLAGE OF YELLOW SPRINGS**

CHARTER AMENDMENT	
YES	A Majority Affirmative Vote Is Necessary for Passage. New text is shown in boldface underlined print. Deleted text is shown in boldface stricken print. Shall Section 6 of the Charter of the Village of Yellow Springs, Ohio be amended as follows, effective May 1, 2020?
NO	
	<u>SECTION 6. GENERAL ELECTION LAWS TO APPLY</u> <u>Residents of the Village of Yellow Springs who are non-US citizens shall be electors and are eligible to vote for Yellow Springs local elected officials and issues pursuant to the home rule power and granted by this Charter.</u> The general election laws of the State of Ohio shall control in all elections except as otherwise provided by this Charter.

EXHIBIT C

**PROPOSED CHARTER AMENDMENT
VILLAGE OF YELLOW SPRINGS**

	YES	CHARTER AMENDMENT A Majority Affirmative Vote Is Necessary for Passage. New text is shown in boldface underlined print. Deleted text is shown in boldface stricken print. Shall Section 29 of the Charter of the Village of Yellow Springs, Ohio be amended as follows, effective May 1, 2020? SECTION 29. MAYOR. The Mayor shall meet the same qualifications as a member of Council and shall be nominated and elected for a term of two <u>four</u> years, commencing with the November 1973 <u>2021</u> general election.
	NO	