EMERGENCY ORDINANCE NO. EOR2015-7-59.

AN EMERGENCY ORDINANCE TO PROVIDE FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF HAMILTON, OHIO, AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015, A PROPOSED AMENDMENT TO THE CITY CHARTER AND AMENDING SECTION 5.10 RELATIVE TO ADVISORY BOARDS AS SET FORTH IN FULL IN THIS ORDINANCE.

WHEREAS, the existing Charter of the City of Hamilton, Ohio has been reviewed by the Charter Review Commission and the Council of the City of Hamilton, Ohio, and Council has recommended that Section 5.10 of the Charter be amended; and

WHEREAS, Section 5.10 of the current City Charter provides as follows:

ARTICLE V
ADMINISTRATIVE SERVICE

Section 5.10 Advisory Boards

The Manager may appoint a board of citizens qualified to act in an advisory capacity to the head of any department or office. The members of any such board shall serve without compensation and it shall be their duty to consult and advise with the director or other officer, as the case may be, but not to direct the conduct of the department or office. Recommendations of any such board shall be in writing and shall become a part of the records of the department or office to which they relate. The head of the department or office for which an advisory board is appointed shall be chairman of all meetings thereof.

and

WHEREAS, this Council has recommended that said Section 5.10 of the Hamilton Charter be amended to allow the head of the department or office for which an advisory board is appointed to designate another person to be chairman of all meetings of the advisory board; and

WHEREAS, to effect the above-described amendment, the Council, by a two-thirds vote, as permitted by Section 9 of Article XVIII of the Ohio Constitution, desires to submit an amendment to the Charter of the City of Hamilton, Ohio to the electors of the City at the next general election on Tuesday, November 3, 2015; and

WHEREAS, the subject matter herein constitutes an emergency in that it provides for the immediate preservation of the public peace, property, safety and welfare of the community in that such emergency measure shall permit the election authorities and other officials named in the ordinance to take the necessary actions and to make preparation for the submission of the amendment to the electors of the City at the general election to be held on Tuesday, November 3, 2015; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That a proposed amendment to the Charter of the City of Hamilton, Ohio, to provide that the head of the department or office for which an advisory board is appointed may designate another person to be chairman of all meetings of the advisory board, shall be submitted to the electors of the City of Hamilton, Ohio for adoption or rejection at the next general election to be held on Tuesday, November 3, 2015. A vote of the majority of the electors of the City of Hamilton, Ohio, voting on the proposed

amendment, is required for adoption of said amendment. The proposed amendment is to amend Section 5.10 of the Charter of the City of Hamilton, Ohio to be and read as follows:

ARTICLE V
ADMINISTRATIVE SERVICE

Section 5.10 ADVISORY BOARDS

The Manager may appoint a board of citizens qualified to act in an advisory capacity to the head of any department or office. The members of any such board shall serve without compensation and it shall be their duty to consult and advise with the director or other officer, as the case may be, but not to direct the conduct of the department or office. Recommendations of any such board shall be in writing and shall become a part of the records of the department or office to which they relate. The head of the department or office for which an advisory board is appointed, or his/her designee, shall be chairman of all meetings thereof.

SECTION II: That the City Clerk is hereby directed to certify the amendment as set forth above to the Board of Elections of Butler County, Ohio for submission to the electors of the City of Hamilton, Ohio at the next general election to be held on Tuesday, November 3, 2015, to be conducted at the usual places of holding and conducting elections in the City of Hamilton, Ohio and between the usual hours of opening and closing the polls on election days as required by the Constitution and laws of the State of Ohio.

SECTION III: That the amendment herein set forth shall be submitted to the electors in such a way so as to allow vote thereon to be cast separated from votes cast on any other question. Said amendment shall be designated on the ballot by the description title as hereinafter set forth and in such other form as shall be determined by the election authorities. The adoption of such amendment by its descriptive title shall have the effect of adopting its text in full as set forth in this ordinance. The form of the ballot to be used at said general election shall be as follows or in such other form as shall be determined by the election authorities.

OFFICIAL BALLOT

General Election
November 3, 2015
City of Hamilton, Ohio

PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF HAMILTON, OHIO
Submitted by the City Council

A Majority Affirmative vote is Necessary for Passage

THE QUESTION

Shall Charter Section 5.10 be amended to read as follows:

"The Manager may appoint a board of citizens qualified to act in an advisory capacity to the head of any department or office. The members of any such board shall serve without compensation and it shall be their duty to consult and advise with the director or other officer, as the case may be, but not to direct the conduct of the department or office. Recommendations of any such board shall be in writing and shall become a part of the records of the department or office to which they relate. The head of the department or office for which an advisory board is appointed, or his/her designee, shall be chairman of all meetings thereof."

SECTION IV: That the City Clerk shall cause the full text of this ordinance and the proposed Charter amendment contained herein to be published once a week for not less than two (2) consecutive weeks in the Journal News, a newspaper of general circulation in the City of Hamilton, Ohio with the first publication being at least fifteen (15) days prior to the election at which the proposed Charter amendment is to be submitted to the electors of the City of Hamilton, Ohio, as authorized by Section 9 of Article XVIII of the Ohio Constitution and Section 731.211 of the Ohio Revised Code.

SECTION V: That the Board of Elections of Butler County, Ohio, shall certify to the City of Hamilton, Ohio, the result of the vote on said amendment, and if said amendment is approved by a majority vote of those voting thereon, Section 5.10, as amended, shall become a part of the Charter of the City of Hamilton, Ohio. Said Board of Elections shall, if the amendment is so approved by the electors, deliver a certified copy of such amendment to the Secretary of State, as provided by Section 9 of Article XVIII of the Ohio Constitution.

SECTION VI: That the Board of Elections of Butler County, Ohio, be and it is hereby directed to give public notice of the time and place of holding such election by publication of such notice at least ten (10) days prior to the date of such election in a newspaper published and of general circulation in the City of Hamilton, Ohio, and to give such other notice, if any, as may be required by law and to take such other actions and to make such arrangement as is necessary for the conduct of the election with respect to the proposed Charter amendment authorized by this ordinance. That the City Manager and the Director of Law are hereby authorized to take any other actions required to submit such amendment to the electors of the City on the date fixed in this ordinance.

SECTION VII: This ordinance is hereby declared to be an emergency measure for the reasons set forth in the preamble hereto and shall take force from and after its passage.

PASSED: July 8, 2015

Effective Date: Immediately

Mayor

ATTEST: Marcos Nichols
Acting City Clerk

CERTIFICATE

I, Marcos Nichols, Acting City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Emergency Ordinance No. EOR2015-7-59 was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: July 10, 2015

Marcos Nichols

Marcos Nichols, Acting City Clerk
CITY OF HAMILTON, OHIO