

## CHARTER REVISIONS - ISSUE 1

On November 8<sup>th</sup>, 2016 Blue Ash residents will have the opportunity to vote on Issue 1. Issue 1 represents several revisions to the City's Charter which are aimed at improving operations while bringing the charter up-to-date and in line with other municipalities. Note: Issue 1 does not increase taxes.

On May 6, 2016 the Blue Ash Charter Revision Committee unanimously endorsed Council approval of the [attached charter revisions](#). On May 26, 2016 City Council held an open house on this topic and approved the charter revisions via Ordinance 2016-37 on July 14, 2016.

The Issue 1 charter revisions are attached and summarized:

- Make elections non-partisan
- Create staggered Council terms
- Adjust Council terms from 2 to 4 years
- Reserve ordinances for legislation which becomes codified
- Remove Council representative from Planning Commission and replace with a resident
- Allow for alternate members for Board of Zoning Appeals/Board of Site Arrangement and Planning Commission
- Eliminate the need to read legislation aloud at Council meetings
- Allow for flexibility in publication requirements

As with any Election, Blue Ash encourages all voters to exercise their right to vote on November 8<sup>th</sup>. If you have any questions, please contact Kelly Harrington, Assistant City Manager, at 513-745-8503 or [kharrington@blueash.com](mailto:kharrington@blueash.com).

# CITY OF BLUE ASH, OHIO

## CHARTER

### Table of Contents

	Page
<b>PREAMBLE</b> .....	(i)
<b>ARTICLE I – NAME AND BOUNDARIES</b> .....	1
Sec. 1.01.    Name and Boundaries	
<b>ARTICLE II – MUNICIPAL POWERS</b> .....	1
Sec. 2.01.    Municipal Powers	
Sec. 2.02.    Form of Government	
<b>ARTICLE III – COUNCIL</b> .....	1
Sec. 3.01.    Powers, Members, Terms and Qualifications	
Sec. 3.02.    Meetings of Council	
Sec. 3.03.    Quorum and Voting	
Sec. 3.04.    Removals and Vacancies	
Sec. 3.05.    Salaries	
<b>ARTICLE IV – MAYOR AND VICE MAYOR</b> .....	3
Sec. 4.01.    Mayor	
Sec. 4.02.    Vice Mayor	
<b>ARTICLE V – MANAGER</b> .....	4
Sec. 5.01.    Appointment	
Sec. 5.02.    Powers and Duties	
Sec. 5.03.    Interference by Council	
Sec. 5.04.    Salary	
<b>ARTICLE VI – OTHER OFFICIALS</b> .....	6
Sec. 6.01.    Clerk of Council	
Sec. 6.02.    Treasurer	
Sec. 6.03.    Solicitor	
Sec. 6.04.    (Repealed)	
Sec. 6.05.    Salaries	
<b>ARTICLE VII – COURTS</b> .....	7
Sec. 7.01.    Mayors Court	
<b>ARTICLE VIII – APPOINTMENTS AND REMOVALS</b> .....	7
Sec. 8.01.    Appointment and Removal of Officials	
Sec. 8.02.    Creation and Abolishment of Offices	
<b>ARTICLE IX – FINANCES</b> .....	7
Sec. 9.01.    Taxes	
Sec. 9.02.    (Repealed)	
Sec. 9.03.    Fiscal Year	

## ARTICLE IX – FINANCES (Continued)

- Sec. 9.04. Budget
- Sec. 9.05. Appropriation ~~Ordinance~~Resolution
- Sec. 9.06. Expenditures
- Sec. 9.07. Borrowing, Assessing, Appropriating Property
- Sec. 9.08. Audits
- Sec. 9.09. (Repealed)
- Sec. 9.10. (Repealed)
- Sec. 9.11. Investment Board
- Sec. 9.12. Purchases and Contracts

## ARTICLE X – CIVIL SERVICE..... 10

- Sec. 10.01. Merit System
- Sec. 10.02. Exemptions
- Sec. 10.03. Civil Service Commission
- Sec. 10.04. Appeals

## ARTICLE XI – PLANNING COMMISSION..... 12

- Sec. 11.01. Membership
- Sec. 11.02. Powers and Duties of the Planning Commission
- Sec. 11.03. Action of the Council Necessary

## ARTICLE XII – BOARD OF ZONING APPEALS..... 13

- Sec. 12.01. Membership and Duties

## ARTICLE XIII – BOARD OF SITE ARRANGEMENT ..... 13

- Sec. 13.01. Membership and Duties

## ARTICLE XIV – POLICE AND FIRE PROTECTION..... 13

- Sec. 14.01. Provision for Protection
- Sec. 14.02. (Repealed)
- Sec. 14.03. (Repealed)

## ARTICLE XV – BOARD OF HEALTH..... 14

- Sec. 15.01. Membership and Duties

## ARTICLE XVI – RECREATION BOARD ..... 14

- Sec. 16.01. Membership and Duties

## ARTICLE XVII – ORDINANCES AND RESOLUTIONS..... 14

- Sec. 17.01. Action of Council
- Sec. 17.02. Introduction of Ordinances
- Sec. 17.03. Adoption of Ordinances by Reference
- Sec. 17.04. Introduction of Resolutions
- Sec. 17.05. Passage of Ordinances and Resolutions
- Sec. 17.06. Emergency Ordinances
- Sec. 17.07. Effective Date
- Sec. 17.08. Publication

**ARTICLE XVIII – INITIATIVE AND REFERENDUM ..... 17**

Sec. 18.01. Establishment

Sec. 18.02. The Petition

Sec. 18.03. The Initiative

Sec. 18.04. The Referendum

**ARTICLE XIX – NOMINATIONS AND ELECTIONS..... 19**

Sec. 19.01. Municipal Elections

Sec. 19.02. Conduct of Elections

Sec. 19.03. Nominations

Sec. 19.04. Ballots

Sec. 19.05. Who Elected

Sec. 19.06. Plurality, Tie Votes

Sec. 19.07. Public Information on Issues

Sec. 19.08. Recall

**ARTICLE XX – GENERAL PROVISIONS ..... 20**

Sec. 20.01. Oath of Office

Sec. 20.02. Official Bonds

Sec. 20.03. Voluntary Service on Boards and Commissions

Sec. 20.04. Fees

Sec. 20.05. Malfeasance of Officials or Employees

Sec. 20.06. Enforcement of Subpoenas

Sec. 20.07. Zoning

Sec. 20.08. General Law

Sec. 20.09. Records

Sec. 20.10. Personal Interest

**ARTICLE XXI – EFFECTIVE DATE AND EFFECTS OF ADOPTION ..... 21**

Sec. 21.01. Effective Date and Duration

Sec. 21.02. Effect on Present Offices

Sec. 21.03. Effect on Present Ordinances

Sec. 21.04. Effect on Present Contracts

Sec. 21.05. Effect on Pending Actions and Proceedings

Sec. 21.06. (Repealed)

Sec. 21.07. Effect on Rules and Regulations of Offices,  
Commissions, Boards, and Committees

Sec. 21.08. (Repealed)

Sec. 21.09. (Repealed)

**ARTICLE XXII – AMENDMENTS..... 22**

Sec. 22.01. Method

Sec. 22.02. Charter Revision Committee

Sec. 22.03. Duties of the Charter Revision Committee

**ARTICLE XXIII – SAVING CLAUSE ..... 23**

Sec. 23.01. Effect of Invalidity

## ARTICLE III – COUNCIL

### Sec. 3.01. Powers, Members, Terms and Qualifications.

All legislative powers of the City, except the powers of the initiative and referendum reserved to the electors of this City, shall be vested in a Council which shall consist of seven (7) electors of the City, five of whom shall be elected, one from each of the five wards hereinafter provided, and the other two of whom shall be elected from the City at large, elections to take place at the general November election of odd-numbered years. Members of Council shall be qualified electors of the City, and shall have resided in the area from which they are elected at least one full year next preceding their election. ~~The members of Council shall be elected for terms of two years at the municipal election. Their~~ At the first municipal election after the adoption of this Charter the candidates winning At-large A and Wards 2 and 4 shall be elected to four (4) year terms of office and the candidates winning At-large B and Wards 1, 3, and 5 shall be elected to two (2) year terms of office. Thereafter all members of Council shall be elected for a four (4) year term of office.

All elections for Council shall be non-partisan. Nominations for Council shall be made by individual petition signed by not less than twenty-five (25) qualified electors of the city. Nominating petitions and statements of candidacy shall be filed with the Board of Elections in the form prescribed in accordance with state law for individual non-partisan candidates. The general laws of the State of Ohio not inconsistent with the provisions of this Article shall apply to and govern the nomination of all elective offices of the City. Councilmember regular terms shall commence on the first day of December next after their election, and shall end on the thirtieth day of November next after the election of their successors or as soon thereafter as their successors are qualified. Membership on governmental boards or commissions, or holding office or employment in governmental units other than the City of Blue Ash, shall not be a bar to membership on Council.

The wards from which five of the members of Council shall be elected are defined as follows:

Ward 1 – All of the City lying (i) south of Cooper Road and east of Kenwood Road and (ii) between Blue Ash Road and Kenwood Road south of Alpine Avenue.

Ward 2 – All of the City lying between Cooper Road and Creek Road east of Kenwood Road.

Ward 3 – All of the City lying (i) north of Creek Road and (ii) between Creek Road and the extension of Aldine Drive west to Plainfield Road west of Kenwood Road.

Ward 4 – All of the City lying (i) between Kenwood Road and Blue Ash Road and between Cooper Road and Alpine Avenue, (ii) between

Blue Ash Road and the westerly boundary of the City south of Hunt Road and (iii) between Blue Ash Road and Conklin Avenue and between Cooper Road and Hunt Road.

Ward 5 – All of the City lying (i) between the extension of Aldine Drive west to Plainfield Road and Cooper Road and between Kenwood Road and Plainfield Road, (ii) between Cooper Road and Hunt Road west of Conklin Avenue and (iii) west of Plainfield Road and north of Cooper Road.

The boundaries of these five wards may be changed from time to time by ordinance, but no such change shall be effective at the succeeding municipal election unless it has become effective as an ordinance on or before January 1<sup>st</sup> in the year of such election.

### **Sec. 3.05. Salaries.**

Salaries of Council members shall be established by ~~ordinance~~resolution, with payment to be made in equal monthly installments, payments regardless of the number of Council meetings held during such month. Salaries of the Council members shall not be changed during their term of office, nor by any ~~ordinance~~resolution passed subsequent to thirty days before the final date fixed by this Charter for filing as a candidate for such office. Salary of the Mayor for services in his/her capacity as Mayor shall be established by ~~ordinance~~resolution.

## **ARTICLE V – MANAGER**

### **Sec. 5.02. Powers and Duties.**

The Manager shall be responsible to Council for the proper administration of all the affairs of the City and the enforcement of all its laws and ordinances, except as herein otherwise provided, and to that end shall have exclusive authority to make all appointments, suspensions, and removals of all employees in the departments and offices under his/her control, including the heads of all departments and offices, but subject to such restrictions as may be imposed upon such authority of the Manager under and pursuant to the provisions of this Charter relative to the civil service.

The Manager shall attend all meetings of Council and the Planning Commission, unless absence is reasonably justified or excused by the Council or the Commission, and be informed of, and may attend, all other meetings of Boards and Commissions with the right to participate in discussions but without the right to vote. The Manager shall attend meetings of any committee of Council, or Board or Commission, when so requested by such committee, Board or Commission.

The Manager shall prepare and submit to Council an annual budget and an annual appropriation ~~ordinance~~resolution as provided for in this Charter, and be responsible for their administration after adoption.

The Manager shall prepare and submit to Council after the end of each fiscal year a complete report on the finances and activities of the City for such year.

The Manager shall prepare and submit to Council each month a report showing the conditions of all appropriated funds.

The Manager shall serve as chief executive officer over all departments except that he shall not have jurisdiction or authority over, or serve as, the Clerk of Council or Solicitor.

The Manager shall keep the books of the City, exhibit accurate statements of all monies received and expended, of all property owned by the City and the income derived therefrom, and of all taxes and assessments.

The Manager shall manage and supervise all public works, solid waste and other services, utilities and undertakings of the City, and shall supervise the design, construction, improvement, maintenance and repair of all streets, sewers, buildings, facilities, and other property of the City, and shall maintain in good order all maps, plans and charts concerned with property and facilities owned or operated by the City.

The Manager shall issue all licenses and permits pursuant to resolutions, ordinances or general law and perform all other duties prescribed in this Charter or imposed by any measure of Council.

The Manager may, but only when advisable or proper, delegate to subordinate officers and employees of the City any duties conferred upon the Manager by this Charter or by action of Council, and hold subordinate officers responsible for the faithful discharge of such duties.

The Manager may by letter filed with the Clerk of Council, or by requesting said designation within a classification specification then adopted by Council, designate a qualified person of the Manager's own choosing to perform his/her duties during any temporary absence or disability. In the event such designation is not made, Council may designate a qualified person to perform such duties.

#### **Sec. 5.04. Salary.**

Council shall establish the salary, benefits, and conditions of employment of the Manager by ~~ordinance~~resolution.

## ARTICLE VI – OTHER OFFICIALS

### Sec. 6.05. Salaries.

Council shall establish the salaries of the Clerk of Council and Treasurer, and the compensation of the Solicitor, by ~~ordinance~~resolution.

## ARTICLE VIII – APPOINTMENTS AND REMOVALS

### Sec. 8.02. Creation and Abolishment of Offices.

Council shall not abolish any office or diminish or transfer any powers or duties prescribed in this Charter. Council may, however, by ~~ordinance~~resolution, establish, abolish, divide, or combine, and shall determine the functions, compensation, powers and duties of any office, position or department not prescribed in this Charter.

## ARTICLE IX – FINANCES

### Sec. 9.04. Budget.

In each year the Manager shall prepare and submit to the Council the tax budget for the ensuing fiscal year. Such tax budget shall include an estimate of expected revenues and required expenditures. Council shall by resolution determine the form of and the information to be contained in the tax budget. The tax budget may be amended by Council, shall on or before July 15 be approved by Council as presented or amended, and shall be the basis of any levy of taxes by Council. The Council shall hold a public hearing on the tax budget, and shall give notice by publication in the same manner as provided for ~~ordinances~~resolutions herein at least ten days prior to the hearing. Two copies of the tax budget prepared by the Manager shall be available in the Manager's office for public inspection during the ten days prior to the public hearing. Council shall submit a tax budget to the County Budget Commission on or before July 20.

### Sec. 9.05. Appropriation ~~Ordinance~~Resolution.

Before the first day of January each year the Manager shall prepare and submit to Council an appropriation ~~ordinance~~resolution containing a financial plan for conducting the affairs of the City. Council shall by ~~ordinance~~resolution specify the form of and the information contained in the appropriation ~~ordinance~~resolution. Council may at its discretion provide for a public hearing upon such ~~ordinance~~resolution, and may amend such ~~ordinance~~resolution at any time. The appropriation ~~ordinance~~resolution shall be passed with a single reading and shall become effective on its adoption.



#### **Sec. 9.06. Expenditures.**

All expenditures of municipal funds shall be upon warrants signed by the Treasurer and counter-signed by the Manager. Such expenditures shall be made only upon authorization of the Manager. Such authorization shall in each case include certification that the expenditures are covered by an appropriation in the annual appropriation ordinance resolution or some amendment thereto and that unexpended funds within such appropriation, sufficient to cover such expenditure, are on hand and available for the payment thereof.

#### **Sec. 9.07. Borrowing, Assessing, Appropriating Property.**

The authority and procedure for borrowing money, for assessing property and for appropriating property shall be governed by ordinance resolution, or in the absence of ordinance resolution, by general law.

#### **Sec. 9.12. Purchases and Contracts.**

All purchases and all contracts shall be made by the Manager. No purchase or contract shall be made unless funds therefor have been appropriated and are available or in the process of collection; a statement to this effect signed by the Manager shall accompany each purchase order and each contract. General law regarding appropriation and availability of funds shall govern as to contracts running beyond the fiscal year in which they were made, contracts payable from utility earnings, and contracts to be paid in whole or in part by special assessments for improvements.

General law shall govern the limit of expenditure with respect to a purchase or contract at which specific authorization or approval by Council is required.

Except as hereinafter provided, no purchase or contract shall be made except after one advertisement in a newspaper of general circulation in the City at least ten days prior to the final day for receipt of sealed bids to be received and opened by the Manager at a time and place stated in the advertisement. Council shall authorize acceptance of the bid made by the responsible bidder who in Council's judgment offers the best and most responsive proposal to the City, considering quality, service, performance record, and price; or Council may direct the rejection of all bids. The advertisement and bidding procedure set forth herein is not required on contracts for expert or professional services, contracts with or purchases from other governmental units, purchases made through the State of Ohio Cooperative Purchasing Agreement, and purchases or contracts where the expenditure does not exceed the limit at which provisions of general law require advertisement and competitive bidding.

No contract shall be made for a term longer than five years, except that franchises for public utility services and contracts with other

governmental units for service to be received or given may be made for any period no longer than twenty years. No contract for longer than two years shall be made unless authorized by an ~~ordinance~~ resolution passed by the affirmative vote of five members of Council.

Purchases may be made simultaneously with purchases by other governmental bodies and in cooperation with their offices.

The requirements for advertisement and competitive bidding and for authorization by Council may be waived in case of emergency, provided the Manager secures approval of Council in any situation where a meeting of Council is to be held in time to deal with the emergency or, in the absence of such a meeting, the Manager secures approval of four members of Council. Emergency is a situation making it imperative that there be immediate action to maintain necessary operation of the City government or to preserve the public peace, health, safety, morals or welfare.

Notwithstanding any provision of general law, contractors and vendors shall not be entitled to receive interest on funds temporarily retained on a contract pending final acceptance of work performed or goods supplied, nor shall the City be required to maintain a separate escrow account from which to pay any contractor or vendor.

Real and personal property may be sold as provided by ordinance. Real and personal property may be traded simultaneously with purchase of real and personal property and the sale price of the unneeded real and personal property may be credited on the price of the property being purchased.

## ARTICLE XI – PLANNING COMMISSION

### Sec. 11.01. Membership.

There shall be a Planning Commission which shall consist of five members, each of whom shall be appointed by Council. ~~One member shall be a member of Council and shall serve until expiration of his/her term on Council.~~ At least ~~three~~ four of the ~~remaining~~ members shall be electors of the City. Council may appoint not more than one non-resident as a member of the Planning Commission, provided that such non-resident member shall be an owner or employee of a business, public institution, or industry operating in the City. ~~Except for the Council member, m~~Members of the Planning Commission shall be appointed for terms of four years, which terms shall be arranged so that one member's term shall expire on July 1<sup>st</sup> of each year. A member shall be eligible to serve only so long as he/she possesses the qualifications requisite for his/her original appointment. Any vacancy which shall happen in a regular term shall be filled for the unexpired portion of such term. Alternate members may be appointed as determined by Council.

The Commission shall adopt its own rules and elect its own officers annually. Its secretary may be a person who is not one of its members.

#### **Sec. 11.02. Powers and Duties of the Planning Commission.**

The Planning Commission may from time to time amend or modify the general municipal plan, the zoning plan, and other plans for the development of the City and shall be the Platting Commission of the City, all in accordance with ordinance or resolution, or in the absence of ordinance or resolution, with the general law, and shall perform such other duties, related to planning, zoning and platting, as shall be imposed upon it by ordinance or resolutions.

#### **Sec. 11.03. Action of the Council Necessary.**

No plan or amendment or modification thereof made or proposed by the Planning Commission shall become effective unless and until the same shall be reported to the Council and embodied in an ordinance or resolution. No plat approved by, nor any dedication or gift of property shown on the plat recommended for acceptance by the Planning Commission shall be deemed to be accepted unless and until it shall be approved by ordinance or resolution.

Any proposed ordinance or resolution which would make, amend, or modify any plan, or which would approve any plat or accept any dedication or gift of property shown on the plat, shall first be submitted to the Planning Commission for its report thereon before Council votes on the proposed ordinance or resolution. Council may direct the Planning Commission to report by a date certain; a failure by the Planning Commission to report as directed shall be deemed to be a negative recommendation by the Planning Commission.

The affirmative votes of five members of Council shall be necessary to pass any ordinance or resolution contemplated in this section if such ordinance or resolution shall contain anything contrary to the recommendation of the Planning Commission.

### **ARTICLE XII – BOARD OF ZONING APPEALS**

#### **Sec. 12.01. Membership and Duties.**

There shall be a Board of Zoning Appeals consisting of five members who shall be electors of the City, who are not employed by the City and hold no other office of the City except on the Board of Site Arrangement. The members shall be selected by the Council for overlapping terms of five years, so arranged that one member's term shall expire on July 1<sup>st</sup> of each year. Alternate members may be appointed as determined by Council. The Board shall adopt its own rules and elect its

own officers annually. It shall have all the power, authority and duty conferred upon it by ordinance.

## **ARTICLE XIII – BOARD OF SITE ARRANGEMENT**

### **Sec. 13.01. Membership and Duties.**

There shall be a Board of Site Arrangement consisting of five members who shall be electors of the City, who are not employed by the City and hold no other office of the City except on the Board of Zoning Appeals. The members shall be selected by the Council for overlapping terms of five years, so arranged that one member's term shall expire on July 1<sup>st</sup> of each year. Alternate members may be appointed as determined by Council. The Board shall adopt its own rules and elect its own officers annually. It shall have all the power, authority and duty conferred upon it by ordinance.

## **ARTICLE XIV – POLICE AND FIRE PROTECTION**

### **Sec. 14.01. Provision for Protection.**

Council shall provide for police and fire protection adequate to the needs of the City, to be administered in accordance with ordinance resolution. Council shall determine the ranks and number of required personnel.

## **ARTICLE XVII – ORDINANCES AND RESOLUTIONS**

### **Sec. 17.01. Action of Council.**

Action of Council ~~shall may~~ be by ordinance, resolution, or motion. ~~Every action of a general or permanent nature, or having the force and effect of law, or granting a franchise, or levying a tax, or appropriating money, or contracting an indebtedness to be evidence by the issuance of bonds or notes, or for the purchase, lease or transfer of property, shall be taken formally, by ordinance, in the manner hereinafter provided. All other action may be made by resolution or motion. An ordinance is a measure that is codified, rearranged, published in the "Codified Ordinances of the City of Blue Ash, Ohio," and certified as correct by the Clerk of Council. All other measures or actions may be taken or made by resolution or motion.~~

### **Sec. 17.05. Passage of Ordinances and Resolutions.**

No ordinance or resolution shall be passed without the concurrence of a majority of all members of Council, except that emergency ordinances, as hereinafter provided, shall require concurrence of five members of Council for

passage. Before passage, every ordinance shall be ~~fully and distinctly read on two separate days, unless an emergency is declared as hereinafter provided, or unless by vote of five members of Council, a reading thereof in full on two different days is dispensed with, in which cases such ordinance may be read one time and passed on the day of such reading.~~ read on two separate days, by title only, unless an emergency is declared as hereinafter provided, or unless by vote of five members of Council, a reading thereof by title only on two different days is dispensed with, in which cases such ordinance may be read one time and passed on the day of such reading.

Every vote upon every ordinance or other matters as to which any member shall so demand shall be taken upon a roll call and entered upon the journal. Council may adopt rules, not inconsistent with this Charter, by ordinance governing its own proceedings and all other matters pertaining to the exercise of its powers and the performance of its duties. Final passage of every ordinance and every resolution shall be certified by the signatures of the Mayor or Vice Mayor and the Clerk of Council. The Clerk shall record all ordinances and resolutions, at length, in separate ordinance and resolution volumes, which shall be a public record, available upon request for review by all citizens.

Immediately after the period of publication required by this Charter, the Clerk of Council shall enter on the ordinance a certificate giving the manner and date of publication and shall sign his/her name thereto officially.

#### **Sec. 17.07. Effective Date.**

~~Ordinances providing for appropriations for the usual daily expenses of the City, or for raising revenue, or for public improvements petitioned for by the owners of a majority of the foot frontage of property benefited and to be specially assessed for the cost thereof, or ordinances wherein an emergency is declared to exist shall become effective at such date as may be provided therein or immediately upon passage.~~

All ~~other~~ ordinances wherein an emergency is not declared shall take effect and be in force forty days after the certification by the Clerk of Council of publication under the requirements of this Charter, unless suspended by the filing of a valid referendum petition. All ordinances wherein an emergency is declared to exist shall become effective at such date as may be provided therein or immediately upon passage.

All resolutions and motions shall take effect upon adoption with no waiting period notice, hearing or publication.

#### **Sec. 17.08. Publication.**

All ordinances shall be published as provided by ordinance.

~~Except as provided in Sections 17.02 and 17.03 of this Article, after passage, ordinances of a general nature, or providing for public~~

~~improvements, shall be published in summary form at least one time, in a newspaper of general daily or weekly, paid or unpaid, circulation within the City, within ten days after passage. Such summary shall consist of a brief statement of the purpose and effect of the ordinance. All ordinances shall be posted at length on a prominent protected bulletin board. Council may provide, by ordinance in lieu of the aforesaid publication in summary form, that all such ordinances or any particular said ordinance may be published in one of the following ways:~~

- ~~(a) By general distribution, complete coverage not required, of an official Municipal Bulletin in the City, containing such official notices and general reports concerning municipal affairs. Such bulletin may be reproduced by letter process, offset or any other suitable method and the cost of its reproduction and distribution shall be paid from public funds.~~
- ~~(b) In the case of appropriation ordinances, by reproduction and distribution to the members of Council, to department heads, to boards and commissions, and to all citizens who may apply for copies at the office of the Clerk of Council.~~

When ordinances are revised, codified, rearranged, published in the "Codified Ordinances of the City of Blue Ash, Ohio", ~~book form~~, and certified as correct by the Clerk of Council, such ~~book~~ form shall be a sufficient publication, and the ordinances so published, under appropriate titles, chapters, and sections, shall be held the same in law as though they had been published in a newspaper.

## **ARTICLE XVIII – INITIATIVE AND REFERENDUM**

### **Sec. 18.01. Establishment.**

The initiative and referendum are reserved by this Charter to the people of Blue Ash to be exercised as prescribed in this Charter. Electors qualified by registration and otherwise to vote in Blue Ash, and equal in number to not less than one-fifth of the number of those who voted in the preceding general election, may by an initiative petition propose to Council the passage of an ordinance or resolution set forth therein, or by a referendum petition propose the repeal of any measures passed within forty days by Council, except as otherwise prescribed in this Charter.

### **Sec. 18.03. The Initiative.**

Each ordinance or resolution initiated by a petition certified to be valid and sufficient shall upon presentation be referred by Council to a committee to hold a public hearing thereon and to report its recommendations at the next regular meeting of Council. Council shall, not later than the second regular meeting following such reference, either pass the ordinance or resolution in its original form or in a form agreed to by a majority of the committee appointed by said petition; or take

appropriate action to submit the ordinance or resolution to a vote of the electors at the next primary or general election to be held no less than sixty days after the filing of the appropriate notice with the Board of Elections. If an initiated ordinance or resolution is approved by a majority of the electors voting thereon, it shall be an ordinance or resolution of the City, effective as of the date of the official certification of the result of such election, or at such other date as may be provided in the ordinance or resolution.

#### **Sec. 18.04. The Referendum.**

The referendum shall not be applicable to:

- (a) ~~ordinances-resolutions~~ making or transferring annual appropriations, or amendments thereto,
- (b) measures providing for the discharge of any obligation legally due from the City,
- (c) measures submitting any measure to a vote of the electors,
- (d) measures directing the performance of any official duty or providing for investigations or reports,
- (e) measures not having the force or effect of law,
- (f) repealing measures passed by Council pursuant to referendum petitions,
- (g) measures relating to any public improvement subsequent to the ~~ordinance-resolution~~ determining to proceed therewith,
- (h) ~~ordinances-measures~~ for public improvements petitioned for by the owners of the majority of the foot frontage benefited and to be specially assessed for the cost thereof.

All emergency ordinances shall be subject to the referendum. However, emergency ordinances shall be effective until repealed by the vote in the referendum.

The effective date of any measure subject to referendum other than emergency measures shall be postponed by the filing of a referendum petition within forty days after the passage thereof, unless the committee herein provided shall certify that the petition is invalid or insufficient, in which event such ordinance shall take effect in accordance with the other provisions of this Charter.

Each referendum petition certified to be valid and sufficient shall upon presentation be referred by Council to a committee to hold a public hearing thereon and to report its recommendation at the next regular



meeting of Council. Council shall, not later than the second regular meeting following such reference, either pass the repealing measure or take appropriate action to submit it to a vote of the electors at the next regular or primary election to be held not less than sixty days after the filing of appropriate notice with the Board of Elections. If the repealing measure is approved by a majority of the electors voting thereon, the ~~ordinance-measure~~ shall not take effect. Otherwise, the measure shall take effect immediately upon official certification of the result of such election.

## **ARTICLE XIX – NOMINATIONS AND ELECTIONS**

### **Sec. 19.01. Municipal Elections.**

A regular municipal election shall be held on the first Tuesday after the first Monday in November in the odd numbered years. This shall be known as the municipal election. The Council may, by ~~ordinanceresolution~~, order a special election at any time, the purpose of which shall be set forth in the ~~ordinanceresolution~~.

## **ARTICLE XX – GENERAL PROVISIONS**

### **Sec. 20.09. Records.**

All records and accounts of every office, department, or agency of the City shall be maintained as provided by ~~ordinancethe~~ Manager.