

Ordinance No. 22-2020.

By Council Member Kelley.

An emergency ordinance authorizing the submission to the electors of the City of Cleveland of a proposal to amend Section 14 of the Charter of the City of Cleveland relating to rules for counting ballots.

WHEREAS, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety in that it must be certified to the election authorities immediately in order for the question to appear at a special election to be held on March 17, 2020, and providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That this Council authorizes the submission to the electors of the City of Cleveland at a special election to be held at the usual places of voting in the City of Cleveland on Tuesday, March 17, 2020, of proposal to amend the Charter of the City of Cleveland by amending existing Section 14 to read as follows:

Section 14. Rules for Counting Ballots.

Counting the ballots cast at every election held under the authority of this Charter shall be administered as provided by the general laws of the State of Ohio. The candidate having the largest number of votes for each office voted upon at the regular Municipal election shall be declared elected to the office. In case it cannot be determined which of two or more candidates shall be declared elected, by reason of the fact that they have received the same number of votes, the election authorities shall determine by lot which of the candidates shall be declared elected.

Section 2. That the foregoing proposed amendment to the Charter, on receiving at least a majority of the votes cast at the March 17, 2020, special election, shall become effective immediately on its adoption.

Section 3. That the Clerk of this Council is authorized to promptly forward a certified copy of this ordinance to the Board of Elections of Cuyahoga County.

Section 4. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be given of the election to be held on March 17, 2020, on the foregoing amendment to the Charter of this City and otherwise to provide for the election in the manner provided by the general laws of the State of Ohio.

Section 5. That the Clerk of Council is authorized to cause the full text of the proposed amendment to the Charter to be published once a week for two consecutive weeks in a newspaper published in the City of Cleveland, with the first publication to be made at least fifteen days prior to the special election to be held on March 17, 2020, as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, Section 731.211 of the Revised Code, and Section 200 of the Charter of the City of Cleveland.

Section 6. That the ballot submitting the question of the adoption of the amendment shall read as follows:

PROPOSED CHARTER AMENDMENT CITY OF CLEVELAND

A majority affirmative vote is necessary for passage.

Shall Section 14 of the Charter of the City of Cleveland be amended to state that counting ballots at every election shall be done as provided by the general laws of the State of Ohio?

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed January 6, 2020.
Effective January 7, 2020.