

ORDINANCE 2020-76

**DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO
SUBMIT TO THE ELECTORS OF THE CITY OF MASON, OHIO, AT THE
NOVEMBER 3, 2020, GENERAL ELECTION, A CHARTER AMENDMENT
TO SECTIONS 4.13, 4.15(B), AND 9.03 (PUBLICATION ON WEBSITE)**

WHEREAS, Council has determined that it is in the best interest of the City of Mason for various Mason Charter provisions to be modified; and

WHEREAS, Council has determined that it is in the best interest of the City of Mason to place on the ballot an issue regarding a Charter Amendment of Sections 4.13, 4.15(B), and 9.03, related to publication of certain notice on the City website; and

WHEREAS, Council wishes to place this issue on the ballot for consideration of the electors of the City of Mason at the November 3, 2020, general election; and

WHEREAS, Council has the prerogative to place a matter of the Charter Revision on the ballot by a two-thirds majority vote of the members of Council, with or without petition.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, seven members elected thereto concurring:

Section 1. That Sections 4.13, 4.15(B), and 9.03 of the Charter of the City of Mason, be amended as set forth in Exhibit A, attached hereto and incorporated herein by reference.

Section 2. That this matter shall be placed on the November 3, 2020, general election ballot for consideration by the electors of the City of Mason.

Section 3. That this Ordinance is found to be the submission of a question to the electorate, and pursuant to Section 4.08 of the Charter of the City of Mason, shall be effective immediately upon its passage.

Passed this 10th day of August, 2020.

Mayor

Attest:

Clerk of Council

EXHIBIT A

SECTION 4.13 PUBLIC HEARING ON ZONING ORDINANCE OR RESOLUTION.

The Mayor or other presiding officer of the Council shall set a date for a public hearing on each ordinance or resolution establishing, amending, revising, changing or repealing zoning classifications, districts, uses, or regulations, which hearing shall be after the twenty-five day period provided in Section 4.12 within which the Planning Commission is required to return its written recommendations to the Clerk of Council. The Clerk of Council shall cause a notice of such public hearing to be published one time in a newspaper determined by the Council to be of circulation within the Municipality or cause such notice to be published on the City website at least ten days prior to the date of such public hearing, and when such amendment, revision, change, or repeal involves ten or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Clerk of Council, by certified mail with return receipt, at least ten days before the date of the public hearing to the owners of property within and contiguous to and directly across the street from such parcel or parcels to the addresses of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other lists as may be required by the Council. The failure of delivery of such mail notice and the failure to publish, or error or omission in said publication, shall not invalidate any such ordinance or resolution.

SECTION 4.15 CODIFICATION OF ORDINANCES AND RESOLUTIONS.

B. The Clerk of Council shall cause a notice of such proposed revision, codification, recodification, rearrangement or publication of ordinances and resolutions in book form to be published one time in a newspaper determined by the Council to be of circulation within the Municipality or cause such notice to be published on the City website at least seven days prior to the final approval thereof by the Council. The notice that is to be published shall state the date, time and place of the meeting. The full text of the revision, codification, recodification, rearrangement or publication of ordinances and resolutions in book form need not be published.

SECTION 9.03 REFERRAL OF ORDINANCE OR RESOLUTION TO THE ELECTORS BY COUNCIL.

By a vote of at least five members of the Council, any pending ordinance or resolution may be referred to the electors of the Municipality at a general, primary or special election. The action of referral provided for in this section shall be taken by motion and shall go into immediate effect without publication. Such motion shall be passed not less than ninety days prior to the date of the primary or general election at which such referred ordinance or resolution is to be submitted. In the event that such ordinance or resolution is to be referred for approval or

rejection at a special election, the Council shall, by motion, fix a date for such special election at a date not less than ninety days after the date of the passage of the motion to refer, and the Clerk of Council shall cause notice of the special election to be published on the same day of each week for two consecutive weeks in a newspaper determined by Council to be of circulation in the Municipality or cause such notice to be published on the City website.

The Clerk of Council shall certify to the appropriate Board of Elections that an election is to be held referring such ordinance or resolution to a vote of the electors at the date fixed by Council as hereinbefore provided. The Clerk of Council shall also certify a copy of the ordinance or resolution to be voted upon to the appropriate Board of Elections.

At such primary, general or special election this question shall be placed upon the ballot: "Shall an (ordinance or resolution) providing: (the wording contained in the title of the proposed ordinance or resolution shall be inserted here) be adopted?"; with the provision on the ballot for voting affirmatively or negatively. In the event a majority of those voting on the issue shall be in the affirmative, the ordinance or resolution shall go into immediate effect, without the need for further publication.