

EMERGENCY

City of Cincinnati

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An Ordinance No. _____ - 2021

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City to require council members to resign upon offering themselves for nomination or election to a salaried non-City office during their current term on council, to require the mayor to resign upon offering himself or herself for nomination or election to a salaried non-City office during his or her term in office, and that would remove obsolete language from the Charter by amending Article II, Section 4 and Article III, Section 1.

WHEREAS, campaigning for a non-City office while also holding a City office directs elected officials' focus from City business, which should be the official's primary focus and responsibility; and

WHEREAS, a candidate running for a non-City office can accept campaign contributions for a non-City campaign that exceed the contribution limits set forth in Article XIII of the City Charter, and those larger campaign contributions could unduly influence or affect a City Councilmember or Mayor in the performance of their City duties; and

WHEREAS, it would benefit the public's confidence in the City's elected officials to prohibit members of council and the mayor from actively campaigning for non-City offices while currently serving in their elected City offices by requiring them to resign from office upon offering themselves for nomination or election to a salaried non-City office; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio, two-thirds of the members elected thereto concurring:

Section 1. That there shall be submitted to the vote of the qualified electors of the City of Cincinnati for their approval or disapproval at the general election to be held November 2, 2021, an amendment to the Charter of the City of Cincinnati to require members of council to resign upon offering themselves for nomination or election to a salaried non-City office during their term on council, to require the mayor to resign upon offering himself or herself for nomination or election to a salaried non-City office during his or her term in office, by amending Article II, Section 4 and Article III, Section 1 as follows:

ARTICLE II. - LEGISLATIVE POWER

Section 4.

Subject to the terms of Article IX, Section 1 of this charter, a council of nine members shall be elected for a term of two years, commencing on the first Tuesday after January 1st next after their election and shall serve until their successors are elected and qualified.

For council terms commencing on or after January 2, 2022, no member of council, whether holding office by election or appointment, may offer himself or herself for nomination or election to any salaried non-City office. For purposes of this section, a member of council shall be deemed to have offered himself or herself for nomination or election to a salaried non-City office upon the filing of a notice, statement, or other such document which would allow the member of council to accept campaign contributions for a non-City office. The filing of a such notice, statement, or other document shall constitute an automatic irrevocable resignation of the office then held, and the vacancy thereby created shall be filled in the same manner as other vacancies for such office are filled pursuant to Article II, Section 4b.

Each member of council shall receive, subject to the provisions of Section 4a herein, annual compensation in an amount equal to three-fourths ($\frac{3}{4}$) of the annual compensation payable to the county commissioners of Hamilton County, Ohio, as it existed on March 1, 2005. Such compensation shall be payable semi-monthly.

Article III. - MAYOR

Section 1.

A mayor shall be elected for a term of four years, commencing on the first Tuesday after January 1st next after his or her election. Upon taking the oath of office, the mayor shall serve until a successor is duly elected and qualified.

For the term commencing on or after January 2, 2022, the mayor may not offer himself or herself for nomination or election to any salaried non-City office. The mayor shall be deemed to have offered himself or herself for nomination or election to a salaried non-City office upon the filing of a notice, statement, or other such document which would allow the mayor to accept campaign contributions for a non-City office. The filing of a such notice, statement, or other document shall constitute an automatic irrevocable resignation of the office of mayor, and the vice-mayor shall then succeed to the office of mayor in accordance with Article III, Section 3 of this charter. The vice-mayor's vacancy on council shall be filled in accordance with Article II, Section 4b of this charter, and a new vice-mayor shall be selected by the mayor from the members of the council.

The mayor shall receive annual compensation in an amount equal to twice the compensation payable to a member of council as provided in Article II, Section 4. Such compensation shall be payable semi-monthly.

Section 2. That the form of submission of the proposed amendment to the electors shall be substantially as follows:

<p>CHARTER AMENDMENT</p> <p>A majority vote is necessary for passage.</p>	
<p>YES</p>	<p>Shall the Charter of the City of Cincinnati be amended to require council members to resign upon offering themselves for nomination or election to a salaried non-City office during their current term on council, and to require the mayor to resign upon offering himself or herself for nomination or election to a salaried non-City office during his or her term in office, and to remove obsolete language from the Charter by amending Article II, Section 4 and Article III, Section 1?</p>
<p>NO</p>	

Section 3. That the Clerk of Council shall give notice of the proposed Charter Amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211 (B) of the Ohio Revised Code.

Section 4. That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the said Board to submit the proposed Charter amendment to the electors of the City of Cincinnati as provided by law.

Section 5. That the Board of Elections of Hamilton County, Ohio shall certify to the Council the result of the vote upon said amendment, and if said amendment is approved by a majority of the electors voting thereon, amended Section 4 of Article II and amended Section 1 of Article III shall be enacted and become a part of the Charter of the City of Cincinnati.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms

of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate necessity to authorize the Clerk of Council to certify and transmit this ordinance to the Hamilton County Board of Elections at least sixty days prior to the November 2, 2021 primary election.

Passed _____, 2021

John Cranley, Mayor

Attest: _____
Clerk