

---

**HOLLAND & MUIRDEN**  
**ATTORNEYS AT LAW**

1343 Sharon-Copley Road • P.O. Box 345 • Sharon Center, OH 44274  
Phone (330) 239-4480 Fax (330) 239-6224 Toll Free (877) 239-4480

*attorneys@hmlawohio.com*  
*www.holland-muirden.com*

---

J. JEFFREY HOLLAND  
DANAMARIE K. PANNELLA  
JOSHUA L. HOLLAND-GRESOCK

MARJORIE A. MUIRDEN (*inactive*)  
JULIE A. WAGNER

May 13, 2024

Melissa Autry  
City of Cincinnati Clerk of Council  
801 Plum St.  
Cincinnati, OH 45202  
via email only to [clerkofcouncil@cincinnati-oh.gov](mailto:clerkofcouncil@cincinnati-oh.gov)

Dear Clerk of Council:

I am hereby filing with you on behalf of petitioners, and pursuant to Article II Section 8(A)(3) of the Charter of Cincinnati, a certified copy of an initiative petition to submit to the voters of Cincinnati for their approval or rejection the following proposed ordinances in their entirety, which would make certain revisions by amendment to the Codified Ordinances of the City of Cincinnati, Ohio Ordinance Nos. 708-26, 708-27, and 708-28. Please find attached the Certification of Proposed Petition, which includes as an attachment a true and accurate copy of the petition, for the City's review and approval.

We look forward to the Solicitor's prompt response. Please contact me if you have any questions. Thank you.

Yours truly,  
HOLLAND & MUIRDEN

  
DanaMarie K. Pannella  
Attorney at Law

**CERTIFICATION OF PROPOSED PETITION**

I, Millie P. Schafer, being duly sworn and cautioned, depose and state as follows:

1. I am competent to testify to the matters herein on the basis of my own personal knowledge of the facts.
2. I am one of 5 committee members listed on a Petition for Submission of a proposal to amend an ordinance \_\_\_\_\_ to make certain revisions by amendment to the Codified Ordinances of the City of Cincinnati, Ohio Ordinance Nos. 708-26, 708-27, and 708-28 \_\_\_\_\_ (the "Petition").
3. Attached to this certification is a true and accurate copy of the petition, which I am filing with the Clerk of Council prior to circulating the petition for signatures so that the City Solicitor may determine the Petition addresses a single subject and meets the requirements as to form required by the City Charter.

Further, affiant sayeth naught.

Executed this 10<sup>th</sup> day of May, 2024.

Signature: *Millie P. Schafer*  
Printed Name: Millie P. Schafer

Before me, a notary public in and for Hamilton County, State of Ohio, this 10<sup>th</sup> day of May, 2024, the above named Millie P. Schafer personally appeared and acknowledged his/her/their signature on the forgoing document.



ERIC ANDERSON  
Notary Public, State of Ohio  
My Comm. Expires SEPT 08, 2026

*[Signature]*  
Notary Public

## **INITIATIVE PETITION**

### **NOTICE:**

**Whoever knowingly signs this petition more than once, signs a name other than his own, or signs when not a legal voter is liable to prosecution.**

(See §731.33 of the Ohio Revised Code)

**To the City Clerk of the City of Cincinnati, Ohio and Hamilton County, Ohio Board of Elections:** Pursuant to Ohio Revised Code §3519.01(A), the undersigned electors of the State of Ohio, numbering in excess of 10% of electors in this municipal corporation who voted for governor in the last election, hereby submit to you the full text of proposed ordinances for the City of Cincinnati, Hamilton County, Ohio, hereby sought to be submitted to a citywide initiative vote, and a summary of the proposed initiative.

**To be submitted to the electors for their approval or rejection.**

---

### **TITLE**

An initiative petition to submit to the voters of Cincinnati for their approval or rejection the following proposed ordinances in their entirety, which would make certain revisions by amendment to the Codified Ordinances of the City of Cincinnati, Ohio Ordinance Nos. 708-26, 708-27, and 708-28.

---

### **SUMMARY**

This initiative petition would submit to a citywide initiative vote the question of the approval or rejection of the Proposed Ordinances, which contains the following summarized changes to the City of Cincinnati's hunting laws as it relates to hunting deer on Cincinnati Park Board property and on Hamilton County Park District Property located within the City of Cincinnati.

The Proposed Ordinances repeal provisions of the Codified Ordinances of the City of Cincinnati, Ohio relating to laws concerning the hunting of deer on Cincinnati Park Board property and on Hamilton County Park District Property located within the City of Cincinnati. It further enacts a new provision of the Codified Ordinances of the City of Cincinnati, Ohio related to humane euthanasia of an animal on Cincinnati Park Board property and on Hamilton County Park District Property located within the City of Cincinnati. Specifically:

1. To repeal Ordinance No. 708-26, excluding Section 708-26(A), which permits the discharge of weapons on Cincinnati Park Board property and on Hamilton County Park District Property located within the City of Cincinnati for the purpose of hunting deer.
2. To amend Section 708-26(A) of Ordinance No. 708-26, to prohibit the Public Recreation Commission or the Director of Recreation from permitting archery on Cincinnati Park Board property and on Hamilton County Park District Property located within the City of Cincinnati for the purpose of hunting animals.

3. To amend Ordinance No. 708-27 by repealing section 708-27(c)(7), which permits the discharge of weapons on Cincinnati Park Board property and on Hamilton County Park District Property located within the City of Cincinnati for the purpose of hunting deer.
4. To amend Ordinance No. 708-27 by adding new section 708-27(c)(9), to permit the discharge of weapons on Cincinnati Park Board property and on Hamilton County Park District Property located within the City of Cincinnati for the purpose of alleviating the pain or suffering of an animal where there is no other reasonable remedy or relief and requiring that such discharge be immediately reported to a law enforcement officer of the political subdivision.
5. To repeal Ordinance No. 708-28, which permits the discharge of weapons pursuant to Ordinance No. 708-26 for the purpose of hunting.

## PROPOSED ORDINANCES

Be it Resolved by the People of the City of Cincinnati, Ohio that Codified Ordinances of the City of Cincinnati, Ohio Ordinance Nos. 708-26, 708-27, 708-28 are hereby amended to add and repeal language as shown below. New language is underlined, repealed language is struck through, and unchanged language appears without underline or strikethrough.

**The following is a full and correct copy of the text of the Proposed Ordinances:**

~~Sec. 708-26. –Permitted Hunting on Cincinnati Park Board Property and on Cincinnati Park Board property and on Hamilton County Park District Property located within the City of Cincinnati.~~

~~The Cincinnati Park Board has the authority to permit the legal use and discharge of weapons within Cincinnati Parks in compliance with State of Ohio game and hunting laws, in order to control the deer overpopulation that is destroying the urban forest. Permitted use is governed by the rules of the Board of Park Commissioners of the City of Cincinnati.~~

~~The hunting of deer under the authority of the Hamilton County Park District for the purpose of controlling the deer overpopulation in the urban forest shall be permitted on Hamilton County Park District Property located in City of Cincinnati provided that the Hamilton County Park District takes all necessary action to fully comply with all State of Ohio game and hunting laws regarding such deer hunting activities and provided that all permitted hunters receive any and all required training to engage in such activities in accordance with such State of Ohio game and hunting laws. Permitted use is governed by of the rules of the Board of Park Commissioners of the City of Cincinnati. At least fourteen days prior to engaging in any deer hunting activities on Hamilton County Park District Property, the executive director of the Hamilton County Park District or his or her designee shall provide written notice to the city manager describing the days, hours and location of any such deer hunting activities on Hamilton County Park District properties and the number of permitted hunters engaged in each such deer hunting activity and shall further provide documentation establishing compliance with State of Ohio game and hunting laws for each deer hunting activity.~~

Repealed.

Sec. 708-26A. - Permitted Archery Programs.

A person may lawfully discharge a bow and arrow approved by the Public Recreation Commission or the Director of Recreation when participating in an archery program for purposes other than the hunting of animals approved by the Public Recreation Commission or the Director of Recreation which program occurs on property owned by the City of Cincinnati.

Sec. 708-27 - Discharging Firearms.

(a) No person shall discharge any kind of firearm or dangerous weapon, including handguns, rifles, air rifles or air guns by whatever name known.

(b) No person shall discharge any cannon or explosive bomb from a mortar.

(c) Section (a) of this ordinance shall not apply to:

(1) Any law enforcement officer, any agent, or employee of this or any other political subdivision or the United States if acting within the scope of his duties.

(2) Any member of the Armed Forces of the United States or any state militia if acting within the scope of his duties.

(3) Any person acting pursuant to Section 708-23.

(4) Any employee of the Cincinnati Zoo and Botanical Garden, acting within the scope of his employment, on the Zoo's property and who is currently authorized to discharge a firearm by the Chief of Police.

(5) Any individual both authorized by the Chief of Police and licensed as a private police officer pursuant to Chapter 857 of the Municipal Code who is acting within the scope of his duties as a private police officer.

(6) Any person acting in self defense.

~~(7) Any person lawfully engaged in the Park Board hunting program using approved weapons as authorized by Section 708-26.~~

~~(8)~~(7) Any person lawfully engaged in an archery program approved by the Public Recreation Commission or the Director of Recreation on property owned by the city of Cincinnati and using approved bows and arrows as authorized by Section 708-26A.

~~(9)~~ Any person lawfully engaged in remote chemical immobilization of deer using an air-powered gun as a component of a deer fertility control study authorized by the Board of Park Commissioners and authorized by a permit issued by the Ohio Department of Natural Resources, Division of Wildlife.

(9) Any person on Cincinnati Park Board Property or on Hamilton County Park District Property located within the City of Cincinnati who is acting on an emergency basis to alleviate the pain or suffering of an animal where there is no other reasonable remedy or relief. Discharge of a weapon for this purpose must immediately be reported to a law enforcement officer of this political subdivision.

Sec. 708-28. - ~~Permitted Hunting Firearms.~~

~~All equipment used pursuant to Section 708-26 herein must conform to State of Ohio requirements. Compound, long, recurve and crossbows are allowed. In order to use a longbow there must be a minimum draw weight of 40 pounds. In order to use a crossbow there must be a minimum draw weight of 75 pounds and a maximum draw weight of 200 pounds.~~

Repealed.

---

## **COMMITTEE TO REPRESENT THE PETITIONERS**

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

Lani Eberlein  
2798 Losantiville Avenue  
Cincinnati, OH 45213

Bernie Steinkamp  
1947 Fairfax Avenue  
Cincinnati, OH 45207

Susan Steinkamp  
1947 Fairfax Avenue  
Cincinnati, OH 45207

Millie P. Schafer  
3320 Ashwood Drive  
Cincinnati, OH 45213

Belinda Stoner  
6291 Dawes Lane  
Cincinnati, OH 45230

---

# PETITION

**MUST USE MOST RECENT ADDRESS ON FILE WITH BOARD OF ELECTIONS**  
*(Sign with ink. Your name, residence, and date of signing must be given.)*

Signature	Street Number/Address	City	County	Mo./Day/Yr.
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				

# PETITION

**MUST USE MOST RECENT ADDRESS ON FILE WITH BOARD OF ELECTIONS**  
***(Sign with ink. Your name, residence, and date of signing must be given.)***

<b>Signature</b>	<b>Street Number/Address</b>	<b>City</b>	<b>County</b>	<b>Mo./Day/Yr.</b>
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				



# PETITION

**MUST USE MOST RECENT ADDRESS ON FILE WITH BOARD OF ELECTIONS**  
*(Sign with ink. Your name, residence, and date of signing must be given.)*

Signature	Street Number/Address	City	County	Mo./Day/Yr.
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				
Print ----- Sign				

**STATEMENT OF CIRCULATOR**

I, \_\_\_\_\_, declare under penalty of election falsification that I reside at the address appearing below my signature and I am the circulator of the foregoing petition containing the signatures of \_\_\_\_\_ electors, that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code. I am not at this time employed to circulate this petition by any person, agency or group, but choose to do so freely of my own will and accord. I have not been promised any payment or compensation of any kind in exchange for circulating this petition, nor have I received such.

\_\_\_\_\_  
Signature of Circulator

\_\_\_\_\_  
Address of circulator's permanent residence

\_\_\_\_\_  
City/Village                      State                      Zip Code

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY  
OF A FELONY OF THE FIFTH DEGREE.**

---

The City of Cincinnati, Ohio

**Initiative Petition**

**ORDINANCE**

FILED: \_\_\_\_\_

Keep open for inspection for 10 days

\_\_\_\_\_  
City Auditor/Clerk



June 3, 2024

Via U.S. Mail and email at [dpannella@hmlawohio.com](mailto:dpannella@hmlawohio.com)

DanaMarie K. Pannella  
Holland & Muirden, Attorneys at Law  
1343 Sharon-Copley Road  
P.O. Box 345  
Sharon Center, Ohio 44274

**Re: Proposed Initiative Petition**

Dear Ms. Pannella:

This letter is in response to your May 13, 2024 correspondence to the Clerk of Council pertaining to a proposed initiative petition. In its current form, the proposed initiative petition does not comply with the requirements set forth in the Charter of the City of Cincinnati ("Charter").

Per the Charter, Article II, Section 8(A)(1), petitioners must use the forms provided by the Ohio Secretary of State for an initiated ordinance. The proper form that must be used is number 6-I, available at <https://www.ohiosos.gov/elections/elections-officials/forms-petitions/>. Additionally, it is not permissible for an initiative petition to contain a Summary section. Article II, Section 8(A)(1)(e) of the Charter specifies that "[a] petition shall contain a full and correct copy of any proposed ordinance . . . with no summary, argument, or other ancillary information regarding the proposal placed thereon..."

A revised proposed initiative petition may be resubmitted to the Clerk of Council at [clerkofcouncil@cincinnati-oh.gov](mailto:clerkofcouncil@cincinnati-oh.gov). If you have any questions regarding this matter, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Emily Smart Woerner".

Emily Smart Woerner  
City Solicitor

## **Autry, Melissa**

---

**From:** Autry, Melissa  
**Sent:** Thursday, May 30, 2024 4:31 PM  
**To:** #COUNCIL Assistants; Fambro, Keizayla; Willingham, Jack  
**Subject:** FW: [External Email] RE: Initiative Petition Certification Request  
**Attachments:** Letter re certification.pdf

FYI,

I have received the attached information regarding a petition initiative being circulated for an amendment.

Thank you

### **Melissa Autry, CMC**

Clerk of Council  
City of Cincinnati  
801 Plum Street, Room 308  
Cincinnati, Ohio 45202  
513-352-3246 (Office)  
513-352-2578 (Fax)



---

**From:** DanaMarie Pannella  
**Sent:** Monday, May 13, 2024 3:54 PM  
**To:** [clerkofcouncil@cincinnati-oh.gov](mailto:clerkofcouncil@cincinnati-oh.gov)  
**Subject:** Initiative Petition Certification Request

Ms. Autry,  
Please find attached a letter for your review. Thank you!

*DanaMarie Pannella*

Associate Attorney  
Holland & Muirden, Attorneys at Law

1343 Sharon-Copley Road  
P.O. Box 345  
Sharon Center, Ohio 44274  
(330) 239-4480 ; Fax (330) 239-6224

Licensed in Ohio and Texas. This e-mail and any attachments are confidential and may contain privileged information. If you are not the intended recipient of this message, you may not disclose, print, copy, or disseminate this information. If you have received this message in error, please delete all originals and copies of this message, including any attachments, and notify the sender by return e-mail. Thank you for your cooperation.