



Interdepartmental Correspondence Sheet

202401654

Date: June 10, 2024
To: Mayor and Members of Council
From: Emily Smart Woerner, City Solicitor *ESW*
Copies: Melissa Autry, Clerk of Council
Subject: Review of Certified Copy of Petition

Pursuant to Article II, Section A.4 of the Charter of the City of Cincinnati, I have reviewed the enclosed certified copy of a petition submitted by Millie P. Schafer to the Clerk of Council on June 5, 2024. The certified copy of the petition addresses a single subject and meets the requirements as to form provided by the Charter.

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

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

June 5, 2024


Melissa Autry
City of Cincinnati Clerk of Council
801 Plum St.
Cincinnati, OH 45202
via email only to 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 revised 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 Section 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 5th day of June, 2024.

Signature: Millie P. Schafer

Printed Name: Millie P. Schafer

Before me, a notary public in and for Hamilton County, State of Ohio, this 5th day of June, 2024, the above named Millie P. Schafer personally appeared and acknowledged his/her/their signature on the forgoing document.



JASON SEARCY
Notary Public, State of Ohio
My Commission Expires 10-08-2024

Jason Searcy
Notary Public

Initiative Petition

Municipality or Home Rule Township

R.C. 504.14, 731.28-.41, 3501.38, 3503.06

NOTE: Prior to circulation of an initiative petition proposing an ordinance or measure, a certified copy of such ordinance or measure must be filed with the City Auditor, Village Clerk or Township Fiscal Officer (home rule township). This petition must be signed by ten percent of the number of electors in the city, village or unincorporated area of the township who voted for governor at the preceding gubernatorial election and must be filed with the City Auditor, Village Clerk or Township Fiscal Officer.

(NOTE –The below notice must be printed in red.)

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.

To the City Clerk of the City of Cincinnati, Ohio:

We, the undersigned, electors of the City of Cincinnati Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 9th day of November, 2024, the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

An Ordinance MODIFYING the provisions of Chapter 708, “Dangerous Weapons and Fireworks,” of the Cincinnati Municipal Code by **ORDAINING** new Section 708-27(c)(9), “Discharging Firearms,” **AMENDING** Sections 708-26(A), “Permitted Archery Programs,” and **REPEALING** Sections 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,” 708-27(c)(7), “Discharging Firearms,” and 708-28, “Permitted Hunting Firearms.”

Be it Ordained by the People of the City of Cincinnati, Ohio that the Codified Ordinances of the City of Cincinnati, Ohio Ordinance Nos. 708-26, 708-27, 708-28 are modified, amended, and repealed as follows:

~~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.

We hereby designate the following petitioners as a committee to be regarded as filing this petition or its circulation:

NAME	RESIDENCE
Lani Eberlein	
Bernie Steinkamp	
Susan Steinkamp	
Millie P. Schafer	
Belinda Stoner	

Signatures on this petition must be from only one county and must be written in ink.

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
1.					
2.					
3.					
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24.					

	Signature	Voting Residence, Street Number and Address	City, Village or Township	County	Date of Signing
25.					
26.					
27.					
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29.					
30.					
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34.					
35.					
36.					
37.					
38.					

Circulator Statement

Must be completed and signed by the circulator.

I, _____, declare under penalty of election falsification that I reside at the address
Printed Name of Circulator
 appearing below my signature; that I am the circulator of the foregoing petition containing _____ signatures;
Number
 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.

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

Signature of Circulator

Permanent Residence Address

City or Village State Zip Code

The City _____ <small>(City, Village or Township)</small> of Cincinnati, Ohio <small>(Name of City, Village or Township)</small>	Form 6-I - Initiative Petition ORDINANCE	_____ Filed	_____ Keep open for inspection for ten days	_____ <small>City Auditor, Village Clerk or Township Fiscal Officer</small>
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Autry, Melissa

From: Autry, Melissa
Sent: Monday, June 10, 2024 2:20 PM
To: [REDACTED]
Cc: Crawford, Nicole
Subject: FW: [External Email] Revised proposed initiative petition
Attachments: Revised Initiative Petition Packet.pdf

Ms. Pannella,

Pursuant to Article II, Section A.4 of the Charter of the City of Cincinnati, the City Attorney has reviewed the enclosed certified copy of a petition submitted by Millie P. Schafer to the Clerk of Council on June 5, 2024. The certified copy of the petition meets the requirements as to form provided by the Charter.

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 <dpannella@hmlawohio.com>
Sent: Wednesday, June 5, 2024 1:14 PM
To: Autry, Melissa <Melissa.Autry@cincinnati-oh.gov>
Subject: [External Email] Revised proposed initiative petition

External Email Communication

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

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