

EMERGENCY

City of Cincinnati

AEP/B

*AWB*

An Ordinance No. \_\_\_\_\_

- 2020

**TO SUBMIT** to the electors of the City of Cincinnati an amendment to the Charter of the City to provide for the election of the members of City Council by single transferable voting by amending existing Sections 5 and 8 of Article IX of the Charter, and repealing existing Sections 5, 5a, 5b, 6, 7, 8, and 11.

**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 3, 2020, an amendment to the Charter of the City of Cincinnati, to provide for the election of members of City Council by single transferable voting by amending existing Sections 5 and 8 of Article IX of the Charter, and repealing existing Sections 5, 5a, 5b, 6, 7, 8, and 11 as follows:

**ARTICLE IX.- NOMINATIONS AND ELECTIONS**

**Section 5.**

- (a) General law applies. Except as provided in this charter, ballots cast for election of members of the council and mayor shall be counted and the results determined and certified by the election authorities in the manner provided by Ohio general election law for non-partisan ballots for municipalities.
- (b) Voting method. The voters elect the city's members of council by single transferable voting (also known as "ranked-choice voting" or "instant-runoff voting"). Candidates for mayor at both primary and general elections shall be elected as provided in section 1a and 8 of this article.
- (c) Method of Counting Votes. The city council shall provide by ordinance for the method of counting the votes and of breaking a tie in a manner consistent with single transferable voting prior to the November 2021 general election. The council shall have power to provide for the use of mechanical, electronic or other devices for marking and sorting the ballots and tabulating the results and to modify the form of the ballot, the directions to voters, and the details in respect to the method of counting, invalidating, and preserving ballots accordingly.

The election shall be conducted in accordance with the laws of the State of Ohio, now or hereafter in force, relating to voting and tabulating equipment, to the extent that such laws do not conflict or interfere with the efficient and secure casting, counting, or tabulating of votes by single transferrable vote as provided by this charter and ordinances adopted to implement this article.

- (d) Number of votes. Each elector shall be entitled to vote for one candidate for mayor at both the primary and general elections and for as many candidates for the council, other than mayor, as are to be elected.
- (e) Ballot Format. The city council shall provide by ordinance for the ballot format. The ballot for each elected office shall be a nonpartisan ballot without party mark or designation.

**Section 8.**

In primary elections for mayor, the valid ballots cast for candidates for mayor shall be counted to determine the total number of votes cast in said primary election. The two candidates receiving the highest number of votes shall be declared eligible for the regular municipal election for mayor in November and shall have their names printed on the ballot for mayor.

In regular municipal election for mayor, the valid ballots cast shall be counted to determine the total number of votes cast for mayor. The candidate or eligible person receiving the highest number of votes cast for mayor shall be declared elected mayor.

If any two or more persons receive an equal and highest number of votes one of them shall be chosen as mayor according to the method prescribed by the general election laws of the state of Ohio for deciding tie votes.

Votes shall be counted for write-in candidates for mayor at the primary or regular municipal election who have complied with the general election law.

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

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| <b>CHARTER AMENDMENT</b>                         |   |
| <b>A majority vote is necessary for passage.</b> |   |
| <b>YES</b>                                       | Shall the Charter of the City of Cincinnati be amended to provide for the |

|           |  |
|-----------|--|
| <b>NO</b> | election of members of City Council by single transferable voting, also known as ranked-choice voting, by amending existing Sections 5 and 8 of Article IX, “Nominations and Elections,” and repealing existing Sections 5, 5a, 6, 7, 8, and 11? |
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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 Sections 5 and 8 of Article IX shall become a part of the Charter of the City of Cincinnati and existing Sections 5, 5a, 6, 7, 8, and 11 shall be repealed.

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 3, 2020 general election.

Passed: \_\_\_\_\_ 2020

\_\_\_\_\_  
John Cranley, Mayor

Attest: \_\_\_\_\_  
Clerk