O R D I N A N C E

Year - 2006 Number _____

To submit to the electors of the City of Portsmouth, Ohio, at the Primary Election to be held on the 2nd day of May, 2006 proposed amendment to Section 151 of the Charter of the City of Portsmouth, Ohio.

Whereas, Section 166 of the Charter of the City of Portsmouth, Ohio, and Article XVIII, Section 9 of the Constitution of the State of Ohio, authorize this Council to submit to the electors of the City of Portsmouth, Ohio, proposed amendments to the City Charter; and

Whereas, the City Council has determined that the questions of the adoption of the proposed amendment to the Charter of the City of Portsmouth should be submitted to the electors of the City of Portsmouth, Ohio, at the Primary Election to be held on the 2nd day of May, 2006, and that they should be submitted as hereinafter provided; and

Whereas, it is necessary in order that said proposed Charter amendments be placed on the ballot in the Primary Election to be held on the 2nd day of May, 2006, that this ordinance be passed and become effective at least sixty (60) days prior to said Primary Election. Now, therefore,

BE IT ORDAINED by the Council of the City of Portsmouth, Ohio:

SECTION I. That there be submitted to the electors of the City of Portsmouth, Ohio, at the Primary Election to be held on the 2nd day of May, 2006, a proposed amendment to existing Charter Section 151, the amended portion of said section contained in said proposed amendment to read as follows:

SECTION 151. <u>FILING RECALL PETITION.</u>

A petition demanding the removal of an elective officer shall be known as a recall petition. A recall petition to be effective must be returned and filed with the City Clerk within thirty (30) days after the filing of the affidavit as provided in the next preceding section, and to be usfficient must bear the signatures of qualified electors of the City equial in number to at least twenty-five per centum (25%) of the electors who voted at the last preceding regular municipal election, if seeking the removal of an officer elected from the City at large, and if for the removal of an officer elected from a ward, by the signtures of qualified electors of the particular ward equal in number to at least twenty-five percentum (25%) of the electors who voted at the last preceding regular municipal election in said ward. A recall

petition, if insufficient as originally filed, may be amendned as provided in this Charter.

The circulators of said recall petitions must be electors of the ward of the Councilperson whose recall is being sought, or electors of the City at large if recall is being sought of an elective officer from the City at large.

The foregoing proposed amendment, if approved by the electors of the City of Portsmouth, shall become effective and become a part of the Charter of said City upon passage, and the corresponding existing section or sections shall thereby be repealed.

SECTION II. That the question of the adoption of the proposed amendment to the Charter of the City of Portsmouth, Ohio, be submitted to the voters of said City at the Primary Election to be held on the 2nd day of May, 2006, at the regular voting places within the City of Portsmouth, Ohio, between the hours prescribed by law.

SECTION III. That the ballot used for the voting on said proposed charter amendment shall have printed across the top thereof and below the stub the words "OFFICIAL QUESTIONS AND ISSUES BALLOT."

The printed matter pertaining to this issue on the ballot shall be enclosed at the top and bottom thereof by a heavy horizontal line across the width of the ballot. Immediately below such top line shall be printed the words "Proposed Charter Amendment" followed by the words "A majority vote is necessary for passage."

Immediately below such brief title and statement of the percentage of affirmative votes required for passage, shall be printed a condensed text of the proposed amendment submitted by that particular issue. The condensed text to be printed upon the ballots for the issue as descriptive of the contents of the proposed amendment included in said issue, shall be as follows:

Shall the Charter of the City of Portsmouth, Ohio be amended as follows:

No. 1 Shall the Charter of the City of Portsmouth, Ohio, be amended to amend Section 6 to add the the words, "The circulators of said recall petitions must be electors of the ward of the Councilperson whose recall is being sought, or electors of the City at large if recall is being sought of an elective officer from the City at large."

Immediately below the ballot title, or printed condensed

text of the issue, shall appear the following propositions, one above the other, in the order indicated:

FOR THE CHARTER AMENDMENT _____ : _____ :

AGAINST THE CHARTER AMENDMENT _____ : _____ :

Adjacent to each proposition there shall be a method by which the elector may vote for or against the Charter amendment as provided on the Computer Election System.

SECTION IV. That the City Clerk be and she hereby is directed to advertise for two (2) consecutive weeks in a newspaper of general circulation within the City of Portsmouth, Ohio, to advise each elector of said city that a proposed amendment to the Charter of the City of Portsmouth will be submitted at an election for their approval or rejection.

SECTION V. That the City Clerk be and she hereby is directed to forthwith certify a copy of this ordinance to the Board of Elections of Scioto County, Ohio.

SECTION VI. The City Auditor is herein authorized and directed to draw his warrants on the Contingent Fund to cover the costs of advertising of said proposed charter amendment.

SECTION VII. The City Clerk of the City of Portsmouth, Ohio, is hereby authorized and directed to publish the within ordinance by posting a true and authenticated copy thereof on the bulletin board in the lobby of the second floor of the Municipal Building located at 728 Second Street in the City of Portsmouth, for a period of not less than fifteen (15) days.

Passed this _____ day of _____, 2006.

Attest:

_____ _____

City Clerk President of Council