

Proposed Amendment #2

THE CHARTER OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO

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ARTICLE THREE~~III~~. THE COUNCIL

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~~SECTION 3. REMOVAL~~

~~The Council shall be the judge of the election and qualifications of its own members. It may expel any member for gross misconduct, or malfeasance in or disqualification for office, or for conviction of a crime involving moral turpitude while in office, or violation of its charter, or persistent failure to abide by the rules of the Council; provided, however, that such expulsion shall not take place without the concurrence of five members nor until the accused member shall have been given a written copy of the charges against him and an opportunity to be heard, with not less than ten days' notice of the time and place of hearing.~~

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ARTICLE IV~~FOUR~~. THE MAYOR

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~~SECTION 9. REMOVAL~~

~~If, at any time the Mayor shall cease to be qualified for the office, or shall be convicted of a felony, or shall be declared legally incompetent, the Mayor shall immediately forfeit office.~~

~~This section shall become effective January 1, 2022.~~

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~~SECTION 11. RECALL.~~

~~(a) The people reserve onto themselves the right to recall and remove the Mayor from office. The procedure to affect such recall or removal shall be as follows:~~

~~A petition demanding that the question of removal of the Mayor be submitted to the electors shall contain a concise statement setting forth the basis for the recall and shall be signed by at least twenty-five percent of the electors of the City that voted in the most recent mayoral election.~~

~~When such a petition signed by the aforesaid required number of electors has been filed, the Clerk shall certify the same to the Council at the next regular meeting and shall furnish a copy thereof to the Mayor. The Council shall call an election upon the question of the removal of the Mayor unless within five days after the Mayor has been furnished a copy of such certification the Mayor tenders a written resignation to the Clerk.~~

~~– (b) If a majority of the votes cast at such election on the question of removal of the Mayor are affirmative, the Mayor shall thereupon be deemed removed from office upon the certification of the official canvass of that election to the Council, and the vacancy of the office shall be filed according to the provisions of this Article.~~

~~This section shall become effective January 1, 2022.~~

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## ARTICLE ~~VII~~SEVEN. NOMINATIONS ~~AND~~, ELECTIONS, AND REMOVAL

### SECTION 7. 1. TIME OF HOLDING ELECTIONS

~~– The regular~~Regular municipal ~~election~~elections shall be held on the first Tuesday after the first Monday in November in ~~the~~ odd numbered years. Any matter ~~which~~that, by the terms of this Charter, may be submitted to the electors of the City at ~~any~~a special election, may also be submitted at the time of a ~~primary election or of a~~ general election.

When there exists a vacancy in the Council, an election for the unexpired term shall be held as provided in Section 3.3.

~~– When there exists a vacancy in the office of the Mayor, an election for~~Mayor shall be held on the first Tuesday after the first Monday in November, occurring in any calendar year, and in accordance with the requirements specified in Article IV, Section 10.

~~– In the event there are three or more certified candidates for the office of Mayor, a non-partisan primary election~~unexpired term shall be held ~~for that office in accordance to the laws of the State of Ohio on the second Tuesday after the first Monday in September, in the year that an election is held for the office of Mayor. The names of the two candidates for Mayor receiving the highest number of votes in the non-partisan primary election shall appear at the subsequent November election~~as provided in Section 4.6.

~~– This section shall become effective January 1, 2021.~~2021.20[XX].

### SECTION 7. 2. BALLOTS

~~– The~~(a) Except as provided in this section, the ballots used in all elections provided for in this Charter shall be ~~paper ballots or mechanical or other devices for voting not inconsistent with the general~~consistent with the election laws of the State of Ohio.

~~– (b) The~~The ballots used in all elections provided for in ~~this~~the Charter shall be without party marks or designations. The names of all candidates for any office shall be placed upon the same ballot ~~and the names shall be rotated in the manner provided by the laws of the State of Ohio.~~

~~– The full names of all candidates shall be printed on the ballots. If two or more candidates for the same office have the same surname or surnames so similar as to be likely to cause confusion, their residence addresses shall be printed with their names on the ballot.~~

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- ~~- Write-in votes for Mayor in elections shall be permitted only if a duly nominated candidate cannot participate due to death or other disqualification, or if a candidate does not have an opponent, or if no candidate has been nominated.~~
- ~~- Declarations of candidacy for write-in candidates shall be made on standard forms provided by the county board of elections and submitted within a period of time prescribed by the general law of the State.~~
- ~~- This section shall become effective January 1, 2021.~~

**SECTION 7.3. PETITION NOMINATING PETITIONS FOR PLACES ON BALLOTS.**

~~- The name of any elector of the a candidate who meets the qualifications for holding City office shall be printed upon the ballot as a candidate if there is a nominating petition filed with the election authorities prescribed by general law a petition the election laws of the State of Ohio in accordance with the following requirements:~~

~~- (a) SuchThe petition shall state the name and place of residence of the person whose name is presented for a place upon the ballot and the name of the office for which he the person is a candidate. The nomination of each candidate shall be made by separate petition.~~

~~- (b) SuchThe petition for a candidate for Mayor shall be signed by three hundred (300) electors of the Municipality equal in number to not less than two percent of the total number of voters voting at the last regular election of municipal officers.~~

~~- (c) Each elector signing a City and the petition shall add to his signature his place of residence, with street and number and date of signing. No elector shall sign more nominating petitions for different candidates for for a particular office than there are positions to be filled for that office at the election candidate for which the petition is signed. If he does so, his signatures on all petitions which postdate his signing the permissible number of petitions shall be invalid. All signatures shall be made with ink.~~

~~- (d) The signature of all petitioners need not be appended to one paper, but to each separate paper there shall be attached a signed statement of the circulator thereof, made under penalty of election falsification, stating the number of signers thereto, that each person signed in the circulator's presence on the date mentioned, and that the signature is that of the person whose name it appears to be.~~

~~- (e) Such petition shall not Council shall be signed by anyone hundred and fifty (150) electors of the City.~~

~~(c) No petition may be signed more than one hundred eighty (180) days prior to the date established in Section VII 1 for the primary election that is required to be held when there are three or more candidates certified for the office of Mayor before the date of the applicable election, and such petitions shall be filed with the election authorities prescribed by general law not later than 4:00 p.m. on the ninetieth (90th) day prior to before the date set for that primary the applicable election, regardless of whether or not a primary is actually required to be held for a Mayoral election. This section shall become effective January 1, 2021.~~

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SECTION 7.4. ACCEPTANCE.

~~Any person whose name has been submitted for candidacy by any such petition shall file an acceptance of such candidacy with the election authorities not later than at least eighty-five (85) days previous to the date established in Section VII-1 for the primary election that is required to be held when there are three or more candidates certified for the office of Mayor, regardless of whether or not a primary is actually required to be held for a Mayoral before the date of the applicable election; otherwise, the name of that person shall not appear on the ballot. The signature of a candidate upon a declaration of candidacy contained as part of petitions a petition filed with the election authorities, in accordance with law, the election laws of the State of Ohio shall constitute compliance with the requirements of this section. This section shall become effective January 1, 2021.~~

SECTION 7.5. WHO ELECTED. WRITE-IN CANDIDATES

~~The voter may A person seeking election as a write the name of any in candidate who has properly filed shall file a declaration as a write in candidate of intent with the election authorities on or before the at least seventy-second (72nd) day two (72) days before the date established in Section VII-1 for the primary election that is required to be held when there are three or more candidates certified for the office of Mayor, regardless of whether or not a primary is actually required to be held for a Mayoral the applicable election. Such The declaration shall state the person's name of the candidate, his or her and place of residence, and the office for which he or she desire the person intends to run. A write in candidate shall be an elector A voter may write on the ballot the name of any person who has properly and timely filed a declaration of intent to run as a write-in candidate, and that vote shall be counted.~~

Declarations of candidacy for write-in candidates shall be made on standard forms provided by the City at the election authorities prescribed by the general laws of the State of Ohio and submitted within a period of time his or her declaration as such a candidate is filed with prescribed by the general laws of the election authorities. This section shall become effective January 1, 2021 State of Ohio.

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7.8. REMOVAL

Any official of this City shall be subject to removal in such manner as is now or may hereafter be provided by the general laws of Ohio, or by this Charter.

In addition, Council may remove any elected official of the City for failing or ceasing to possess any qualification established by this Charter for that office or who has violated the general laws of the State of Ohio governing the ethical conduct of public officials and employees. However, that expulsion may take place only upon Council acting by affirmative vote of at least five (5) of its members, and only after the accused official has been given an opportunity to be heard. At least ten (10) days before the hearing, the accused official shall be given both written notice of the time and place of the hearing and a written statement of the charges advanced as the basis for the expulsion.

ARTICLE VIII/EIGHT. INITIATIVE, REFERENDUM AND RECALL

SECTION 8.1. INITIATIVE.

– (a) The people reserve ~~unto~~ themselves the right ~~to propose~~, by initiative petition, ~~any legislative measure to propose any ordinance or resolution~~, including the repeal of ~~any~~ ordinances ~~or resolutions~~ adopted by the Council, approved by referendum vote or initiated by the people. ~~Such A legislative initiative petition must contain the signatures of not less than ten percent of the~~ ~~shall be signed by~~ electors of the City ~~equal to at least ten percent (10%) of the total vote cast at the last preceding general municipal election.~~

– (b) When ~~there shall have been filed~~ a petition ~~signed by the aforesated required number of electors proposing an ordinance or other measure,~~ ~~has been signed by the required number of persons and duly filed with~~ the Clerk ~~shall of Council, the Clerk shall, at the next regular Council meeting,~~ certify the ~~same~~petition to the Council ~~at the next regular. At that~~ meeting, ~~and~~ the Council shall ~~at once~~ read ~~the~~ petition and refer ~~the same~~it to an appropriate committee ~~of Council~~, which may be the committee of the whole; provision may be made. The committee of Council to which the petition is referred shall provide for public hearings upon meetings, with opportunity for public comments, on the proposed legislation before the committee to which it is referred; thereafter. Not later than the second regular meeting of the Council following the meeting at which the proposed measure was certified to the Council by the Clerk, the committee ~~shall of Council shall~~ report the proposed measure to the Council ~~along~~ with its recommendations ~~thereon not later than the second regular meeting of the Council following that at which the proposed measure was submitted to the Council.~~

– Upon receiving the proposed measure from the committee, the Council shall at once (c) The Council ~~shall then~~ proceed to consider ~~the same~~it and ~~shall~~ take final action ~~thereon within~~on the proposed measure not later than thirty (30) days ~~from~~following the date of ~~such committee's~~the committee of Council's report, ~~and recommendations to Council~~. If the Council rejects the proposed measure, ~~fails to act on it within the time prescribed~~, or passes it in a form different from that set forth in the petition, the committee of the petitioners may require that it be submitted to a vote of the electors ~~of the City~~ in its original form, ~~or. Alternatively, the committee of petitioners may require~~ that ~~it~~the proposed measure be submitted to a vote of the electors ~~of the City~~ with any proposed change, addition or amendment ~~which was that had been~~ presented ~~in writing~~, either at a public hearing before the committee ~~of Council~~ to which ~~such~~the proposed measure ~~was had been~~ referred, or during the consideration ~~thereof by the Council, and~~ of the proposed measure by the Council. If the committee of petitioners intends to require a submission of the measure for a vote, it shall certify ~~such fact that intent~~ to the Clerk ~~within~~in writing no later than ten (10) days after the final action on ~~such~~the proposed measure by the Council, ~~who or~~ after the expiration of the prescribed time without Council having acted, whichever is applicable. The Clerk shall forthwith promptly certify the ~~same~~ committee of petitioners' intent to the Council, which shall ~~call an election~~ provide for submitting it to a vote of the people.

– (d) No measure initiated by the people and adopted by popular vote shall be repealed ~~by the Council~~, or ~~somaterially~~ amended by ~~it as to destroy~~ the ~~effectiveness thereof~~Council, within two (2) years after it takes effect.

## SECTION 8.2. REFERENDUM.

– Any ordinance or (a) The people reserve to themselves the right, by petition, to subject to referendum ~~any ordinance, resolution, or~~ other measure passed by the Council ~~shall be subject to referendum~~, except as ~~hereinafter otherwise~~ provided. ~~No in this Section. Except as otherwise provided in this Section, no~~ ordinance or other measure shall ~~go into effect~~become effective until thirty (30) days after it ~~shall~~

~~have has~~ been passed by the Council, ~~except as hereinafter~~ provided; but, however, that nothing ~~herein~~ contained in this Section shall prevent the City, after the passage of any ordinance or other measure, from proceeding at once to give any notice or make any tender or publication required by ~~such at the~~ measure, by this Charter, by ~~general law~~the laws of the State of Ohio, or by ~~general~~ ordinance or resolution.

~~When there shall have been filed a (b) A petition signed by not less than fifteen percent of the electors of the City within thirty days after any ordinance or other measure shall have been passed by the Council, ordering demanding~~ that ~~such an~~ ordinance or other measure be submitted to the ~~electors of the City people~~ for their approval or rejection; ~~shall be signed by electors of the City equal to at least fifteen percent (15%) of the total vote cast at the last preceding general municipal election and shall be filed with the Clerk of Council no later than thirty (30) days after the ordinance or other measure has been passed by the Council. When a referendum petition has been signed by the required number of electors and duly filed, the Clerk of Council shall, at the next regular Council meeting of the Council, certify such the~~ petition to the Council. ~~The Upon receipt of the certified petition, the Council shall thereupon immediately~~ proceed to reconsider ~~such the~~ ordinance or other measure. If upon ~~such~~ reconsideration, the ordinance or other measure ~~be is~~ not entirely repealed ~~within thirty (30) days of Council's receipt of the petition~~, the Council shall provide for submitting it to a vote of the electors ~~as herein elsewhere provided. No such ordinance or measure shall of the City, and it shall not~~ go into effect ~~unless and~~ until approved by a majority of those voting on ~~the same it~~.

~~-- (c) Whenever the Council is by law or provisions of general ordinances required by the laws of the State of Ohio or by ordinance to pass more than one ordinance or other measure to complete the legislation necessary to make and pay for any public improvement, the provisions of this section~~Section shall apply only to the first ordinance or other measure required to be passed and not to any subsequent ordinances or other measures relating ~~thereto to the first ordinance or measure~~.

~~-(d) Whenever the electors shall have authorized the issuance of bonds, subsequent ordinances or other measures relating to the issuance of such the bonds shall not be subject to the provisions of this section~~Section.

~~-(e) Ordinances or other measures providing for appropriations for the current expenses of the City, or for street improvements petitioned for by the owners of a majority of the ~~feet~~ front ~~feet~~ of the property benefited and to be specially assessed for the cost ~~thereof of the improvements~~, as provided by general law or ~~general~~ ordinance, and emergency ordinances or ~~other~~ measures necessary for the immediate preservation of the public peace, health or safety of the City, shall go into immediate effect and shall are not be subject to the provisions of this section~~Section.

~~- Such emergency ordinances or measures must upon an aye or nay vote receive the vote of five members of the Council, and the reasons for such necessity shall be set forth in one section of the ordinance or other measure.~~

### SECTION 3. RECALL.

#### 8.3. RECALL

~~- (a) The people reserve unto themselves the right to recall and remove from office any elected officer of the City.~~

– (b) A petition ~~demanding that the question for recall of removal of such an elected officer be submitted~~ shall contain the name of the person sought to be recalled and a concise statement setting forth the basis for the recall and shall be signed by electors of the City equal to at least twenty-five percent (25%) of the total number of electors who voted in the most recent regular municipal election. No petition shall be signed by at least twenty-five percent fewer than one hundred eighty (180) days following the commencement of the electors of the City most recent term of office of the elected officers whose recall is sought, and any signature affixed before that date shall not be counted. No petition may relate to the recall of more than one elected officer.

– (c) When ~~there shall have been filed a question petition for recall has been~~ signed by the ~~aforesaid~~ required number of electors, ~~and duly filed with the Clerk of Council~~, the Clerk shall ~~certify the same to the Council~~, at the next regular Council meeting, ~~certify the petition to the Council~~ and shall ~~at the same time~~ furnish a copy ~~thereof of the petition~~ to the ~~person~~ member of the ~~Council~~ whose removal is ~~so~~ sought, ~~and the Council shall call an election upon the question of such removal as herein elsewhere provided, unless within five days after such certification. Unless the person whose removal is sought member of the Council shall have tendered his tenders a~~ written resignation to the Clerk ~~within no more than five (5) days after certification of the petition to Council, the Council shall provide for submitting the question of removal to a vote of electors~~

– (d) If a majority of the votes cast at ~~such the~~ election on the question of ~~removal of any member of Council recall~~ are ~~affirmative in favor of recall~~, the person whose ~~removal recall~~ is sought shall ~~thereupon~~ be deemed removed from office upon the certification of the official ~~canvass of that~~ election results to the Council, ~~and a~~

(e) A vacancy caused by ~~such the~~ recall of a member of Council shall be filled ~~by the remainder of the Council~~ according to the provisions of Article III 3.4 of this Charter. A vacancy caused by the recall of the Mayor shall be filled according to the provision of Section 4.6. No person recalled is eligible for appointment to fill the vacancy caused by the recall.

If, however, an election is held for the recall of more than three members of the Council, candidates to succeed them for their unexpired terms shall be voted upon at the same election and shall be nominated by petitions dated and verified in the manner required for petitions presenting names of candidates for regular municipal elections and similar in form to such petitions and filed with the election authorities at least ninety (90) days prior to such recall election, but no such nominating petition shall be signed or circulated until such recall petition has been certified to the Council, and any signatures ante dating such time shall not be counted.

– (f) If a majority of the votes cast at the election on the question of ~~removal of any member of the Council recall~~ are ~~in the negative opposed to recall~~, the person whose ~~removal is recall~~ has been sought shall be allowed by the Council ~~his~~ reasonable expenses incident to ~~such the~~ election. ~~This section shall become effective January 1, 2017.~~

#### SECTION 8. 4. GENERAL PROVISIONS.

– (a) Any initiative ~~or~~ referendum ~~petition~~, or ~~one for a~~ recall, ~~petition~~ may be presented in separate parts. Each part of ~~any an~~ initiative petition shall contain a full and correct copy of the title and text of the proposed ordinance or other measure, ~~and each~~. Each part of ~~any a~~ referendum petition shall contain the number and the full and correct copy of the title of the ordinance or other measure sought to be

referred, but need not contain the full text of ~~such the~~ ordinance or other measure. Each part of a recall petition shall contain the name of the member of Council sought to be removed and the statement of basis for removal.

– (b) Each signer of person signing a petition shall be a registered voter of the City and shall sign his ~~name in ink and shall place on the petition his name and place of residence by also provide that person's street and number, of residence and date of signing. All signatures shall be made with ink.~~ Each part of any ~~such a~~ petition shall contain a circulator statement as required by the affidavit general laws of the State of the person soliciting the signatures to the same, which affidavit shall contain a statement of the number of signers of such part of such petition and shall state that to the best of the affiant's knowledge and belief each of the signatures contained on such part is the genuine signature of the person whose name it purports to be, and that he believes such persons are registered electors of the City, and that they signed such petition with the knowledge of the contents thereof. Ohio. Each part of ~~such a~~ petition shall also have printed ~~thereon~~ on it the names and addresses of at least five ~~registered~~ (5) electors of the City, who shall be officially regarded as filing the petition and shall constitute a committee of the petitioners for the purpose herein elsewhere named purposes of this Article.

– (c) All such petitions shall be filed with the Clerk of the Council and all parts of any ~~such~~ petition shall be assembled by the Clerk as one instrument. Within Upon the filing of a petition the Clerk shall examine it and, not later than ten (10) days after the filing ~~of a petition the Clerk shall ascertain, determine~~ whether the ~~same is petition has been~~ signed by the required number of qualified electors. Upon the completion of ~~his~~ the examination, the Clerk shall endorse upon the petition a certificate of the result thereof.

– (d) If the Clerk's certificate shows that the petition is has an insufficient ~~he shall at once~~ number of signatures, the Clerk shall promptly notify each member of the committee of the petitioners ~~herein elsewhere provided for~~, and the petition may be amended at any time within fifteen (15) days from the date of the Clerk's certificate of examination by filing with the Clerk ~~an additional a supplement to the~~ petition in one or more parts with additional signatures in the same manner as provided for the original petition. ~~In the event that it shall be determined by judicial proceedings that the~~ If, upon challenge, a court determines that a certificate of the Clerk to the effect that the petition is sufficient is erroneous, a similar period of ~~time fifteen days (15) after the final judicial determination~~ shall be granted for ~~additional petitions after the final determination of such question amending the petition in the same manner.~~

– (e) Upon amendment by the filing of ~~any such additional petitions a supplement to the petition~~, the Clerk shall ~~within, not later than~~ ten (10) days ~~thereafter after the filing~~, examine the petition as ~~thus~~ amended and ~~attach thereto his endorse upon it a~~ certificate of the result, ~~and the petition shall thereafter be treated in the same manner as it would have been treated after the original certification of the examination, which shall constitute the final determination. Only one supplement may be filed.~~ The final determination of the insufficiency of a petition shall not prevent the filing of a new petition for the same purpose.

– ~~The sufficiency of the number of signers to any (f) An~~ initiative, referendum or recall petition, ~~shall is deemed to be determined on the basis of the number of registered voters at the last general election for municipal officers.~~

– ~~The filing of an initiative, referendum or recall petition filed by the Clerk with the Council within the times herein elsewhere provided shall be computed from the on the date of the attaching of the Clerk's final certificate of is endorsed on the Clerk to such petition.~~

– ~~(g) Whenever it becomes the duty of the Council is required to call provide for an election by reason of the filing of an initiative or referendum a petition or one for initiative or referendum or recall, the Council shall call an election for the submission of such question, or recall set the election, at the next regular primary or general election occurring not less than sixty (60) days nor more than one hundred twenty (120) days thereafter after the requirement has arisen. If no such regular primary or general election is to be held within such time that period, the Council shall provide for calling a special election to be held not less than sixty (60) days nor more than one hundred twenty (120) days thereafter. In either event, after the requirement has arisen; provided The Council shall certify its the action to the Director of Elections. Provided, however, that if the recall of more than three (3) members of the Council is sought by petition, the period of sixty (60) days hereinbefore provided shall be changed to one hundred twenty (120) day selection authorities.~~

– When any legislative measure resulting from any initiative or referendum petition is approved by a majority of the electors voting thereon, such legislative measure shall become effective at the time fixed therein and if no time is fixed therein, then such legislative measure shall become effective upon its approval by the electors; provided, however, that in the event that two or more inconsistent legislative measures on the same subject are submitted at the same election, only the one receiving the largest affirmative vote, not less than a majority, shall become effective. ~~This section shall become effective January 1, 2017.~~

#### SECTION 8.5. OFFICIAL PUBLICITY.

– ~~Not less than thirty (30) (a) At least forty (40) days prior to the before an election at which any Charter amendment, an initiated or referred legislative measure, or recall of any an elective official is to be submitted to the electors, the Clerk of Council shall either:~~

– ~~(a) Print and mail Mail materials to each registered elector an official publicity pamphlet, or voter of the City determined as of the most recent general election; and~~

– ~~(b) Publicize official publicity (2) Publish materials promptly in a newspaper published and generally circulated in the City, or if no such newspaper is published in the City, then in a newspaper of general circulation within the City. Such The publication shall be made once a week for not less than at least two (2) consecutive weeks with the first publication being at least thirty (30) days prior to such before the election.~~

– ~~Such publicity pamphlet or publication shall (b) The materials required under this section mailed and published shall contain at least the full text of the Charter amendment, initiated or referred ordinance, or recall petition, with their respective ballot titles, together with any explanation or argument for or against such the measure or recall which that may have been filed with the Clerk of Council, as hereinafter provided. The validity of any Charter amendment, an initiated or referred legislative measure, approved by the electors, and the result of any a recall election, shall not be questioned because of technical or non-consequential errors or irregularities in such the mailing, distribution or publication.~~

#### – Not less than 8.6. STATEMENTS IN SUPPORT AND OPPOSITION

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(a) At least fifty (50) days before any such an election, prompted by a petition, the committee of petitioners designated in the petition, as a result of which said election is called, at issue may submit to the Clerk of Council an explanation or argument supporting a statement in support of the position taken by the signers of such petition. If a Charter amendment is proposed by

(b) In the event of the Council submission of an initiative or referendum petition, a committee of three (3) members of the Council to be appointed by the Mayor shall prepare such explanation or argument. In the event of an initiated ordinance, which President of Council to act on behalf of Council has failed to pass, or of a referred ordinance, the Mayor shall appoint a committee of three of the Council to prepare by stating Council's position shall prepare an answer to the explanation or argument statement submitted by the committee of the petitioners.

(c) In the ease event of a recall election selection, the official person whose recall is sought may prepare an answer to the argument of statement submitted by the committee of petitioners.

(d) A statement in support of the petitioners. Where a Charter amendment is proposed, any civic body or committee of citizens may prepare and submit an answer to the explanation or argument in favor of such amendment. Any such answer shall be prepared and filed with the Clerk not less than forty (40) days prior to any such election. All explanations or arguments for or against or in opposition to any measure or recall shall be signed by the person or persons authorized to submit the same it. No such explanation or argument shall statement may exceed three five hundred (300500) words in length unless the person or persons submitting the same shall at the same time deposit with the Clerk of Council a sum of money sufficient to cover the proportionate cost of printing such excess. Arguments in favor of or against any. All statements in support of or in opposition to any legislative measure or election, recall and answers, once filed with the Clerk, shall at all times be open to the inspection of anyone interested therein in them.

(e) All answers and statements shall be filed with the Clerk at least forty (40) days before the applicable election.

(f) In the case of a petition for any initiative, referendum, or recall, any civic body or committee may prepare and submit a statement in support of or in opposition to such petition in the manner and form prescribed in this section.

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ARTICLE THIRTEEN-XIII. AMENDMENTS

- 13.1. SUBMISSION OF AMENDMENTS

(a) Amendments to this Charter may be submitted to a vote of the electors of the City by ~~at the Council by an affirmative~~ vote of ~~at least five (5) of its~~ members ~~of the Council, and shall~~. Amendments shall be submitted ~~to a vote of the electors of the City~~ by the Council when a petition ~~for a charter amendment has been~~ signed by ~~not less than~~ electors of the City equal to at least ten percent (10%) of the total ~~number of electors as shown by those registered~~ vote cast at the last preceding general or municipal election, ~~setting forth any such proposed amendment shall have and has~~ been filed in the manner and form prescribed ~~herein in Sections 8.1 and 8.4 of the Charter~~ for the submission of ordinances by initiative petition. The amendments shall be submitted to the electors ~~of the City~~ at the next regular primary or general election, if one shall occur not less than sixty (60) days, ~~nor or~~ more than one

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hundred twenty (120) days after its passage or filing; otherwise the Council shall provide for the the amendment's submission of the amendment by Council. Otherwise the Council shall provide for the submission of the amendments at a special election to be held not less than sixty (60) days or more than one hundred twenty (120) days after the passage or filing.

(b) At least forty (30) days before an election at which an amendment to this Charter is to be called and held submitted to the electors, the Clerk of Council shall either:

(1) Mail materials to each elector of the City determined as of the most recent general election; or

(2) Publish materials promptly in a newspaper generally circulated in the City, or if no such newspaper is published in the City, then in a newspaper of general circulation within the time aforesaid City. The publication shall be made once a week for at least two (2) consecutive weeks with the first publication being at least thirty (30) days before the election.

– If any such proposed (c) If a Charter amendment is proposed by the Council, a committee of three (3) members of the Council to be appointed by the President of Council to act on behalf of Council by stating Council's position shall prepare a statement in support in the manner and form prescribed in Section 8.6 of the Charter.

(d) If a Charter amendment is proposed either by Council or by initiative, any civic body or committee may prepare and submit a statement in support of or opposition to the amendment in the manner and form prescribed in Section 8.6 of the Charter.

### 13.2. EFFECTIVE DATE

When a proposed amendment is approved by a majority of the electors voting thereon, on it, the amendment shall become a part of this the Charter at the time fixed in the amendment; and if, If no time is fixed therein in it, then such the amendment shall become a part of this the Charter upon its approval by the electors; the certification of the official election results, provided, however, that in the event that if two (2) or more inconsistent amendments on the same subject are submitted at the same election, only the one of such amendments receiving an amendment that both receives at least a majority and that receives the largest affirmative vote, not less than a majority, shall become a part of this the Charter.

## ARTICLE XV FOURTEEN. CHARTER REVIEW

The Council shall, at least once during every ten (10) year period, by ordinance or resolution, appoint a Commission to review the entire Charter. The first ten (10) year period shall commence on January 1, 2025. At no greater interval than every five (5) years commencing on January 1, 2025, Council shall consider and determine whether to appoint a Commission to review the entire Charter.