

# **Charter of the City of Hudson, Ohio**

## **Article XII: Initiative, Referendum and Recall**

### **SECTION 12.01 INITIATIVE.**

The electors of this Municipality shall have the power to propose ordinances and other measures by initiative petition. Except as provided in this section, the procedures for proposing ordinances and other measures by initiative petition shall be in accordance with the provisions of the Constitution and laws of Ohio now or hereafter in effect.

When an initiative petition has been determined sufficient by the Finance Director and prior to submission to the Board of Elections of such proposed ordinance or measure for the approval or rejection of the electors of this Municipality, the Finance Director shall forthwith submit such proposed initiative ordinance or measure to Council and the Council shall consider the proposed initiative ordinance or measure. If the Council fails to adopt the proposed initiative ordinance or measure without any change in substance within thirty

(30) days after it receives the proposed initiative ordinance from the Finance Director, the Finance Director shall submit the proposed ordinance or measure to the Board of Elections. (Amended 11-8-05; 11-2-10)

### **SECTION 12.02 REFERENDUM.**

The electors of this Municipality shall have the power to approve or reject at the polls any ordinance or other measure enacted by Council. Except as provided in this section, the procedures by which the electors of this Municipality shall have the power to approve or reject at the polls any ordinance or other measure enacted by Council shall be in accordance with the provisions of the Constitution and laws of Ohio now or hereafter in effect.

When a referendum petition has been determined sufficient by the Finance Director and, prior to the Finance Director's certification to the Board of Elections for submission of such ordinance or measure to the electors of this Municipality, the Finance Director shall forthwith submit such referendum petition to Council and the Council shall have thirty (30) days to reconsider the referred ordinance by voting its repeal. If Council fails to repeal the referred ordinance within thirty (30) days after it receives the referred ordinance from the Finance Director, the Finance Director shall submit the ordinance or measure to the Board of Elections. (Amended 11-8-05)

# **Charter of the City of Hudson, Ohio**

## **Article XII: Initiative, Referendum and Recall**

### **SECTION 12.03 RECALL.**

The electors shall have the power to remove from office by a recall election any elected officer of the Municipality. If an elected officer shall have served six (6) months of the term, a form of petition demanding the officer's removal may be filed with the Clerk of Council, who shall note thereon the name and address of the person filing the petition and the date of such filing, and deliver to such person a receipt and attach a copy thereof to the petition.

This petition may be circulated in separate parts, but the parts shall be bound together and filed as one instrument. Each part shall contain the name and office of the person whose removal is sought and a statement in not more than two hundred (200) words of the grounds for the removal. Such petition shall be signed by at least that number of electors which equals twenty-five percent (25%) of the total number of electors who voted at the most recent gubernatorial election in the district from which the elected officer was elected.

Within ten (10) days after the day on which the petition has been filed, the Clerk of Council shall determine whether or not it meets the requirements hereof. If the Clerk of Council shall find the petition insufficient, the Clerk shall promptly certify the particulars in which the petition is defective, deliver a copy of the certificate to the person who filed the petition and make a record of such delivery. The petitioner has a period of twenty (20) days after delivery of said certificate to make the petition sufficient. If the Clerk of Council shall find the petition sufficient, the Clerk shall promptly so certify to the Council, shall deliver a copy of such certificate to the officer whose removal is sought, and shall make a record of such delivery.

If such officer does not resign within five (5) days after delivery of the certificate, the Council shall fix a day for holding a recall election, not less than sixty (60) days nor more than seventy-five (75) days after the date of such delivery.

At such recall election this question shall be placed upon the ballot: "Shall (naming the officer) be allowed to continue as (naming the office) ? ", with provisions being made on the ballot for voting affirmatively or negatively on the question. If a majority of the votes cast

at such election are affirmative, such officer shall remain in office. If a majority of the votes cast are negative, such officer shall be considered removed, and the office shall be declared vacant. Such vacancy shall be filled as provided in this Charter. The officer removed by such recall election shall not be eligible for appointment to the vacancy created.

(Amended 11-2-10)