



## Legislation Details (With Text)

**File #:** O-396-21      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 7/9/2021      **In control:** Law Department  
**On agenda:** 7/20/2021      **Final action:** 7/20/2021  
**Title:** Providing for the submission to the electors of the City of Toledo an amendment to Chapter III, Section 12, of the Charter of the City of Toledo to align the non-partisan primary election date with the date provided in the general laws of Ohio for holding primary elections; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Talking Points

Date	Ver.	Action By	Action	Result
7/20/2021	1	City Council	dispense with the rules of council requiring	Pass
7/20/2021	1	City Council	declare emergency	Pass
7/20/2021	1	City Council	passage	Pass

Dept. of Law

**Providing for the submission to the electors of the City of Toledo an amendment to Chapter III, Section 12, of the Charter of the City of Toledo to align the non-partisan primary election date with the date provided in the general laws of Ohio for holding primary elections; and declaring an emergency.**

Be it ordained by the Council of the City of Toledo:

SECTION 1. That the amendment to the Charter of the City of Toledo, as hereinafter set forth, be submitted to the electors of the City of Toledo at an election to be held on November 2, 2021.

SECTION 2. That the Charter of the City of Toledo, Chapter III, Section 12, shall be amended as specified in Section 4 below to align the non-partisan primary election date with the date provided in the general laws of Ohio for holding primary elections.

SECTION 3. That the Charter of the City of Toledo, Chapter III, Section 12 which presently reads as follows:

“Section 12. Non-partisan primary.

Candidates for Mayor and for Council to be voted for at the regular City election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday after the first Monday in September of 1967 and thereafter on the second Tuesday after the first Monday in September in such odd-numbered years as hereinafter provided.”

shall be amended to read as stated in Section 4.

SECTION 4. That the Charter of the City of Toledo, Chapter III, Section 12 shall be amended to read as follows:

“Section 12. Non-partisan primary.

Candidates for Mayor and Council to be voted for at any regular municipal election under the provisions of this charter shall be nominated at a nonpartisan primary election to be held in odd numbered years on the same date as may be provided in the general laws of the state for the holding of primary elections.”

SECTION 5. That the foregoing amendment shall take effect immediately upon approval by the electors of the amendment and in accordance with provisions in the amendment. The Clerk of Council is hereby ordered and directed to provide a copy hereof to the Ohio Secretary of State within thirty (30) days after such vote of approval by the electors.

SECTION 6. The Clerk of Council is hereby ordered and directed to certify to the Board of Elections of Lucas County, Ohio, the enactment of this Ordinance for the submission of the aforesaid amendment at an election to be held at the time hereinabove mentioned, and the Clerk is directed to request the Board of Elections to provide for the submission of the question of adopting the amendment at the said election. The Clerk of Council is further ordered and directed to cause the publication of the full text of the proposed charter amendment once a week for not less than two (2) consecutive weeks in a newspaper of general circulation in the City of Toledo, with the first publication being at least fifteen (15) days prior to the election at which the amendment is to be submitted to the electors.

SECTION 7. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the Public, in compliance with all legal requirements for open meetings, including section 121.22, Ohio Revised Code.

SECTION 8. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its adoption. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that the Ordinance must be immediately effective in order to permit the question of the aforesaid Charter amendment to be submitted at the election mentioned above; wherefore this Ordinance shall be in force and effect immediately upon its adoption.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

\_\_\_\_\_  
Attest: \_\_\_\_\_  
Clerk of Council