

PRELIMINARY PROCEEDINGS

PROCEEDINGS PRELIMINARY TO THE CHARTER

On the 3rd of September, 1912, the people of Ohio adopted the following provisions of the State Constitution, being Sections 7, 8 and 9 of Article XVIII, authorizing cities to adopt the charter method for their government:

Section 7. Any municipality may frame and adopt or amend a charter for its government and may, subject to the provisions of Section 3 of this article, exercise there under all powers of local self-government.

Section 8. The legislative authority of any city or village may by a two-thirds vote of its members, and upon petition of ten per centum of the electors shall forthwith, provide by ordinance for the submission to the electors of the question, "Shall a commission be chosen to frame a charter." The ordinance providing for the submission of such question shall require that it be submitted to the electors at the next regular municipal election if one shall occur not less than sixty nor more than one hundred and twenty days after its passage; otherwise it shall provide for the submission of the question at a special election to be called and held within the time aforesaid. The ballot containing such question shall bear no party designation, and provision shall be made thereon for the election from the municipality at large of fifteen electors who shall constitute a commission to frame a charter; provided that a majority of the electors voting on such question shall have voted in the affirmative. Any charter so framed shall be submitted to the electors of the municipality at an election to be held at a time fixed by the charter commission and within one year from the date of its election, provision for which shall be made by the legislative authority of the municipality in so far as not prescribed by general law. Not less than thirty days prior to such election the clerk of the municipality shall mail a copy of the proposed charter to each elector whose name appears upon the poll or registration books of the last regular or general election held therein. If such proposed charter is approved by a majority of the electors voting thereon it shall become the charter of such municipality at the time fixed therein.

Section 9. Amendments to any charter framed and adopted as herein provided may be submitted to the electors of a municipality by a two-thirds vote of the legislative authority thereof, and, upon petitions signed by ten per centum of the electors of the municipality setting forth any such proposed amendment, shall be submitted by such legislative authority. The submission of proposed amendments to the electors shall be governed by the requirements of Section 8 as to the submission of the question of choosing a charter commission, and copies of proposed amendments shall be mailed to the electors as hereinbefore provided for copies of a

proposed charter. If any such amendment is approved by a majority of the electors voting thereon, it shall become a part of the

charter of the Municipality. A copy of said charter or any amendment thereto shall be certified to the Secretary of State within thirty days after adoption by a referendum vote.

On the 7th day of April, 1913, the Council duly passed on ordinance to provide for the submission to the electors of the City of Ashland the question, "Shall a commission be chosen to frame a charter," and for the election of the members of the commission, which ordinance was duly approved by the Mayor April 8th, 1913, which ordinance is as follows.

Be it Ordained by the Council of the City of Ashland, State of Ohio, two-thirds of all members elected thereto concurring;

Section 1. That the question "Shall a commission be chosen to frame a charter," be submitted to a vote of the qualified electors of the said City at the special election to be held on Thursday the 19th day of June, 1913, at the regular place or places of voting in said City, as established by the Board of Deputy State Supervisors and Inspectors of Elections of Ashland County, Ohio, between the hours of five-thirty a.m., and five-thirty p. m.; that said election shall be submitted in the form following, to-wit: "Shall a commission be chosen to frame a charter?" and those who vote in favor of the proposition shall have written on their ballots the word "Yes", and those who vote against the same shall have written or printed on their ballots the word "No."

Section 2. That the ballot upon which the question provided for in Section one hereof, shall be submitted shall bear no party designation; it shall have printed or written thereon the names of all electors who shall have been nominated as provided in Section three hereof. In case a majority of electors voting upon the question "Shall a commission be chosen to frame a charter?" shall have voted in the affirmative, then and in that event, and not otherwise, the fifteen electors who shall have received the largest number of votes for members of such commission shall be and constitute "a commission to frame a charter."

Section 3. All nominations for members of such commission shall be made by nomination papers signed by petitioners not less in number than one for each fifty persons who voted at the last preceding general Municipal election, and shall be certified and filed in the same manner as is provided by law for the filing and certification of the nomination papers of candidate for municipal offices in cities, not less than thirty days prior to the said 19th day of June, 1913.

Section 4. That the ballots for members of the commission shall be prepared and printed as follows: the whole number of ballots to be printed for the Municipality shall be divided by the number of candidates for members of the commission, and the quotient so obtained shall be the number of ballots in each series of ballots to be printed. The names of candidates shall be arranged in alphabetical order, and the first series of ballots printed.

Then the first name shall be placed last and the next series printed, and so shall the process be repeated until each name shall have been first. These ballots shall then be combined in tablets, with no two of the same order together.

Section 5. The ballots shall be so printed as to give each elector a clear opportunity to designate by a cross mark in the blank space enclosed on the left, and before the name of each candidate, his choice of particular candidate. A cross shall be placed at the left of the name of each candidate for whom the elector desires to vote.

Section 6. That the Clerk be and he is hereby directed to certify a copy of this ordinance to the Board of Deputy State Supervisors and Inspectors of Elections of Ashland County, Ohio.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law. (§§ 1, 2, 3, 4, 5, 6, and 7, Vol.2.p.337.)

In pursuance of the foregoing ordinances, at the election held on the 19th day of June, 1913, a commission was elected to frame a charter to be submitted to the electors of the City, which commission duly organized and consisted of the following: J. L. Clerk, President; Fred Edwards, Vice President; J.F. Henderson, Secretary; Chas. L. Clark, P.A. Myers, W.W. Moore, William Smith, Henry Schultz, Geo. R. Freer, J. Allen Miller, T.R. Shinn, Clyde C. Sherick, A.S. Miller, John A. McDowell, and Edgar Koehl.

On May 4th, 1914, the above charter commission filed its report, that it had prepared and proposed a charter for the City.

On May 5th, 1914, the Council of the City of Ashland, duly passed the following ordinance, which on the same day was duly approved by the Mayor of the City, which ordinance is duly recorded in volume 2 at page 436.

An Ordinance to provide for the submission to the electors of the proposed charter for the City of Ashland, Ohio.

Whereas, the commission chosen to frame a Charter for the City of Ashland, did on the 4th day of May, 1914, fix June 18th, 1914, as the time for the submission to the electors of the City of Ashland of the charter so framed by such commission in accordance with the constitution of the State of Ohio; Now, therefore:

Be it Ordained by the Council of the City of Ashland, State of Ohio, two-thirds of all members elected thereto concurring.

Section 1. That the question "Shall the proposed charter be approved?" be submitted to a vote of the qualified electors of the said City of Ashland at a special election to be held on Thursday, the 18th, day of June, 1914, at a regular place, or places, of voting in said City as established by the Board of Deputy State Supervisors and Inspectors of Elections of Ashland County, Ohio,

between the hours of five-thirty a.m. and five-thirty p.m. Central Standard Time; that said question shall be submitted in the form following to-wit: "Shall the proposed charter be approved?" And those who vote in favor of the proposition shall have written or printed on their ballots the word "Yes", and those who vote against the same shall have written or printed on their ballots "No".

Section 2. In case a majority of the electors voting upon the question "Shall the proposed charter be approved?" shall have voted in the affirmative, then and in that event the charter so proposed shall become the Charter of the City of Ashland at the time fixed in such charter.

Section 3. That the Clerk of Council be and he is hereby authorized and directed to certify a copy of this ordinance to the Board of Deputy State Supervisors and Inspectors of Elections of Ashland County, Ohio.

Section 4. This ordinance shall take effect and be in force from and after its passage and legal publication.

At the election held on the 18th, day of June, 1914, in pursuance to the foregoing ordinance, the Charter was adopted by the following vote: Yes, 425; No, 145.