

**CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2022-26**

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE
ELECTORATE OF THE CITY OF SOUTH LEBANON THE QUESTION
OF WHETHER TO ADOPT THE CHARTER OF SOUTH LEBANON,
OHIO AT A SPECIAL ELECTION ON MAY 2, 2023.**

WHEREAS, on September 21, 2021, the Ohio Secretary of State certified that, as a result of the 2020 U.S. Census, the former Village of South Lebanon surpassed the population threshold to be classified as a city set forth in Section 703.06 of the Ohio Revised Code, with an effective date of October 21, 2021; and

WHEREAS, South Lebanon ("the City") officially became a City on or about October 21, 2021; and

WHEREAS, the City is currently in a transitional phase and has considered alternative plans of municipal government; and

WHEREAS, the City submitted the following question to the electors of South Lebanon at the regular municipal election on May 3, 2022: "Shall a commission be chosen to frame a charter?", after which the electors of the City answered this question in the affirmative and duly elected fifteen members to serve on the Charter Commission; and

WHEREAS, the elected members of the Charter Commission were thereafter duly sworn into office, convened at numerous public meetings, diligently performed their duties as required by law, and unanimously voted on November 2, 2022 to approve the Charter of South Lebanon, Ohio, a copy of which is attached to this Ordinance as Exhibit A, and submit it to City Council for submission to the electors of the City; and

WHEREAS, City Council believes a Charter form of municipal government is an appropriate and viable alternative form of municipal government for the City; and

WHEREAS, City Council has considered the Charter of South Lebanon, Ohio, and finds that it would be in the best interest of the City and its citizens to submit the Charter of South Lebanon, Ohio, in the form attached to this Ordinance as Exhibit A, to the City electorate as a single ballot question at a special election on May 3, 2023; and

WHEREAS, City Council hereby approves the Charter of South Lebanon, Ohio as originally submitted to it by the Charter Commission on November 10, 2022.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Lebanon, at least two-thirds of all members elected thereto concurring:

Section 1. The City Council provides by this Ordinance for the submission to the electors of the City, as a single ballot item, the question of whether to adopt the Charter of South Lebanon, Ohio, attached hereto as Exhibit A. Such question shall be submitted to a vote of the qualified electors of the City at a special election to be held on May 2, 2023 at the regular places and hours of voting in the City as established by the Board of Elections of Warren County, Ohio. The question shall be submitted in the following form:

“Shall the Charter of South Lebanon, Ohio be adopted?”

This question shall be followed by the words “Yes” and “No”.

Section 2. The ballot upon which the question provided for in Section 1 shall be submitted and bear no party designation. If a majority of qualified electors vote to adopt the Charter of South Lebanon, Ohio, then the City shall adopt the Charter of South Lebanon, Ohio.

Section 3. The whole number of ballots to be printed for the special election shall be equivalent to the number of qualified electors in the City of South Lebanon, Ohio.

Section 4. The ballots shall be printed to give each elector a clear opportunity to designate his or her choice in response to the question posed. As required by applicable law, when condensed text is used on a ballot question, issue, or amendment, the full text of the proposed question, issue, or amendment, together with the percentage affirmative vote necessary for passage, shall be posted in each polling place, the attached Exhibit A shall be used as the full text of the proposed ballot item at each polling place.

Section 5. The Mayor shall request the Board of Elections to give public notice of the time and place of holding the special election in accordance with Section 3501.03 of the Ohio Revised Code by publication at least 10 days prior to the date of the special election and advertise the question in a newspaper of general circulation in the City.

Section 6. The Fiscal Officer, serving as Clerk, is directed to certify a copy of this Ordinance to the Board of Elections of Warren County, Ohio at least 90 days before the special election and cause the publication of the proposed Charter of South Lebanon, Ohio in accordance with applicable law.

Section 7. City officials shall take all action necessary to ensure such question is properly submitted to the appropriate Board of Elections, and engage in any additional activity to comply with any directions from the Board of Elections so that such question is properly submitted to the electors of the City at the special election on May 2, 2023, including, but not, limited to paying for any and all expenses for such special election as required by law.

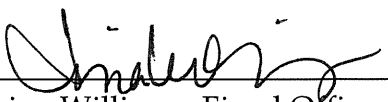
Section 8. The recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

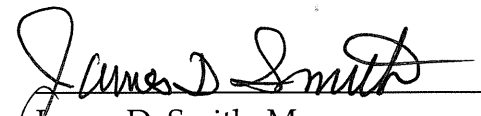
Section 9. It is found and determined that all formal actions of City Council concerning and relating to passing this Ordinance were adopted in an open meeting of City Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 10. This Ordinance shall go into effect and be in force from the after the earliest period allowed by law.

Adopted this 1st day of December, 2022.

Attest:

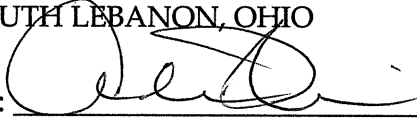

Petrina Williams, Fiscal Officer/Clerk


James D. Smith, Mayor

Rules Suspended: / /2022 (if applicable)	Effective Date – / /2022
Vote - ____ Yeas ____ Nays	
First Reading – <u>11</u> / <u>10</u> /2022	Effective Date – <u>1</u> / <u>1</u> /202 <u>3</u>
Second Reading – <u>11</u> / <u>17</u> /2022	
Third Reading– <u>12</u> / <u>1</u> /2022	
Vote - <u>6</u> Yeas ____ Nays	

Prepared by and approved as to form:

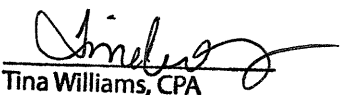
ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: 

Date: 12/1 /2022

CERTIFICATE OF POSTING

I, Tina Williams, CPA, Fiscal Officer of the City of South Lebanon, Ohio do hereby certify I posted a true and accurate copy of this ordinance or resolution, summary of ordinance or resolution, or statement, order, proclamation, notice or report, at five public places within the City as authorized by Section 731.25 of the Ohio Revised Code and Ordinance 98-08 of the City of South Lebanon, Ohio

12/2/22
Date 
Tina Williams, CPA
Fiscal Officer
City of South Lebanon, Ohio