

Columbus City Council

Community Resource Information *Initiative Petitions and Referendums*

Filing An Initiative Petition

The initiative petition process allows citizens to propose a city law (or ordinance) and offer it to City Council for consideration. If Council does not choose to enact the ordinance, it will be submitted directly to the voters of the City of Columbus at an election to be held within the time set in the City Charter (Columbus City Charter, Section 41).

Filing A Referendum Petition

A referendum petition process provides citizens with a mechanism to repeal or overturn an ordinance passed by City Council - provided the petition is filed within 30 days of the ordinance's enactment.

Things to Remember

When you file an initiative or referendum petition, some of your responsibilities include, but are not limited to, the following:

- *Secure Sufficient Numbers of Signatures* - Generally, the number of signatures in support of an initiative or referendum petition must not be less than five percent of the total votes cast at the last proceeding general municipal election (Columbus City Charter, Section 42). Contact the Franklin County Board of Elections to verify the specific number of signatures necessary.
- *Ensure your petition document meets all legal standards*-Draft your petition and then verify that it meets all legal requirements of local and state law with regard to form, content, and notarized affidavits. The petition document must meet all applicable requirements of both the City Charter and non-conflicting provisions of the Ohio Revised Code. Information regarding the Ohio Revised Code may be obtained from the Secretary of State.

Some of the requirements in the Columbus City Charter include:

- All petitions circulated must be uniform in character (Columbus City Charter, Section 41).
- The proposed ordinance must be clearly written on each petition, along with the names and addresses of at least five electors of the city who will be officially regarded as the filers of the petition (Columbus City Charter, Section 41).
- All signatures must be written in ink or indelible pencil (Columbus City Charter, Section 42).
- Each petition signer, who must be a registered voter living within the City of Columbus, should sign his or her name, provide place of residence (street and address number) and indicate the date his or her signature was gathered (Columbus City Charter, Section 42).
- The petition may consist of more than one page, but each page of the petition should also include the notarized signature of the person circulating the petition, stating the number of signatures on the petition and that each person signing the petition did so in the presence of the circulator (Columbus City Charter, Section 41).

***Note: This procedural overview being provided as an informational tool. It is not intended to provide legal advice, nor is the City of Columbus bound by any representations made herein. Petitioners must comply with all applicable sections of the Columbus City Charter Sections 41-56 and the Ohio Revised Code and it is their obligation to ensure all appropriate laws are followed. Many seek advice from legal counsel with elections law expertise as City Charter and other governing election law can and frequently do change.**



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Community Filing Information Initiative and Referendum Petition Process

Before signatures are gathered:

- The petitioners must designate a committee of five electors from the City who shall officially file the initiative or referendum petition.
- The petitioning committee must file a certified copy of the proposed ordinance that is the subject of an initiative petition, or a certified or verified copy of the ordinance that is the subject of the referendum, with the City Auditor. In the case of a proposed ordinance that is the subject of the initiative petition, the proposed ordinance shall be certified by all of the members of the petitioning committee as being a true copy of the ordinance that is proposed by the initiative petition. In the case of a referendum, the title of the petition ordinance shall be certified by the City Clerk as being a true and accurate copy of the ordinance title as it was enacted by City Council.

Once signatures are gathered:

- Petition forms should be submitted to the City Clerk's Office, City Hall, 90 West Broad Street, 2nd floor.
- The City Clerk reviews the petition for form and content* and asks the Franklin County Board of Elections to review and verify the number of valid petition signatures.**
- If the Board of Elections verifies that the petition contains sufficient signatures and the City Clerk determines the petitions are sufficient and valid*, then the ordinance proposed by the petition will be submitted to City Council for consideration.
- City Council can vote to approve the initiative petition ordinance, making it city law. Council can vote to approve a referendum petition ordinance, repealing or overturning existing law.
- If City Council votes against an initiative or referendum petition ordinance, Council will pass a second ordinance. This ordinance places the proposed initiative or referendum before the voters at a municipal election as specified by the City Charter. A certified copy of the ordinance will be forwarded to the Franklin County Board of Elections.
- The Board of Elections will draft a Notice of Election and ballot language based upon the language of the initiative or referendum petition ordinance. The Board of Elections and the City Clerk advertise the ballot language in a newspaper of general circulation prior to the election.
- The issue will appear on the ballot during the next election. If a majority of voters support it, the initiative or referendum petition becomes law.

* The City Clerk will likely seek the City Attorney's advice and guidance on the petition form and content.

** See The State Ex Rel. Ditmars V. McSweeney, Clerk, Et Al. (2002), 94 Ohio St. 3d 472

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