

NOTICE OF ELECTION
CITY OF CINCINNATI
AN ORDINANCE NO. 240-2009
EMERGENCY
ISSUE NINE

TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City that prohibits the City of Cincinnati from spending any money for right-of-way acquisition or construction of improvements for passenger rail transportation within the City limits without receiving a majority affirmative vote by the electorate of the City of Cincinnati, by enacting new Article XIV.

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio, two-thirds of the members elected thereto concurring:

Section 1. That there shall be submitted to the vote of the qualified electors of the City of Cincinnati for their approval or disapproval at the general election to be held November 3, 2009, an amendment to the Charter of the City of Cincinnati, enacting new Article XIV thereof, to read as follows:

Article XIV.

**PROHIBITION ON THE EXPENDITURE OF MONIES BY THE CITY
FOR RIGHT-OF-WAY ACQUISITION OR CONSTRUCTION OF
IMPROVEMENTS FOR PASSENGER RAIL TRANSPORTATION
WITHOUT MAJORITY AFFIRMATIVE VOTE BY THE ELECTORATE**

That the city of Cincinnati, and its various boards and commissions, may not spend any monies for right-of-way acquisition or construction of improvements for passenger rail transportation (e.g. a trolley or streetcar) within the city limits without first submitting the question of approval of such expenditure to a vote of the electorate of the city and receiving a majority affirmative vote for the same.

Section 2. That the form of submission of the proposed amendment to the electors shall be substantially as follows:

CHARTER AMENDMENT A majority vote is necessary for passage.	
YES	Shall the Charter of the City of Cincinnati be amended to prohibit the city, and its various boards and commissions, from spending any monies for right-of-way acquisition or construction of improvements for passenger rail transportation (e.g. a trolley or streetcar) within the city limits without first submitting the question of approval of such expenditure to a vote of the electorate of the city and receiving a majority affirmative vote for the same by enacting new Article XIV?
NO	

Section 3. That the Clerk of Council shall give notice of the proposed Charter amendment in the manner provided by Sections 8 and 9 of Article XVIII of the Ohio Constitution and Section 731.211 (B) of the Ohio Revised Code.

Section 4. That the Clerk of Council is directed to certify and transmit to the Board of Elections of Hamilton County, Ohio, a copy of this ordinance and direct the said Board to submit the proposed Charter amendment to the electors of the City of Cincinnati as provided by law.

Section 5. That the Board of Elections of Hamilton County, Ohio, shall certify to the

Council the result of the vote upon said amendment, and if said amendment is approved by a majority of the electors voting thereon, this Article shall become a part of the Charter of the City of Cincinnati.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate necessity to authorize the Clerk of Council to certify and transmit this ordinance to the Board of Elections at least sixty days prior to the November 3, 2009 general election.

Passed September 02, 2009

MARK MALLORY
Mayor

Attest: MELISSA AUTRY, Clerk

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE

The polls will be open for said election at 6:30 a.m. until 7:30 p.m.

**BY ORDER OF THE BOARD OF ELECTIONS OF
HAMILTON COUNTY, OHIO**

ALEX TRIANTAFILOU, CHAIRMAN

SALLY J. KRISSEL, DIRECTOR