

RESOLUTION NO.: 2012-R44
SPONSOR: MAYOR NORTON
INTRODUCED: SEPTEMBER 04, 2012 **ASSIGNED TO:** _____

A RESOLUTION AMENDING THE CHARTER OF THE CITY OF GREEN TO STATE, "CASINO GAMING, HORSE RACING, SCHEME OF CHANCE, GAME OF CHANCE OR GAMBLING DEVICE SHALL NOT BE ALLOWED OR OPERATED IN THE CITY OF GREEN, EXCEPT FOR NON-PROFIT CHARITABLE PURPOSES AS AUTHORIZED UNDER OHIO LAW OR GREEN CITY ORDINANCE. NOTHING IN THIS PROVISION SHALL BE CONSTRUED TO NULLIFY THE PROVISIONS OF THE OHIO CONSTITUTION ARTICLE 15, SECTION 6." AND DECLARING AN EMERGENCY.

WHEREAS, Article XVIII, Section 9, of the Ohio Constitution, permits the submission of a proposed amendment of the Charter of the City of Green upon petition signed by ten percent (10%) of the electors of the municipality; and

WHEREAS, petitions were submitted to the City of Green proposing the following amendment:

"Casino gaming, horseracing, scheme of chance, game of chance or gambling device shall not be allowed or operated in the City of Green, except for non-profit charitable purposes as authorized under Ohio law or Green City Ordinance. Nothing in this provision shall be construed to nullify the provisions of the Ohio Constitution Article 15, Section 6."; and

WHEREAS, petitions were submitted with signatures in excess of the ten percent (10%) of the electors who voted in the last municipal election; and

WHEREAS, Green City Council determines that the amendment shall be submitted to the electors of the City of Green on November 6, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

The Charter of the City of Green shall be amended to state,

"Casino gaming, horseracing, scheme of chance, game of chance or gambling device shall not be allowed or operated in the City of Green, except for non-profit charitable purposes as authorized under Ohio law or Green City Ordinance. Nothing in this provision shall be construed to nullify the provisions of the Ohio Constitution Article 15, Section 6."

SECTION TWO:

This proposed amendment to the Charter of the City of Green shall be placed before the qualified electors of the City for their approval on the November 6, 2012, election.

SECTION THREE:

Green City Council requests the following ballot language:

Shall the Charter of the City of Green be amended to state,
“Casino gaming, horseracing, scheme of chance, game of chance
or gambling device shall not be allowed or operated in the City of
Green, except for non-profit charitable purposes as authorized
under Ohio law or Green City Ordinance. Nothing in this provision
shall be construed to nullify the provisions of the Ohio
Constitution Article 15, Section 6?”

_____ **FOR THE AMENDMENT**

_____ **AGAINST THE AMENDMENT**

SECTION FOUR:

The Clerk of Council of the City of Green shall certify a copy of this Resolution to the Board of Elections of Summit County, along with a copy of the proposed ballot language no later than September 6, 2012, as required by law.

SECTION FIVE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION SIX:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: SEPT. 4, 2012

Molly Stevens
Molly Stevens, Clerk

Joel Reed
Joel Reed, Council President

APPROVED: SEPT 5, 2012

Richard G. Norton
Richard G. Norton, Mayor

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SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: SEPT. 5, 2012

ON ROLL CALL: Colopy-yes France-yes Humphrey-yes Knodel-yes
Neugebauer-yes Reed-yes Summerville-ABSENT Adopted 6-0

Suburbanite publication on SEPT. 16 and SEPT. 23, 2012

Molly Stevens
Molly Stevens, Clerk

9/11/12 Approved as to form and content by Stephen J. Pruneski, Law Director SP 9/4/12