

CHARTER AMENDMENT PETITION

Columbus City Charter Sections 42 and 45,
Ohio Revised Code Sections 3501.38, 3503.06
Ohio Constitution, Art. XVIII, Sections 9 and 4

NOTE: Prior to circulation of a charter amendment petition, a certified copy of the petition must be filed with the City Clerk.

NOTICE: Whoever knowingly signs this petition more than once; signs a name other than one's own on this petition, except as provided by general laws of the state; or signs this petition when not a qualified elector of the City of Columbus, is liable to prosecution.

To the City Clerk of the city of Columbus, Ohio:

We, the undersigned, electors of the city of Columbus, Ohio respectfully request that the charter amendment proposed herein be submitted to a vote of the electors of this city for their approval or rejection forthwith as provided by the Columbus City Charter;

The following is a full and correct copy of the title and text of the proposed Charter Amendment:

To Establish a Community Bill of Rights for Water, Air, and Soil Protection and to Prohibit Fossil Fuel Extraction and Related Activities and Projects

SECTION 2-1. Community Bill of Rights

(a) Right to Clean Water, Air, and Soil.

All people of the City of Columbus, along with ecosystems and natural communities within the city, possess the right to clean water, air, and soil, and to be free from activities that would violate this right and expose citizens to the harmful effects of contaminants in their water supply, including, but not limited to, the extraction of fossil fuels within the City of Columbus.

The extraction of fossil fuels includes, but is not limited to:

- (1) hydraulic fracturing, vertical drilling, directional drilling, or horizontal drilling, that seeks to explore for or extract fossil fuels, including all activities necessary to, and associated with, those types of drilling;
- (2) the siting or use of infrastructure or transportation supporting the exploration and extraction of fossil fuels, including but not limited to processing facilities, pipelines, vehicles, compressor stations, storage facilities, recycling and disposal facilities;
- (3) the extraction of water from any surface or subsurface source within the City of Columbus for use in extraction of fossil fuels;
- (4) the deposit, disposal, storage, processing, beneficial use or pipeline transport of any liquid or solid waste, produced water, frack water, brine, drill cuttings, or other materials, chemicals, or by-products used in, or resulting from, the extraction of fossil fuels;
- (5) the application for, or issuance of, a permit to engage in these activities.

This amendment does not prohibit the installation, maintenance, normal use, or repair of facilities, equipment or materials used exclusively for local retail, local commercial or local residential end-users of fossil fuels.

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(b) Enforcement.

(1) Violators of any prohibition of this Amendment are guilty of a first-degree misdemeanor criminal offense and, upon conviction thereof, will be sentenced to pay the maximum fine allowable under State law for that violation, and will be imprisoned to the extent allowed by law. A separate offense arises for each day or portion thereof in which a violation occurs and for each section of this Amendment found to be violated.

(2) As clean water, air, and soil are fundamental to public health, the City of Columbus, or any resident of the City of Columbus, may enforce the rights and prohibitions of this amendment through an action brought in any court possessing jurisdiction over activities occurring within the City. In such an action, the City or the resident is entitled to recover all costs of litigation, including, without limitation, expert and attorney's fees.

(3) Any action brought by either a resident of the City, or by the City, to enforce or defend the rights of ecosystems or natural communities secured by this amendment must bring that action in the name of the ecosystem or natural community in a court possessing jurisdiction over activities occurring within the City of Columbus. Damages are measured by the cost of restoring the ecosystem or natural community to its state before the injury and are paid to the City of Columbus to be used exclusively for the full and complete restoration of the ecosystem or natural community.

(c) Violator Strict Liability.

Any government or corporation engaged in activities that violate the rights in this Amendment is strictly liable for all resulting harms.

(d) Right of Local Community Self-Government.

The people of the City of Columbus possess the right of local community self-government, as expressed in the Declaration of Independence, the United States Constitution's preamble and Ninth Amendment, and the Ohio Constitution's Bill of Rights, Sections 1, 2, and 20. The people's right of local community self-government includes, but is not limited to, their power to compel their governments to protect their rights, health, and safety.

(e) People's Right of Self-Government.

If the courts or the Ohio legislature attempt to overturn the provisions of this amendment or any of its sections, then the City must convene monthly public community meetings, publicized prominently and focused on changes to local governance until the right of the people to local community self-government is achieved and the rights recognized by this amendment are secured.

(f) Severability.

The provisions of this law are severable. If any court decides that any section, clause, sentence, part, or provision of this law is illegal, invalid, or unconstitutional, such decision must not affect, impair, or invalidate any of the remaining sections, clauses, sentences, parts, or provisions of the law. This law would have been enacted without the invalid sections.

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We hereby designate the following petitioners as a committee to be regarded as filing this petition.

COMMITTEE OF NOT LESS THAN FIVE PETITIONERS	ADDRESS
Josefa Soto	562 Enfield Rd., Columbus, OH 43209
Connie M. Hammond	166 Acton Rd., Columbus, OH 43214
William M. Lyons	245 Walhalla Rd., Columbus, OH 43202
Gregory Thomas Pace	1362 Erickson Rd., Columbus, OH 43227
Karyn A. Deibel	166 W. Como Ave., Columbus, OH 43202
Sandra M. Bolzenius	88 W. Blake Ave., Columbus, Ohio 43202

Signatures on this petition must be from only one county and must be written in ink.

	SIGNATURE	VOTING RESIDENCE ADDRESS STREET AND NUMBER	CITY	COUNTY	DATE OF SIGNING
1.	Legal Signature				
	Printed Name				
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CIRCULATOR STATEMENT — Must be completed and signed by circulator.

I, _____, declare under penalty of election falsification that I
(Printed Name of Circulator)

reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing _____ signatures; that I witnessed the affixing of every signature; that
(Number)

all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code. I am provided or promised moneys or things of value to circulate this petition by

(Name and Address of Employer)

**WHOEVER COMMITS ELECTION
FALSIFICATION IS GUILTY OF A
FELONY OF THE FIFTH DEGREE**

(Signature of Circulator)

(Permanent Residence Address)

(City or Village, State and Zip Code)