

## **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 Protect the Local Self-Governing Rights of the People of Columbus from Preemption**

**WHEREAS**, the people of Columbus, Ohio possess an inherent right of local community self-government as stated in Article XVIII, Sections 3 and 7 of the Ohio Constitution and because of these sections, all municipalities and villages in Ohio have the right of home rule.

**WHEREAS**, the principle and practice of home rule and local self-government in Ohio, as established in 1912, has been increasingly infringed upon and eroded by state legislature overreach via the practice of state preemption.

**WHEREAS**, recent state preemption laws have been passed to prevent Columbus residents from legislating minimum wage protections, gun laws, oil and gas bans, rent control protections, knife laws, plastic bag bans, rights of nature, flavored tobacco bans, pesticide use, red-light camera use, telecommunication installations, natural gas hookup bans, puppy mill bans, paid leave, and many others.

**WHEREAS**, communities have different demographics and issues, and state preemption deprives the people of Ohio from experimenting and being responsive at the local level to solve their problems.

**WHEREAS**, the practice of state preemption by the Ohio legislature has been used to target local laws primarily for the benefit of big-money interests, despite the interest of the people.

**WHEREAS**, the people of Columbus must have democracy where they live to truly fulfill the American ideals of democracy and the tenets of the Ohio Constitution.

# **To Protect the Local Self-Governing Rights of the People of Columbus from Preemption**

**BE IT ORDAINED BY THE PEOPLE OF THE CITY OF COLUMBUS**, we hereby exercise our inherent and inalienable right of local community self-governance to adopt this local law, to protect our self-governing rights from preemption.

## **Section 1-1. Right of Local Community Self-Government**

(a) All political power is inherent in the people, all legitimate government originates from the people, and the people have the right to alter, reform, or abolish their governmental system whenever they deem it necessary to protect their liberty and well-being; therefore, the people of Columbus, Ohio possess an inherent and inalienable right of local community self-government as stated in Article XVIII, Sections 3 and 7 of the Ohio Constitution.

(b) That right shall include the power of the people, and the power of their government, to enact and enforce local laws that protect health, safety, welfare, and democratic rights by recognizing or establishing rights of natural persons, their local communities, and nature; and by securing those rights using prohibitions and other means deemed necessary by the community, including the initiative power and other measures to establish, define, alter, eliminate or abolish competing rights, powers, privileges, immunities, or duties of corporations and other entities operating, or seeking to operate, in the community.

(c) Local laws adopted pursuant to subsection (b) of this article shall not be subject to preemption or nullification by international law, federal law, or state law, provided that:

(1) Such local laws do not alter or restrict the existing fundamental rights of natural persons, their local communities, or nature secured by local, state, or federal charters or constitutions, or by international law; and

(2) Such local laws do not weaken protections for natural persons, their local communities, or nature provided by state, federal, or international law.

(d) All provisions of this section are self-executing and severable.