

**PETITION FOR SUBMISSION OF PROPOSED
AMENDMENT TO CHARTER**

Constitution of Ohio, Art. XVIII, Sections 9 and 14; Revised Code 731.28 - .41, 3503.06
To be signed by ten percent of the electors, based upon the total vote cast
at the last preceding general municipal election.

NOTICE – Whoever knowingly signs this petition more than once, signs a name other than his own, or signs when not a legal voter, is liable to prosecution.

To the Council, the Legislative authority of the City of Youngstown, Ohio:

We, the undersigned, qualified electors of the City of Youngstown, Ohio, respectfully petition the legislative authority to forthwith provide by Law, for the submission to the electors of the City of Youngstown, Ohio, the following proposed amendment to the Charter of the City of Youngstown to be effective as of the date of its adoption by a vote of the people of Youngstown, adding Section 69.1 under a new heading titled People’s Bill of Rights for Fair Elections and Access to Local Government, to-wit:

Whereas, we the people of Youngstown declare that we possess the right of community self-government and that our right of local self-government is a fundamental and inalienable right; and

Whereas, we the people of Youngstown find that corporate involvement in elections and local government interferes with the right of community self-government, and find corporations use their disproportionate wealth to frame important issues and influence elections. We also recognize that the ability of corporations to participate in our political processes is a court-bestowed, federally-guaranteed constitutional “right” granted to state-created businesses. We further recognize that court-bestowed corporate “rights” include free speech rights that the people never agreed to contractually at issuance of each corporate charter. Because unalienable rights are a birthright belonging in equal measure to each person, they rightfully belong only to natural persons who are, in fact born into those rights, for they can neither be bestowed or revoked by any government; and

Whereas, we the people of Youngstown, find that the filing of pre-election challenges by government and its agents and by private actors in efforts to stop initiative and referenda proposals from appearing on the ballot and made subject to the approval or rejection by the electors is a violation of the right of speech, petitioning and self-government, which are protected under the U.S. Constitution, the Ohio State Constitution, the Declaration of Independence, and this local bill of rights. In order to protect the people’s right of local self-government and democratic participation, such actions must be prohibited. Through this amendment, we seek to alter our form of government to restore a system of local governance that derives its just powers from the consent of the governed and which is capable of securing our fundamental rights.

Therefore, we, the people of Youngstown, adopt this charter amendment recognizing and protecting the peoples’ right to fair elections and open access to local government:

SECTION 69.1: PEOPLE’S BILL OF RIGHTS FOR FAIR ELECTIONS AND ACCESS TO LOCAL GOVERNMENT

(a) Right to Fair Elections. The people of the City of Youngstown have a right to fair elections, which shall include but not be limited to the right to an electoral process free from corporate influence. That right shall also include, without limitation, that the authority to make campaign contributions to any local candidate or issue campaign shall be exercised only by registered voters of the City of Youngstown and those contributions shall be capped at \$100 per elector per ballot measure and candidate. Corporations, labor unions, political action committees, political parties, and all other campaign funding entities shall be prohibited from donating to local candidate and issue campaigns or spending money to influence the outcome of any ballot measure or candidate, as those contributions unfairly influence electoral outcomes and undermine the peoples’ right to fair elections.

The ballots used in elections for elective offices of the Municipality shall be without party mark or designation. The names of all candidates for mayor shall be placed upon the same ballot and shall be rotated in the manner provided by the general laws of the State of Ohio. The names of all candidates for ward representative shall be placed upon the same ballot, by ward, and shall be rotated in the manner provided by the general laws of the State of Ohio. Any person may vote in any Municipal election if such person is registered as a voter with election authorities as prescribed by the laws of the State of Ohio.

There shall be a primary municipal election as set by general law. The two (2) candidates for mayor receiving the highest votes in the primary will be placed on the November election ballot. The two (2) candidates for ward representative receiving the highest votes in the primary will be placed on the November election ballot. The name of each person who is elected in compliance herewith shall be printed on the official ballot for the regular Municipal election, in November following, and names of no other candidates shall be printed thereon.

Write-in candidacies shall follow rules prescribed by general law.

(b) Right of Access to Local Government. The people of Youngstown have a right of access to local government, and this includes the right to speak openly at all public government meetings without having to register or seek permission at any time prior to the public meeting. This right also includes the right to see all meeting agendas at least 24 hours before any public meeting of the local elected government officials, including all committee meetings and work sessions. The posting of agendas shall be in a public place easily accessible to the community, including the municipal web site, and on the premises of the municipality visible during office hours and during off hours. Agenda items shall not be added after the agenda has been publicly posted.

(c) Right to Transparent Election Process. The people of Youngstown recognize that the state and county may stipulate electronic voting machines to be used by the county board of elections, but in all local elections, there shall also be some form of paper ballot tracking that can be used to verify electronic election results.

(d) Right to Enforcement. The people of the City of Youngstown possess the right to enforce their rights expressed in this Amendment. If the City of Youngstown fails to enforce or defend this Amendment, or, a court fails to uphold this Amendment, any natural person may enforce this Amendment through nonviolent direct action or via a suit at law or in equity as a private attorney general plaintiff, for damages and costs of litigation, including, without limitation, expert and attorney fees. If any appointed or elected official infringes upon the people of Youngstown’s adoption of this

Amendment through their right of democratic initiative power, any natural person may enforce these rights through nonviolent direct action. City of Youngstown law enforcement, and cooperating agencies acting within the jurisdiction of the City of Youngstown, shall have no lawful authority to surveil, detain, arrest, or otherwise impede natural persons enforcing these rights. "Direct action" as used by this provision shall mean any non-violent activities carried out to directly enforce the rights expressed in this Amendment.

- (e) **Right to Enforcement Against Corporate Rights.** Any corporation, or other business entity, that violates the rights secured by this Amendment shall not be deemed a "person" to the extent that such treatment would interfere with the rights enumerated by this Amendment, nor shall it possess any other legal rights, powers, privileges, immunities, or duties that would interfere with these rights, including the power to assert state or federal preemptive laws in an attempt to overturn this Amendment, or the power to assert that the people of the City of Youngstown lack the authority to adopt this Amendment.
- (f) **Right of Local Community Self-Government.** The people of the City of Youngstown 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 government to protect their rights, health, and safety.
- (g) **Right of Initiative Lawmaking.** The people of Youngstown possess the right to make law through local initiative processes. That right shall include but not be limited to the right to be free from interference with the exercise of the initiative power, that there shall be no attempt to stop the placement of an initiative proposal on the ballot based on substantive challenges, claimed illegality or unconstitutionality, or review of the content, intent, or surmised effect of the measure prior to being presented to the voters and before it is enacted into law. This right shall require that all issues duly petitioned in accordance with law shall appear on the ballot in the same manner as is customary for other issues, that they be presented with unbiased summary language on the ballot and that the complete legislative proposal be posted at each polling location.
- (h) **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 shall 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.

We hereby designate the following persons as a committee to represent the petitioners in all matters relating to this petition or its circulation:

NAME	RESIDENCE
Lynn Anderson	525 Glacierview Dr. Youngstown, OH 44509
Susan L. Beiersdorfer	359 Bradley Lane Youngstown, OH 44504
Kathleen K. Berry	1712 McCollum Rd. Youngstown, OH 44509
Marguerite Linda Felice	229 Berkshire Dr. Youngstown, OH 44512
Dario David Hunter	439 Pasadena Ave. Youngstown, OH 44507

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

	SIGNATURE	VOTING RESIDENCE ADDRESS STREET AND NUMBER	CITY, VILLAGE OR TOWNSHIP	COUNTY	DATE OF SIGNING
1.					
2.					
3.					
4.					