

ORDINANCE NO. 2017- 59

AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF THE CITY OF KENT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 7, 2017, A PROPOSAL TO AMEND ARTICLE XII "MISCELLANEOUS" OF THE CHARTER OF THE CITY OF KENT, OHIO, BY ENACTING A NEW SECTION 12.06, ENTITLED "SANCTUARY CITY", WHICH IS NOT ENDORSED BY CITY COUNCIL, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has considered the petition filed with the Clerk requesting an amendment to the Charter which may be necessary or desirable, and has determined that the amendment contained therein should be submitted to the electors of the City at the general election to be held November 7, 2017.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1. That this Council hereby authorizes and directs the submission of the proposed amendment to the Charter of the City of Kent, Ohio, to a vote of the qualified electors of the City of Kent at the General Election to be held on November 7, 2017, at the regular places of voting in this City, between the hours of 6:30 a.m. and 7:30 p.m. or at such hours as may hereafter be legally determined by law.

SECTION 2. That the ballots for said election shall, at the top thereof, be entitled, "CITY OF KENT, OHIO, CHARTER AMENDMENT BALLOT", to the left or right of said wording, in boxes, with appropriate place for puncturing with stylus, shall appear the words "YES" or "NO", and each voter shall indicate his vote by puncturing a hole in the place so provided.

SECTION 3. That the question is to be submitted on said ballot should be as follows: Shall the Charter of the City of Kent, Ohio, be amended by the addition of Section 4 of Article I, which section shall read as follows:

ARTICLE XII SECTION 12.06 SANCTUARY CITY

Since the citizens of the City of Kent hereby express a desire for Kent to be a welcoming and inclusive city for all immigrants to live, work or visit, the City of Kent is hereby declared to be a Sanctuary City, whose administration and law enforcement will not coordinate or cooperate with U.S. Immigration and Customs Enforcement, nor with any other federal agency, regarding the immigration status of any Kent Resident.

SECTION 4. That the foregoing proposed amendment of the Charter, upon receiving at least a majority of votes cast thereon at the November 7, 2017 General Election, shall become effective upon certification of the results by the Board of Elections of Portage County.

SECTION 5. That the Clerk of this Council shall submit forthwith a certified copy of this Ordinance to the Portage County Board of Elections, which is NOT endorsed by City Council.

SECTION 6. That the Board of Elections of Portage County shall cause an appropriate notice to be given of the election to be held on November 3, 2015 on the foregoing amendment to the Charter of this City and otherwise to provide for such election the manner provided by the general laws of the State of Ohio.

SECTION 7. That the Clerk of this Council shall cause the full text of this proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in this City, with the first publication to be made at least fifteen days prior to the General Election to be held November 7, 2017.

SECTION 8. That there is hereby appropriated from the General Fund a sufficient sum of money to pay the cost of compliance with Section 7 above.

SECTION 9. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Kent.

SECTION 10. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for the reason that it is necessary that it become effective and be certified to the election authorities immediately in order for the question to appear on the ballot at the general election to be held on November 7, 2017, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: July 26, 2017
Date



Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: July 26, 2017
Date

ATTEST: 

Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

TARA GRIMM, CMC
CLERK OF COUNCIL
(SEAL)