

AN ORDINANCE
SUBMITTING TO THE ELECTORS OF THE VILLAGE OF
CHAGRIN FALLS A PROPOSAL SUBMITTED BY
INITIATIVE PETITION TO SUPPORT AMENDING THE U.S.
CONSTITUTION TO ESTABLISH THAT CORPORATIONS
ARE NOT PEOPLE AND MONEY IS NOT SPEECH, AND
DECLARING AN EMERGENCY.

WHEREAS, on June 23, 2014, the Clerk of Council of the Village of Chagrin Falls (the "Clerk") received a certified copy of an ordinance "Chagrin Falls Village Initiative Calling on Congress to Support Amending the U.S. Constitution to Establish That Corporations Are Not People and Money is Not Speech" (the "Ordinance"); and

WHEREAS, on July 14, 2014, a petition (in many parts, collectively the "Petition") for submission of the proposed Ordinance was submitted to the Clerk; and

WHEREAS, on July 21, 2014, submitted the petition, along with a certified copy of the Ordinance, to the Cuyahoga County Board of Elections (the "Board") in order to obtain a statement attesting to the number of valid signatures of electors of the Village of Chagrin Falls who signed the Petition; and

WHEREAS, on July 22, 2014, the Board advised the Village that there were two hundred nineteen (219) valid signatures of electors of the Village of Chagrin Falls; and

WHEREAS, Section 731.28 of the Ohio Revised Code provides that in order to be sufficient an initiative must have the "signatures of not less than ten percent of the number of electors who voted for governor at the most recent general election for the office of governor in the municipal corporation;" and

WHEREAS, the number of Chagrin Falls electors who voted for the office of governor at the most recent general election was one thousand eight hundred ninety five (1,895), ten percent (10%) of which is one hundred ninety (190).

WHEREAS, the Petition contains more valid signatures of electors of the Village of Chagrin Fall (219) than ten percent (10%) of the number of electors who voted for governor at the most recent general election for the office of governor in the municipal corporation (190), the petition therefore contains a sufficient number of signatures to require the submission of the initiated ordinance to the electors of the Village of Chagrin Falls; and

WHEREAS, this Council is taking this action at the first Council meeting held after being notified by the Board of the number of valid signatures on the Petition; and

WHEREAS, pursuant to Section 731.28 of the Ohio Revised Code the election on the Ordinance is to be held at the next general election occurring subsequent to ninety days after the

sufficiency and validity of the initiative petition is certified to the Board, which in this instance will be November 4, 2014.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That there be, and hereby is, submitted to a vote of the qualified electors of the Village of Chagrin Falls at the November 4, 2014 general election at the regular places of voting in Chagrin Falls during the regular hours of voting on such date as prescribed by general law the proposal to call upon Congress to support amending the U.S. Constitution to establish that corporations are not people and money is not speech adopt an Ordinance, which Ordinance shall read and provide as follows:

“Chagrin Falls Village Initiative Calling on Congress to Support Amending the U.S. Constitution to Establish That Corporations Are Not People and Money Is Not Speech

WHEREAS, free and fair elections are essential to American democracy and effective self-governance; and

WHEREAS, in a 2010 decision by the U.S. Supreme Court, *Citizens United v. Federal Elections Commission*, the Supreme Court ruled that corporate entities have the same rights as individual human beings to free speech protections and unrestricted spending on political speech; and

WHEREAS, the judicial bestowal of civil and political rights upon corporations usurps basic Constitutional rights guaranteed to human beings, and also empowers corporations to sue municipal and state governments for adopting laws that violate "corporate free speech," even when those laws serve to protect and defend the rights of human persons and communities; and

WHEREAS, money is property, not speech, and therefore the judicial interpretation of money as equivalent to political speech in effect contradicts the principle of one person, one vote by allowing unlimited spending by wealthy individuals and corporations to influence campaigns, elections, lawmaking and public policy decisions; and

WHEREAS, local governments play an important role in protecting the integrity of our political process,

NOW THEREFORE, BE IT ORDAINED by Initiative by the people of the Village of Chagrin Falls, Ohio, that the Administrative Code of the Chagrin Falls Codified Ordinance be enacted to include a new ordinance Title NINE, "Political Influence by Corporate Entities" which shall read as follows:

Part I, Chapter 171: Political Influence by Corporate Entities

Section 171.01: Beginning in 2015, the Mayor and Village Council shall designate one day, every two years, during the first week of March "Move to Amend Day." On this day, the Mayor and Village Council shall sponsor a Public Meeting to study the impact on our Village of political influence by corporate entities, including unions and Political Action Committees, in connection with the most recent election. Members of the general public in attendance shall be afforded the opportunity to speak on these matters for up to five minutes per person. The Village shall record the minutes of the hearing and make them available to the public by posting them on the Village's website

Section 171.02: Within one (1) week following the biennial Public Hearing, the Clerk of Village Council shall send a letter to the leaders of the Ohio House and Senate, to our U.S. Congressional Representative, and to both Ohio Senators. The letter will include a brief summary of the Public Hearing and will state that the citizens of the Village of Chagrin Falls in November 2014 voted in support of a Citizens' Initiative calling for an amendment to the U.S. Constitution declaring:

1. Only human beings, not corporations, are legal persons with Constitutional rights, and
2. Money is not equivalent to speech, and therefore regulating political contributions and spending does not equate to limiting political speech.

Section 171.03: The biennial Public Hearings will no longer be required if and when a Constitutional Amendment reflecting the principles set forth in Section 2 is ratified by three-quarters (3/4) of the state legislatures."

SECTION 2. That the Clerk be, and hereby is, authorized and directed to submit a certified copy of this Ordinance to the Cuyahoga County Board of Elections forthwith, along with the Petition which is valid and sufficient, and a certified copy of the Ordinance.

SECTION 3. That the ballot language for said issue shall read substantially as follows:

"VILLAGE OF CHAGRIN FALLS PROPOSED SUPPORT OF
CONGRESS AMENDING THE U.S. CONSTITUTION TO
ESTABLISH THAT CORPORATIONS ARE NOT PEOPLE AND
MONEY IS NOT SPEECH

Shall the proposed Ordinance requesting Congress to amend the U.S. Constitution to Establish that Corporations are not People and Money is not Speech be adopted?

ORDINANCE NO.: 2014- 51
INTRODUCED BY: MAYOR & COUNCIL

4

YES

NO

SECTION 4. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 5. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 6. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of this Village and for the further reason that this Ordinance must be immediately effective so that the Clerk of Council may deliver the certification authorized herein to the Cuyahoga County Board of Elections at the earliest possible time; wherefore, provided it receives the requisite number of affirmative votes of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: July 28, 2014

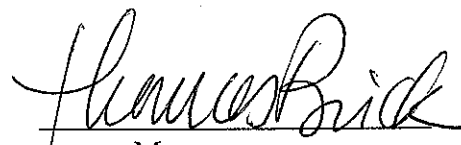

Council President

Submitted to the Mayor for
his approval on this

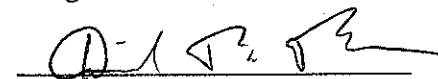
29 day of July, 2014

Approved by the Mayor

July 29, 2014


Mayor

I hereby certify that Ordinance No. 2014- 51 was duly enacted on the 28 day of July, 2014, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.


Clerk of Council