

# Ordinance No. 1059-17

## AN EMERGENCY ORDINANCE

To amend Chapter 106 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No.1015-16, passed December 5, 2016, relating to Democracy Day.

Council Member Cummins

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Chapter 106 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No.1015-16, passed December 5, 2016, is amended to read as follows:

Section 106.01            Democracy Day; Public Hearing

Beginning in the year 2017, the Mayor and City Council shall designate one day in the second week of May following the November federal elections as "Democracy Day: A Call for a U.S. Constitutional Amendment." On this day, the Mayor and City Council shall sponsor a Public Hearing in a public space within the City. The City shall publicize the Public Hearing on its website and through area media at least one (1) month in advance of the Hearing. The Public Hearing will examine the impact on the City of political contributions of corporations, unions, Political Action Committees, and Super-PACS. The Mayor and at least one (1) City Councilperson shall submit testimony at the public hearing. In addition, all citizens of Cleveland will be permitted to submit oral testimony for a period of at least five (5) minutes per citizen. The public hearing shall be held during an evening or weekend time. The City shall record the minutes of the hearing and make them available to the public no later than three months after the Hearing by posting them on Council's or the City's website.

Section 106.02            Letter

Within one (1) week following the Public Hearing, the Clerk shall send a letter to the leaders of the Ohio House and Senate, and Cleveland's U.S. Congressional Representatives, and both Ohio U.S. Senators stating that a Public Hearing was held to support an amendment to the U.S. Constitution declaring:

(a) Only human beings, not corporations, are legal persons with Constitutional rights;

(b) Money is not equivalent to speech, and, therefore, regulating political contributions and spending is not equivalent to limiting political speech.

Section 106.03            Further Hearings

The biennial Public Hearings will continue for a period of ten (10) years through May 2027 or until a constitutional amendment reflecting the principles set forth in section 106.02 is ratified by three-quarters (3/4) of state legislatures.

Section 2. That existing Chapter 106 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No.1015-16, passed December 5, 2016, is repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Ord. No. 1059-17**

**Council Member Cummins**

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**READ FIRST TIME on SEPTEMBER 18, 2017**  
and referred to **DIRECTOR of Law;**  
**COMMITTEE on Finance**

**REPORTS**

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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Published in the City Record \_\_\_\_\_

**REPORT**  
after second Reading

**PASSAGE RECOMMENDED BY**  
**COMMITTEE ON**  
**FINANCE**

FILED WITH COMMITTEE

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