

## **NOTICE**

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## **PETITION**

### **For submission of Proposed Amendment to the Charter of the City of Toledo**

To the Council, the legislative authority of the City of Toledo, Ohio:

We, the undersigned, Electors of the City of Toledo, Ohio, petition your honorable body to forthwith provide by ordinance, for submission to the electors of the City of Toledo, the following proposed Amendment to the Charter of the City.

## **AMENDMENT**

**TITLE:** AN AMENDMENT TO THE CHARTER OF THE CITY OF TOLEDO TO LIMIT USE OF PHOTO-MONITORING DEVICES TO DETECT CERTAIN TRAFFIC LAW VIOLATIONS.

**TEXT:** Be it resolved by the people of the City of Toledo that a new Chapter XV of the Charter is hereby added as follows:

**Section 1.** The City, including its various Boards, agencies and departments, shall not use any traffic law photo-monitoring device for the enforcement of a qualified traffic law violation, unless a law enforcement officer is present at the location of the device and personally issues the ticket to the alleged violator at the time and location of the violation.

**Section 2.** Definitions. As used in this Chapter XV:

- a) "Law enforcement officer" means any law enforcement officer employed by the City or any other political jurisdiction in Ohio, including the State. The City may from time to time and in its discretion, by ordinance or resolution, designate which City employees are, "law enforcement officers" for purposes of this Chapter XV.
- b) "Qualified law traffic violation" means a violation of any of the following: (1) any state or local law relating to complying with a traffic control signal or a railroad crossing sign or signal; or (2) any state or local law limiting the speed of a motor vehicle.
- c) "Ticket" means any traffic ticket, citation, summons, or other notice of liability (whether civil or criminal) issued in response to an alleged qualified traffic law violation detected by a traffic law photo-monitoring device.
- d) "Traffic law photo-monitoring device" means an electronic system consisting of a photographic, video, or electronic camera and a means of sensing the presence of a motor vehicle that automatically produces photographs, videotape, or digital images of the vehicle, its license plate or its operator.

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**Section 3.** Any ordinance enacted prior to the passage of this Amendment that contravenes any of the foregoing is void. After the enactment of this Amendment, the City shall not enact or enforce any ordinance that contravenes any of the foregoing. In the event that any provision of this Chapter XV is found to be unconstitutional or impermissibly in conflict with state or federal law, only such provision found to be unconstitutional or impermissible will be stricken, and the remainder of this Chapter XV will remain in full force and effect.

The following persons are designated as a Committee to represent the petitioners in all matters relating to the petition or its circulation.

William J. Delaney, 2016 Bucklew, Toledo, Ohio 43613  
Fred H. Krieger, 3366 Coral Avenue, Toledo, Ohio 43623  
Joseph R. Wise, 4225 Parrakeet Avenue, Toledo, Ohio 43612  
Jonathan D. Anderson, 4312 Harvest, Toledo, Ohio 43623  
Hans G. Schnapp, 301 Broadway Street, Toledo, Ohio 43604

- Instructions:
- You must reside in and be a registered voter of the City of Toledo.
  - You must sign and print your name in ink, provide your voting address (*i.e.*, the address appearing in the registration records at the board of elections), and indicate the date of signing.
  - You may not sign anyone else's name, unless you are that person's attorney in fact acting pursuant to section 3501.382 of the Revised Code.

	Signature and Printed Name (in ink)	Voting Residence Address Number and Street (as it appears on registration records at the board of elections; no P.O. boxes)	Date of Signing
1.	Sign:  Print:		
2.	Sign:  Print:		
3.	Sign:  Print:		
4.	Sign:  Print:		
5.	Sign:  Print:		

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6.	Sign:  Print:		
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11.	Sign:  Print:		
12.	Sign:  Print:		
13.	Sign:  Print:		
14.	Sign:  Print:		
15.	Sign:  Print:		

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16.	Sign:  Print:		
17.	Sign:  Print:		
18.	Sign:  Print:		
19.	Sign:  Print:		
20.	Sign:  Print:		

## DECLARATION OF CIRCULATOR

I, \_\_\_\_\_ (name of circulator of petition), declare under penalty of election falsification that I am a resident of the State of Ohio and reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing \_\_\_\_\_ (number) signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 [3501.38.2] of the Revised Code.

Signed \_\_\_\_\_

Address: \_\_\_\_\_  
(where circulator resides)

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