

(d) Notices and Hearings. In the enactment of zoning legislation or of regulations respecting the platting or subdivision of lands, the Council may provide by ordinance for such public hearings and notices and for the form and manner of publication or delivery of notices as it deems necessary and in the public interest and as may be in conformity with this Charter, irrespective of the provisions of the Statutes of the State of Ohio in regard thereto.

#### SECTION 4.0 THE BOARD OF HEALTH.

(a) Composition and Term. The Board of Health shall consist of the Mayor and five (5) electors of the City not holding other municipal office, to be appointed by the Mayor, subject to confirmation by a majority of the members of Council. The Mayor shall be President of the Board of Health by virtue of his office. A vacancy occurring during the term of any member of the Board of Health shall be filled for the unexpired term in the manner authorized for an original appointment.

The term of office of the members of the Board of Health shall be five (5) years from the date of appointment and until their successors are appointed and qualified, except that of the five (5) first appointed, one (1) shall serve for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, one (1) for a term of four (4) years, and one (1) for a term of five (5) years.

(b) Duties. The Board of Health shall have such powers and authority and perform such duties as shall be granted or imposed upon it and the members thereof by ordinance of the Council and the laws of the State of Ohio.

### ARTICLE X NOMINATIONS AND ELECTIONS.

(EDITOR'S NOTE: Pursuant to Section 1.0 of Article V of the Charter as amended on November 5, 1985, the provisions of Article X no longer apply to the office of Clerk-Auditor.)

#### SECTION 1.0 MUNICIPAL ELECTIONS.

All elections provided for by this Charter, whether for the choice of officials or the submission of questions to the voters, shall be conducted by the election authorities prescribed by the laws of the State of Ohio, which laws shall apply to all such elections except as provision is otherwise made by this Charter. A regular municipal election for the choice of all elective offices of the City shall be held on the first Tuesday after the first Monday in November in the year 1961 and on such day in the odd-numbered years thereafter. The nominating petitions and ballots to be used in all municipal elections shall bear no party marks or designations.

#### SECTION 2.0 NOMINATING PROCEDURE.

(a) Non-Partisan Primary Election. Candidates for elective office to be voted for at the regular Municipal Election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday after the first Monday in September of 1969, and thereafter on the second Tuesday after the first Monday in September in odd-numbered years.

In the event that the number of qualified candidates for each elective office does not exceed twice the number to be elected at the next regular Municipal Election, there shall be no such primary election for that particular office and all those who have so filed for such office shall be candidates at the regular Municipal Election.

(b) Nominating Petitions. The name of any qualified elector of the City shall be placed upon the primary election ballot for nomination as a candidate for Mayor or Clerk-Auditor when there shall have been filed with the election authorities a petition signed by not less than one hundred (100) nor more than two hundred (200) electors of the City, and for City Council when there shall have been filed with the election authorities a petition signed by not less than fifty (50) nor more than one hundred (100) electors of the City, the form of said petitions to be substantially as follows:

We the undersigned, hereby present \_\_\_\_\_ whose residence is Sylvania, Ohio, as a candidate for \_\_\_\_\_, for the term ending \_\_\_\_\_, to be voted for at the primary election to be held on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_; and we individually certify that we are qualified to vote for candidate(s) for

Name                                      Street & No.                                      Precinct

\_\_\_\_\_

State of Ohio, Lucas County, ss: \_\_\_\_\_ being first duly sworn, deposes and says that he is the circulator of this petition paper and that the signatures appended thereto were made in his presence, and are genuine signatures of the persons they purport to be.

Signed

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Notary Public

(c) Requirements of Petition; How Signed; Filing Date; Notification; Acceptance. Signatures to nominating petitions need not be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulator thereof, stating that each signature thereto was made in his presence and is the genuine signature of the person whose name it purports to be. Each signer of a petition shall sign his name in ink or indelible pencil and, after his or her name, shall designate his or her address by street and number or other description sufficient to identify the place.

All separate papers comprising a nominating petition shall be assembled and filed with the election authorities as one instrument at least sixty (60) days prior to the date of holding the primary election with respect to which such petition is filed. Within ten (10) days after the filing of such nominating petition the election authorities shall notify the person therein as a candidate whether the petition is found to satisfy all the prescribed conditions. Any eligible person placed in nomination as hereinabove provided shall have his name printed on the ballots for the primary election if, within seven (7) days after such notification, he shall have filed with the election authorities a written acceptance of nomination.  
(Amended 11-5-68.)

### SECTION 3.0 CANDIDATES AT ELECTIONS.

The number of candidates for each elective office at the regular municipal election shall not exceed twice the number to be elected at that election, being those who received the highest number of votes at the primary election.  
(Amended 11-5-68.)

### SECTION 4.0 WHO TO BE DECLARED ELECTED.

The candidates for any elective office, equal in number to the places to be filled, who shall receive the largest number of votes at such regular municipal election shall be declared elected. (Amended 11-5-68.)

### SECTION 5.0 VOTING PROCEDURE.

In order to vote for a candidate or candidates at any primary or regular municipal election, the voter shall, after entering the voting booth, place a cross in the square before each candidate's name for whom he wishes to vote, but in no case shall an elector vote for more than one candidate for Mayor, one candidate for Clerk-Auditor, and for more than the number of candidates to be elected for Council.  
(Added 11-5-68.)

## ARTICLE XI INITIATIVE, REFERENDUM AND RECALL

### SECTION 1.0 INITIATIVE.

The electors of the City shall have the power to propose any ordinance or resolution, and to adopt or reject the same at the polls, such power being known as the initiative. An initiated ordinance or resolution shall be submitted to the Council by a petition signed by electors of the City not less in number than ten percent (10%) of the electors voting at the last regular municipal election. Such petition shall designate not less than three (3) of the signers thereof as a Committee authorized to take action as in this Section provided.