

**OFFICIAL QUESTIONS AND ISSUES BALLOT
GENERAL ELECTION – NOVEMBER 7, 2017**

WOOD COUNTY

**PROPOSED BY PETITION
CITY CHARTER AMENDMENT
BOWLING GREEN CITY**

A Majority Affirmative Vote Is Necessary For Passage.

Proposed amendment of Article I, Section 1.05 of the Charter of the City of Bowling Green:

Whereas, we the people of Bowling Green recognize that the continued extraction of fossil fuels is causing increasing atmospheric greenhouse gas concentrations, which is causing climate destabilization, mass species extinction, and human suffering; and

Whereas, we the people of Bowling Green, recognize that both humans and the natural communities and ecosystems in Bowling Green, require clean air, water, and soil to thrive and flourish; and

Whereas, we the people of Bowling Green, through this amendment, seek to alter our form of government to restore a system of local government capable of securing our fundamental rights and deriving its just powers from our consent;

Therefore, we, the people of Bowling Green, adopt this charter amendment recognizing and protecting community rights to a healthy environment and livable climate:

ARTICLE I, § 1.05: COMMUNITY RIGHTS TO A HEALTHY ENVIRONMENT AND LIVABLE CLIMATE

(a) Right to a Healthy Environment and Livable Climate. The people of the City of Bowling Green, and the natural communities and ecosystems in Bowling Green, possess the right to a healthy environment and livable climate. That right shall include the right to be free from new infrastructure for fossil fuel transportation within the City of Bowling Green or on property owned by the City of Bowling Green, except for infrastructure to transport fossil fuels to end-users within Wood County.

(b) Right to Enforcement. The people of the City of Bowling Green, and the natural communities and ecosystems in Bowling Green, possess the right to enforce their rights expressed in this Amendment. If the City of Bowling Green fails to enforce or defend this Amendment, or, a court fails to uphold this Amendment, any person may enforce this Amendment through nonviolent direct action. If any appointed or elected official infringes upon the people of Bowling Green's adoption of this Amendment through their right of democratic initiative power, any person may enforce these rights through nonviolent direct action. City of Bowling Green law enforcement, and cooperating agencies acting within the jurisdiction of the City of Bowling Green, shall have no lawful authority to surveil, detain, arrest, or otherwise impede persons enforcing these rights. "Direct action" as used by this provision shall mean any activities carried out to directly enforce the rights expressed in this Amendment.

(c) Right to Enforcement Against Corporate Rights. Any corporation, or other business entity, that violates the rights this Amendment shall not be deemed a "person" to the extent that such treatment would interfere with the rights enumerated by this Amendment, nor shall it possess any other legal rights, powers, privileges, immunities, or duties that would interfere with the rights, including the power to assert state or federal preemptive laws in an attempt to overturn this Amendment, or the power to assert that the people of the City of Bowling Green lack the authority to adopt this Amendment.

(d) Right of Local Community Self-Government. The people of the City of Bowling Green possess the right of local community self-government, as expressed in the Declaration of Independence, the United States Constitution's preamble and Ninth Amendment, and the Ohio Constitution's Bill of Rights, sections I and II and section 20 the reservation of legislative powers to the people. The people's right of local community self-government includes their power to use their governments to protect their rights, health, and safety, as done in this Amendment. Any form of government that becomes destructive of these ends is illegitimate and has no authority over the people.

(e) Right of Initiative Lawmaking. The people of Bowling Green possess the right to make law through local initiative processes. That right shall include the right to be free from interference with the exercise of that initiative power, which shall include any attempt to stop the placement of an initiative onto the ballot on the basis of claimed substantive illegality or unconstitutionality. The right shall also preclude any substantive review of an initiative's contents before it is enacted into law.

SHALL THE PROPOSED CHARTER AMENDMENT BE ADOPTED?

YES

NO