

ORDINANCE NO. 56-2026

TITLE: AMEND BARBERTON CHARTER

ARTICLE 7

NONPARTISAN ELECTIONS

AN ORDINANCE AMENDING BARBERTON CHARTER ARTICLE 7 TO REMOVE ARTICLE 7 OF THE CHARTER OF THE CITY ENTITLED “ELECTIONS” AND REPLACE WITH A NEW ARTICLE 7 ENTITLED “NOMINATIONS AND ELECTIONS” ALLOWING FOR NON-PARTISAN ELECTIONS, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That Article 7 “Elections” shall be amended to reflect a change in wording, by showing the following additions in **bold** print and deletions with ~~strikethrough~~.

ARTICLE 7

ELECTIONS

NOMINATIONS AND ELECTIONS

SECTION 7.01. TIME FOR HOLDING ELECTIONS.

~~General Municipal elections shall be held on the first Tuesday after the first Monday of November in odd-numbered years. Such other elections shall be held as may be required by law or authorized by this Charter. Any matter which, by the terms of this Charter may be submitted to the electors of the City at any special election, may be submitted at the time of a primary or general election.~~

SECTION 7.02. NOMINATING ELECTIONS (PRIMARIES).

~~Except as otherwise provided in this Charter, all elections shall be held and conducted and the results thereof ascertained and certified as provided by the general laws of the State of Ohio and by the election authorities therein provided for.~~

~~Candidates for all offices at any general Municipal election under the provisions of this Charter, with the exception of independent and write-in candidates, shall be nominated at a primary election, in order to reduce the cost of the primary election to be held on the first (1st) Tuesday after the first (1st) Monday in May. The method of nomination shall be as provided by general law. (Nov. 6, 1990; Nov. 3, 2020)~~

SECTION 7.01 REGULAR MUNICIPAL ELECTION.

The regular Municipal election shall be held on the first Tuesday after the first Monday in November of each odd-numbered year. All elections shall be non-partisan, without party affiliation appearing on the ballot.

SECTION 7.02 PRIMARY ELECTION.

There shall be no primary election for a municipal office unless the number of persons filing nomination petitions exceeds one (1) more than two (2) times the number of offices available for nomination. For the office of Mayor, Director of Law and Director of Finance there shall be no primary election unless four (4) or more persons file nominating petitions.

For the office of Ward Council Member, there shall be no primary election for such ward unless four (4) or more persons file a nominating petition for such ward. For purposes of this provision affecting the necessity of a primary election, the term “nominating petition” shall include only those petition and nomination papers, which the Board of Elections have reviewed, examined, and certified as to their sufficiency and validity.

In the event it is necessary to hold a primary election, such nonpartisan primary election shall be held in the Municipality on the first Tuesday after the first Monday in May prior to such Municipal election. Those persons receiving the highest vote totals, and equal in number to twice the number of offices for which such election is held, shall be designated candidates for such office, subject to applicable provisions of this Charter.

SECTION 7.03 NOMINATIONS.

Each person desiring to become a candidate for nomination to be voted for at a primary election shall, not later than 4:00 p.m. of the ninetieth day before the day of such primary election, file with the Board of Elections of Summit County, Ohio, a declaration of candidacy and a nominating petition. Each nominating petition of a candidate for an office filled by election for Mayor, Director of Law, Director, Finance, President of Council and Council At Large shall be signed by not less than seventy-five (75) qualified electors of the Municipality and shall contain signatures of qualified electors from each ward in the Municipality. Each nominating petition of a candidate for ward Councilperson shall be signed by not less than twenty-five qualified electors from such ward. Each candidate shall file a separate nominating petition. Group petitions shall not be used.

SECTION 7.04 OTHER ELECTIONS.

Such other elections shall be held as may be required by law or provided for in this Charter. Any matter which, by the terms of this Charter, may be submitted to the electors at any special election may be submitted at the time of a primary or regular election.

SECTION 7.05 GENERAL PROVISIONS.

Except as otherwise provided in this Charter, the laws of the State of Ohio applicable to elections shall govern the procedure for the nomination and election of the elective officers of the Municipality and the method of holding and conducting elections

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, to ensure the changes take place in a timely manner and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise, to be in full force and effect from and after the earliest period allowed by law.

Passed May 26, 2026

Clerk of Council

President of Council

Approved _____ 2026

Mayor