

# **Bond Case Briefs**

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## **MUNICIPAL ORDINANCE - OHIO**

### **State ex rel. Bolzenius v. Preisse**

**Supreme Court of Ohio - September 14, 2018 - N.E.3d - 2018 WL 4517024 - 2018 -Ohio-3708**

Six electors filed petition for writ of mandamus to compel members of county board of elections to place proposed city ordinance on general election ballot that would establish a “bill of rights” related to water, soil, and air protection and prohibit certain oil and gas extraction activities within the city.

The Supreme Court of Ohio held that:

- Proposed ordinance went beyond city’s power, and thus was properly excluded from ballot;
- City charter and statute did not conflict, and thus charter provision did not supersede statute as matter of local self-government; and
- Exclusion of initiative petition from ballot did not violate electors’ free-speech rights.