

Bond Case Briefs

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State ex rel. Citizens for Responsible Green Government v. City of Green

Supreme Court of Ohio - August 30, 2018 - N.E.3d - 2018 WL 4263511 - 2018 -Ohio- 3489

Objector to municipal ordinance granting easements to company for interstate natural gas pipeline system filed complaint for writ of mandamus, seeking to compel city, city finance director, and county board of elections to place referendum regarding ordinance on general-election ballot, and objector also filed motion to supplement the record.

The Supreme Court of Ohio held that:

- Objector lacked adequate remedy at law, as required for mandamus relief, given proximity of general election;
- Length of time between rejection of petition and filing of suit was unreasonable, as element of city's laches defense;
- Objector was aware of injury during period of delay in filing suit, as element of laches defense;
- Objector's unreasonable delay in filing suit was not excused, as element of laches defense; and
- Objector's unreasonable delay in filing suit prejudiced city, as element of laches defense.