

Sec. 42-16. - Conferring special privilege by initiated ordinance or charter amendment.

A)

Restraint of trade or commerce being injurious to this state and its citizens, including citizens of the City of Columbus, the power of the initiative shall not be used to pass an ordinance or an amendment to the city charter that would grant or create a monopoly, oligopoly, or cartel; specify or determine a tax rate; or confer a commercial interest, commercial right, or commercial license to any person, nonpublic entity, or group of persons or nonpublic entities, or any combination thereof, however organized, that is not then available to other similarly situated persons or nonpublic entities.

B)

The power of the initiative shall not be used to pass an ordinance authorizing the city to become a stockholder in any joint stock company, corporation, or association of any kind; or to raise money for, or to loan its credit to, or in aid of, any private company, corporation, or association of any kind in such manner as to violate Article VIII, Sec. 6 of the Ohio Constitution.

C)

If an ordinance or charter amendment proposed by initiative petition is certified to appear on the ballot, and in the opinion of the City Attorney, the ordinance or amendment would conflict with division (A) or (B) of this Section, the City Council shall prescribe two separate questions to appear on the ballot, as follows:

a.

The first question shall be as follows:

i.

Where there is determined to be a conflict with division (A):

1.

For an initiated ordinance: "Shall the petition committee, in violation of division (A) of [Section 42-16](#) of the Columbus City Charter, be authorized to initiate an ordinance that grants or creates a monopoly, oligopoly, or cartel, specifies or determines a tax rate, or confers a commercial interest, commercial right, or commercial license that is not available to other similarly situated persons?"

2.

For a charter amendment: "Shall the petition committee, in violation of division (A) of [Section 42-16](#) of the Columbus City Charter, be authorized to initiate a charter amendment that grants or creates a monopoly, oligopoly, or cartel, specifies or determines a tax rate, or confers a commercial interest, commercial right, or commercial license that is not available to other similarly situated persons?"

ii.

Where there is determined to be a conflict with division (B):

1.

For an initiated ordinance: "Shall the petition committee, in violation of division (B) of [Section 42-16](#) of the Columbus City Charter, be authorized to initiate an ordinance that authorizes the city to become a stockholder in any joint stock company, corporation, or association of any kind; or to raise money for, or to loan its credit to, or in aid of, any private company, corporation, or association of any kind in such manner as to violate Article VIII, Sec. 6 of the Ohio Constitution?"

2.

For a charter amendment: "Shall the petition committee, in violation of division (B) of [Section 42-16](#) of the Columbus City Charter, be authorized to initiate a charter amendment that authorizes the city to become a stockholder in any joint stock company, corporation, or association of any kind; or to raise money for, or to loan its credit to, or in aid of, any private company, corporation, or association of any kind in such manner as to violate Article VIII, Sec. 6 of the Ohio Constitution?"

b.

The second question shall describe the proposed ordinance or charter amendment.

c.

If both questions are approved or affirmed by a majority of the electors voting on them, then the ordinance or charter amendment shall take effect. If only one question is approved or affirmed by a

majority of the electors voting on it, then the ordinance or charter amendment shall not take effect.

([Ord. No. 2198-2022](#), § 1, 7-25-2022)

Revision #3

Created 2026-07-18 11:26:50 UTC by MunicipalWiki Indexer

Updated 2026-07-18 11:39:15 UTC by MunicipalWiki Indexer