

BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS

IN THE MATTER OF:

**PROTEST OF BELLEFONTAINE
ORDINANCE INITIATIVE PETITION**

PROTEST OF BELLEFONTAINE ORDINANCE INITIATIVE PETITION

NOW COME the Protestors, Victoria Maddox; Katelyn Roby; Christopher N. Hildreth Blair; Sarah B. Lewis; and Marshall L. Blair Hildreth, through their undersigned attorney and pursuant to R.C. 3501.39, and hereby protest the certification and placement on the November 7, 2023 ballot of the proposed Bellefontaine ordinance referencing “drag artist(s).”

This Protest is made and based on the petition papers on file with the Board and with the Auditor; Memorandum of Points and Authorities below; the Auditor’s Petition, attached hereto as “**Exhibit A**,” the Circulated Petition, attached hereto as “**Exhibit B**,” the BOE Petition, attached hereto as “**Exhibit C**,” the Affidavits of the Protesters, attached hereto as “**Exhibits D; E; F; G & H**,” and on any evidence and argument the Board may entertain at the time of hearing.

WHEREFORE, Protesters Victoria Maddox; Katelyn Roby; Christopher N. Hildreth Blair; Sarah B. Lewis; and Marshall L. Blair Hildreth respectfully request that the Board hold a hearing and invalidate the petition as violating the requirements of R.C. 731.31.

MEMORANDUM OF POINTS AND AUTHORITIES

I. FACTUAL BACKGROUND

On or about April 14, 2023, a petition committee consisting of Julia Cook, Renee Price, Skate Buchanan, Danielle Stefaniszyn, Devin Palmer and Charles Palmer (“Committee”) filed with the Bellefontaine City Auditor’s office an initiative petition on the Secretary of State’s prescribed form for Chapter 731 municipal initiative petitions. A copy of that petition is attached hereto as “**Exhibit A**,” Auditor’s Petition and Public Records Request Response. That petition states, in pertinent part:

“To the City Auditor of the City of Bellefontaine, Ohio:

We, the undersigned, electors of the City of Bellefontaine, Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7th day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”

On or about April 14, 2023, the Committee members began circulating a petition, a photograph of which was taken by Protester Maddox on April 14, 2023.

See attached “**Exhibit B**,” Circulated Petition. The Petition states, in pertinent part:

“To the [CITY AUDITOR, VILLAGE CLERK OR TOWNSHIP FISCAL OFFICER] of the [CITY, VILLAGE OR TOWNSHIP] of [NAME OF CITY, VILLAGE OR TOWNSHIP], Ohio:

We, the undersigned, electors of the [CITY, VILLAGE OR TOWNSHIP] of [NAME OF CITY, VILLAGE OR TOWNSHIP], Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the _____ day of November, _____ the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”

The signature portion of the petition paper photographed in Exhibit B was ultimately submitted to the Logan County Board of Elections as the petition paper bearing the name “Jenny Wren” on line one and the signature of Committee member Stefaniszyn below the Circulator Statement. See Exhibit D.

From April 14, 2023 through May 31, 2023, Committee members collected signatures for the Circulated Petition on the west lawn of the Logan County Courthouse; via a door-to-door canvass; and otherwise.

Sometime between May 31, 2023 and August 4, 2023, the Committee submitted a petition with some 796 signatures for verification. See attached “**Exhibit C**,” BOE Petition. The petition was presented as 27 petition papers in support of a petition which states, in pertinent part:

“To the City Auditor of the City of Bellefontaine, Ohio:

We, the undersigned, electors of the City of Bellefontaine, Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7th day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

**Proposal to amend City of Bellefontaine Codified
Ordinance Chapter 1177 Adult Entertainment – 1177.02
Definition**

by adding the following text

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”

Attached to the BOE Petition and ostensibly incorporated, was a copy of Chapter 1177 of the Codified Ordinances of the City of Bellefontaine, with the insertion of the following language following subsection 1177.02(k):

“(l) The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.”

On or about August 4, 2023, the Board transmitted to the Secretary of State, ballot language incorporating verbatim the in-box text of the BOE Petition.

Because the Committee was caught red handed engaging in a cynical subterfuge devised to subvert Ohio's election laws by swapping out the petitions before submitting them for BOE verification, Protesters now state this Protest seeking their invalidation.

II. LAW & ARGUMENT

R.C. 731.31 states, in part:

“Any initiative or referendum petition may be presented in separate parts, but ***each part of any initiative petition shall contain a full and correct copy of the title and text of the proposed ordinance*** or other measure, and each part of any referendum petition shall contain the number and a full and correct copy of the title of the ordinance or other measure sought to be referred.”

(Emphasis added).

The reason for the R.C. 731.31 "full and correct copy of the title and text" requirement "is to ensure that the issue is fairly and substantially presented to the electors and to avoid misleading electors." *E. Liverpool Citizens Against Traffic Cameras v. City of E. Liverpool*, 7th Dist. Columbiana No. 18 CO 0027, 2019-Ohio-4080, ¶19-20.

The requirements of R.C. 731.31 “must be met with strict compliance.” *State ex rel. Esch v. Lake Cty. Bd. of Elections*, 61 Ohio St.3d 595, 596, 575 N.E.2d 835 (1991).

R.C. 731.31 provides, in part, that “Petitions shall be governed in all other respects by the rules set forth in section 3501.38 of the Revised Code.”

R.C. 3501.38(I)(1) provides “No alterations, corrections, or additions may be made to a petition after it is filed in a public office.”

The Auditor’s Petition and the Circulated Petition differ from the BOE Petition in very substantive ways. Because of this, the petition fails to comply with the mandate of R.C. 731.31 that the “initiative petition shall contain a full and correct copy of the title and text of the proposed ordinance.” This flaw is fatal to the petition, requiring that the Board sustain the Protest and invalidate the petition. See *E. Liverpool Citizens Against Traffic Cameras* at ¶20-23.

Neither the Auditor’s Petition nor the Circulated Petition contain any indication that the proposed initiative is an amendment to an existing ordinance. The BOE Petition, by contrast, contains the following language: “Proposal to amend City of Bellefontaine Codified Ordinance Chapter 1177 Adult Entertainment – 1177.02 Definition by adding the following text[.]” The Ohio Supreme Court has made it very clear that the difference between the amendment of an existing statute and the enactment of an entirely new provision, is substantive in nature. See, e.g., *Giroux v. Commt. Representing the Petitioners with Respect to the Initiative Program Proposing an Amendment to the Ohio Constitution Entitled the Right to Reproductive Freedom with Protections for Health and Safety*, Slip Opinion No. 2023-Ohio-2786 (Aug. 11, 2023).

Neither the Auditor's Petition nor the Circulated Petition contain any indication that the proposed ordinance is part of the city's zoning and planning scheme. The BOE Petition, by contrast, sets forth a zoning ordinance by reference to a section of the Codified Ordinances and by attaching the chapter to be amended. This is significant because zoning ordinances are a specialized area of law that receive unique treatment by the courts. *Euclid v. Ambler Realty Co.*, 272 U.S. 365, 47 S.Ct. 114, 71 L.Ed. 303 (1926). An ordinance may be treated differently and be given a different legal construction largely because of its classification as a zoning ordinance. *Id.*; also see *State ex rel. Sunset Estate Properties, LLC v. Village of Lodi*, 142 Ohio St.3d 351, 2015-Ohio-790, 30 N.E.3d 934, ¶8.

Neither the Auditor's Petition nor the Circulated Petition contain any reference to the chapter of the Codified Ordinances in which the ordinance seeks placement. The BOE Petition, by contrast, sets forth the exact section and subsection of the proposed ordinance. This is significant because in cases of vagueness or ambiguity, courts construe statutes in pari materia, requiring that statutes in the same chapter or on the same subject "be construed together, so that inconsistencies in one statute may be resolved by looking at [the] other statute on the same subject." *State v. Smith*, 167 Ohio St.3d 423, 2022-Ohio-274, 194 N.E.3d 297, ¶30, citing *Black's Law Dictionary* 911 (10th Ed.2014); see also *State ex rel. Clay v. Cuyahoga Cty. Med. Examiner's Office*, 152 Ohio St.3d 163, 2017-Ohio-8714, 94 N.E.3d 498, ¶17; *State ex rel. Thurn v. Cuyahoga Cty. Bd. of Elections*, 72 Ohio St.3d 289, 294, 649 N.E.2d 1205 (1995). The petition suffers, inter alia, from issues

of vagueness and ambiguity, rendering its placement in the “Adult Oriented Entertainment” section of Bellefontaine’s zoning code a significant substantive matter.

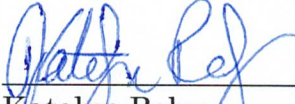
A petition, once filed with the city auditor, cannot be amended. R.C.

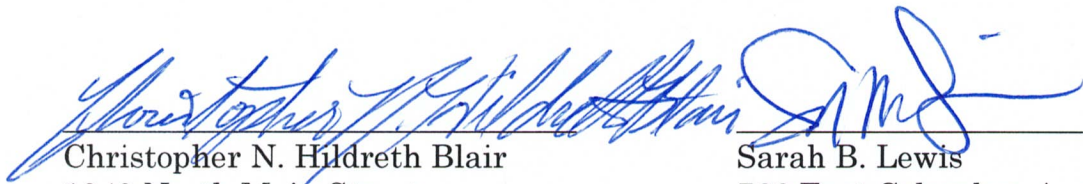
3501.38(I)(1). A petition, after being circulated to the electors for signature, cannot be swapped out for a different petition with more specific language in an attempt to correct its perceived defects. Id. Also see R.C. 731.31. The Committee’s conduct blatantly violates Ohio’s election laws. They were caught red handed. The issue is not complex. The petition certified by the board is substantively different than the petition filed with the city auditor. A simple comparison of the two demonstrates this. The petition violates the requirements of R.C. 731.31, and the Board has a clear legal duty to hold a hearing and invalidate the petition pursuant to R.C. 3501.39(A)(2).

WHEREFORE, Protesters Victoria Maddox; Katelyn Roby; Christopher N. Hildreth Blair; Sarah B. Lewis; and Marshall L. Blair Hildreth respectfully request that the Board hold a hearing and invalidate the petition as violating the requirements of R.C. 731.31.

WE SO MOVE, PROTEST, AND CONCUR IN THE RELIEF REQUESTED:


Victoria Maddox
556 East High Avenue, Apt. 2
Bellefontaine, Ohio 43311
Protestor


Katelyn Roby
816 Cooper Avenue
Bellefontaine, Ohio 43311
Protestor



Christopher N. Hildreth Blair
1040 North Main Street
Bellefontaine, Ohio 43311
Protestor

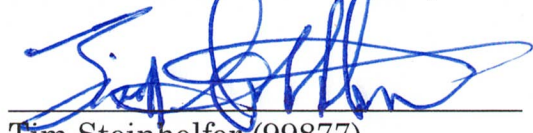
Sarah B. Lewis
766 East Columbus Avenue
Bellefontaine, Ohio 43311
Protestor



Marshall L. Blair Hildreth
1040 North Main Street
Bellefontaine, Ohio 43311
Protestor

Respectfully submitted by:

THE STEINHELPER FIRM, LLC



Tim Steinhelfer (99877)
112 West Columbus Avenue
Bellefontaine, Ohio 43311
tim@ohiocivilappeals.com
Attorney for Protestors

"Exhibit A"

To the City Auditor of the City of
(City Auditor, Village Clerk or Township Fiscal Officer) (City, Village or Township)
Bellefontaine, Ohio:
(Name of City, Village or Township)

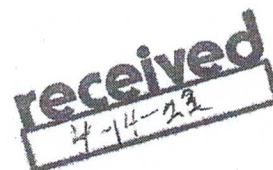
We, the undersigned, electors of the City of Bellefontaine,
(City, Village or Township) (Name of City, Village or Township)

Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7th day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.



From: **Barbra Gant** <gantbarbra@gmail.com>

Date: Fri, Apr 14, 2023 at 4:15 PM

Subject: proposed ballot language for city ordinance regarding drag performance

To: <fbrentlinger@ci.bellefontaine.oh.us>

Auditor Brentlinger,

I have heard that there is a petition for a ballot initiative proposing a city ordinance that would restrict drag performances in the City of Bellefontaine. I have not seen the proposed ballot language, which should be public information, and I request to know how to gain access to this public information. If it is to be added to your website, I would like to know how and when it will be viewable; if it is available to be emailed to me, I request that I receive an emailed copy. Thank you!

Sincerely,

Barbra Gant

From: **Fred Brentlinger** <fbrentlinger@ci.bellefontaine.oh.us>

Date: Thu, Apr 20, 2023 at 7:46 AM

Subject: RE: proposed ballot language for city ordinance regarding drag performance

To: Barbra Gant <gantbarbra@gmail.com>

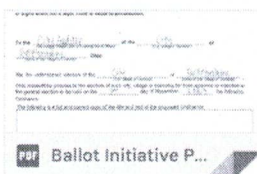
Ms. Grant,

I have attached the ballot initiative petition you requested.

Frederick L. Brentlinger, CPA
City Auditor

937-592-2215

One attachment • Scanned by Gmail ⓘ



Thank you!

What is this?

Haha, thanks!

"Exhibit B"

To the _____ of the _____ of
(City Auditor, Village Clerk or Township Fiscal Officer) (City, Village or Township)
_____, Ohio:
(Name of City, Village or Township)

We, the undersigned, electors of the _____ of _____
(City, Village or Township) (Name of City, Village or Township)
Ohio respectfully propose to the electors of such city, village or township for their approval or rejection
the general election to be held on the _____ day of November, _____ the following
Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interests, shall not permit the attendance of a minor.

Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.

**Initiative Petition
Municipality or Home Rule Township**

R.C. 504.14, 731.28-41, 3501.38, 3503.06

COPY

NOTE: Prior to circulation of an initiative petition proposing an ordinance or measure, a certified copy of such ordinance or measure must be filed with the City Auditor, Village Clerk or Township Fiscal Officer (home rule township). This petition must be signed by ten percent of the number of electors in the city, village or unincorporated area of the township who voted for governor at the preceding gubernatorial election and must be filed with the City Auditor, Village Clerk or Township Fiscal Officer.

(NOTE –The below notice must be printed in red.)

NOTICE – Whoever knowingly signs this petition more than once, signs a name other than his own, or signs when not a legal voter is liable to prosecution.

To the City Auditor of the City of
(City Auditor, Village Clerk or Township Fiscal Officer) (City, Village or Township)
Bellefontaine, Ohio:
(Name of City, Village or Township)

We, the undersigned, electors of the City of Bellefontaine,
(City, Village or Township) (Name of City, Village or Township)
 Ohio respectfully propose to the electors of such city, village or township for their approval or rejection at the general election to be held on the 7th day of November, 2023 the following Ordinance:

The following is a full and correct copy of the title and text of the proposed Ordinance:

**Proposal to amend City of Bellefontaine Codified Ordinance Chapter 1177 Adult Entertainment –
1177.02 Definition**

by adding the following text

The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performances shall not be held on public property, or any location viewable by a minor.

CHAPTER 1177
Adult Entertainment

COPY

1177.01 Purpose.

1177.02 Definition.

1177.03 Conditional use.

1177.04 Zoning.

1177.01 PURPOSE.

The purpose of Sections 1177.01 to 1177.04 inclusive of this Ordinance is to promote the public health, safety and welfare through the regulation of adult entertainment businesses. It is the intent of these sections to regulate entertainment businesses, as defined herein, in such a manner as to prevent the erosion of the character of the surrounding neighborhoods and to prohibit the establishment of such businesses within close proximity to existing adult entertainment businesses, residentially zoned areas, schools, churches, parks and playgrounds within the city.

1177.02 DEFINITION.

The following definition shall apply in the interpretation of this Ordinance:

(a) "Adult Entertainment Business" means an adult book store, adult motion picture theater, adult drive-in motion picture theater, or an adult only entertainment establishment as further defined in this section.

(b) "Adult Book Store" means an establishment which utilizes 15 percent or more of its retail selling area for the purpose of retail sale or rental, or for the purpose of display by coin or slug-operated, or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices, or both, books, magazines, other periodicals, films, tapes and cassettes which are distinguished by their emphasis on adult materials as defined in this section.

(c) "Adult Motion Picture Theater" means an enclosed motion picture theater which is regularly used or utilizes 15 percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing or related to adult material as defined in this section.

(d) "Adult Motion Picture Drive-In Theater" means an open air drive-in theater which is regularly used or utilizes 15 percent or more of its total viewing time, for presenting material distinguished or characterized by an emphasis on matter depicting, describing or related to adult material as defined in this section.

(e) "Adult Only Entertainment Establishment" means an establishment where the patron directly or indirectly is charged a fee where the establishment features entertainment or services which constitute adult material as defined in this section, or which features exhibitions, dance routines, or gyrational choreography of persons totally nude, topless, bottomless, or strippers, male or female impersonators or similar entertainment or services which constitute adult material.

(f) "Adult Material" means any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record or tape, other tangible thing, or any service, capable of arousing interest through sight, sound, or touch, and:

(1) Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; or

(2) Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.

(g) "Bottomless" means less than full opaque covering of male or female genitals, pubic area or buttocks.

(h) "Nude or Nudity" means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than full, opaque covering of any portion thereof, or female breast(s) with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

(i) "Topless" means the showing of a female breast with less than a full opaque covering of any portion thereof below the top of the nipple.

(j) "Sexual Activity" means sexual conduct or sexual contact, or both. "Sexual Contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

(k) "Sexual Excitement" means the condition of the human male or female genitals, when in a state of sexual stimulation or arousal.

(l) The classification of drag artist(s) and drag shows as Adult Cabaret Performance. Adult oriented exhibitions featuring male or female impersonators who provide displays and entertainment appealing to sexual interest, shall not permit the attendance of a minor. Adult Cabaret Performance shall not be held on public property, or any location viewable by a minor.

COPY

1177.03 CONDITIONAL USE PERMIT REQUIRED.

No building shall be erected, constructed, or developed, and no building or premises shall be reconstructed, remodeled, arranged for use or used for any adult entertainment business unless authorized by the issuance of a conditional use permit in accordance with this Ordinance. In addition to said provisions, an adult entertainment business shall comply with the following conditional use criteria:

(a) Adult entertainment businesses shall comply with the district regulations applicable to all properties in any district in which they are located.

(b) No adult entertainment business shall be permitted in a location which is within 1,500 feet of another adult entertainment business;

(c) No adult entertainment business shall be permitted in a location which is within 1,000 feet of any church, any public or private school, any park, any playground, or any social services facility or neighborhood center;

(d) No adult entertainment business shall be permitted in a location which is within 500 feet of any residence or boundary of any residential district;

(e) No adult entertainment business shall be permitted in a location which is within 200 feet of any boundary of any residential district in a local unit of government abutting the city.

1177.04 ZONING OF ADULT ENTERTAINMENT BUSINESSES.

Adult entertainment businesses shall be conditionally permitted in accordance with the following schedule:

Conditionally Permitted Use	Districts Wherein Permitted
Adult Book Store	M-2
Adult Motion Picture Theater	M-2
Adult Motion Picture Drive-In Theater	M-2
Adults Only Entertainment Establishment	M-2

(Ord. 15-10. Passed 3-10-14.)

COPY

“Exhibit D”

BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS

IN THE MATTER OF:

**PROTEST OF BELLEFONTAINE
ORDINANCE INITIATIVE PETITION**

AFFIDAVIT

STATE OF OHIO :
 :ss
COUNTY OF LOGAN :

Victoria Maddox, being first duly sworn according to law, states and avers as follows:

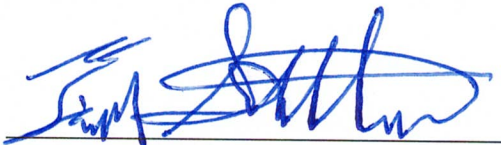
1. That I make this Affidavit upon personal knowledge and in support of the Protest of Bellefontaine Ordinance Petition to which it is attached, except as to those matters specifically stated upon information and belief, and as to those matters, I believe them to be true.
2. That I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. That the “Circulated Petition,” Exhibit B to the Protest, is a photograph taken by me on April 14, 2023, and that it is my right thumb at the bottom of that photograph.
4. That the petition paper submitted by Committee member Stefaniszyn bearing the name “Jenny Wren” on line one was attached to the Circulated Petition, Exhibit B on the evening of April 14, 2023. It designated no municipality or election whatsoever and contained different text of the proposed ordinance than that which was submitted for Board verification. I know this because I defaced the aforementioned petition paper with an opprobrious comment on line 24 thereof, and the signature portion of said petition paper, which originally contained no municipality or election date and different ordinance text, was subsequently submitted to the Board for verification in support of the BOE Petition, Exhibit C hereto.
5. That the Committee submitted to the Board for verification a petition with ordinance language that was swapped out after the original petition had been circulated.

6. That I have compared the petition on file with the city auditor to that submitted to the Board for verification, and the text of the proposed ordinance is different.
7. That I have reviewed with my attorney the Protest of Bellefontaine Ordinance Petition to which this Affidavit is attached, and all factual statements contained therein are true and correct to the best of my knowledge, information and belief.
8. That the aforementioned petition should not be placed on the November 7, 2023 ballot due to its noncompliance with applicable Ohio election law.

Further sayeth Affiant naught.

Victoria Maddox
Victoria Maddox

Sworn to before me and subscribed in my presence by Victoria Maddox at Logan County, Ohio this 25th day of August, 2023.


Notary Public – State of Ohio

TIM STEINHELPER
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec 147.03 RC

“Exhibit E”

BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS

IN THE MATTER OF:

**PROTEST OF BELLEFONTAINE
ORDINANCE INITIATIVE PETITION**

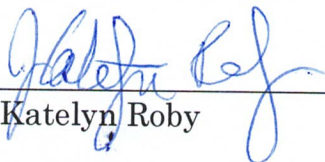
AFFIDAVIT

STATE OF OHIO :
 :ss
COUNTY OF LOGAN :

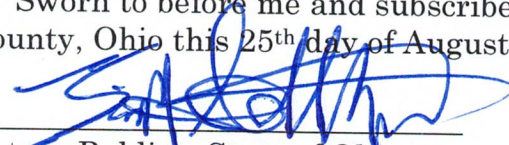
Katelyn Roby, being first duly sworn according to law, states and avers as follows:

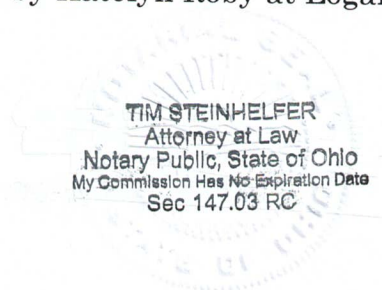
1. That I make this Affidavit upon personal knowledge and in support of the Protest of Bellefontaine Ordinance Petition to which it is attached, except as to those matters specifically stated upon information and belief, and as to those matters, I believe them to be true.
2. That I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. That I have compared the petition on file with the city auditor to that submitted to the Board for verification, and the text of the proposed ordinance is different.
4. That I have reviewed with my attorney the Protest of Bellefontaine Ordinance Petition to which this Affidavit is attached, and all factual statements contained therein are true and correct to the best of my knowledge, information and belief.
5. That the aforementioned petition should not be placed on the November 7, 2023 ballot due to its noncompliance with applicable Ohio election law.

Further sayeth Affiant naught.


Katelyn Roby

Sworn to before me and subscribed in my presence by Katelyn Roby at Logan County, Ohio this 25th day of August, 2023.


Notary Public – State of Ohio


TIM STEINHELPER
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec 147.03 RC

“Exhibit F”

BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS

IN THE MATTER OF:

**PROTEST OF BELLEFONTAINE
ORDINANCE INITIATIVE PETITION**

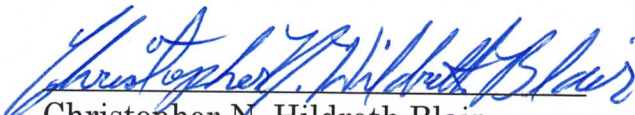
AFFIDAVIT

STATE OF OHIO :
 :SS
COUNTY OF LOGAN :

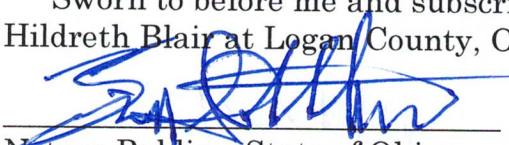
Christopher N. Hildreth Blair, being first duly sworn according to law, states and avers as follows:

1. That I make this Affidavit upon personal knowledge and in support of the Protest of Bellefontaine Ordinance Petition to which it is attached, except as to those matters specifically stated upon information and belief, and as to those matters, I believe them to be true.
2. That I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. That I have compared the petition on file with the city auditor to that submitted to the Board for verification, and the text of the proposed ordinance is different.
4. That I have reviewed with my attorney the Protest of Bellefontaine Ordinance Petition to which this Affidavit is attached, and all factual statements contained therein are true and correct to the best of my knowledge, information and belief.
5. That the aforementioned petition should not be placed on the November 7, 2023 ballot due to its noncompliance with applicable Ohio election law.

Further sayeth Affiant naught.


Christopher N. Hildreth Blair

Sworn to before me and subscribed in my presence by Christopher N. Hildreth Blair at Logan County, Ohio this 25th day of August, 2023.


Notary Public – State of Ohio

TIM STEINHELPER
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec 147.03 RC

“Exhibit G”

BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS

IN THE MATTER OF:

**PROTEST OF BELLEFONTAINE
ORDINANCE INITIATIVE PETITION**

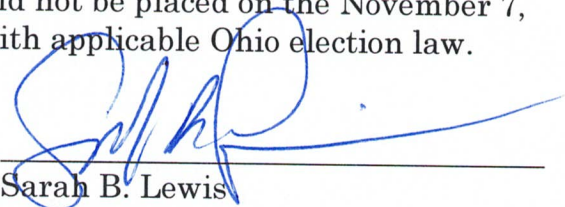
AFFIDAVIT

STATE OF OHIO :
 :ss
COUNTY OF LOGAN :

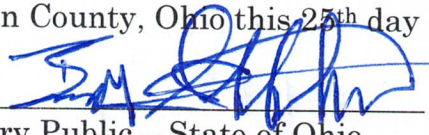
Sarah B. Lewis, being first duly sworn according to law, states and avers as follows:

1. That I make this Affidavit upon personal knowledge and in support of the Protest of Bellefontaine Ordinance Petition to which it is attached, except as to those matters specifically stated upon information and belief, and as to those matters, I believe them to be true.
2. That I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. That I have compared the petition on file with the city auditor to that submitted to the Board for verification, and the text of the proposed ordinance is different.
4. That I have reviewed with my attorney the Protest of Bellefontaine Ordinance Petition to which this Affidavit is attached, and all factual statements contained therein are true and correct to the best of my knowledge, information and belief.
5. That the aforementioned petition should not be placed on the November 7, 2023 ballot due to its noncompliance with applicable Ohio election law.

Further sayeth Affiant naught.


Sarah B. Lewis

Sworn to before me and subscribed in my presence by Sarah B. Lewis at Logan County, Ohio this 25th day of August, 2023.


Notary Public – State of Ohio

TIM STEINHELPER
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec 147.03 RC

“Exhibit H”

BEFORE THE LOGAN COUNTY BOARD OF ELECTIONS

IN THE MATTER OF:

**PROTEST OF BELLEFONTAINE
ORDINANCE INITIATIVE PETITION**

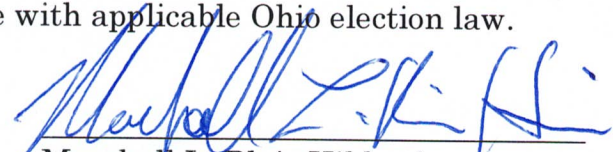
AFFIDAVIT

STATE OF OHIO :
 :ss
COUNTY OF LOGAN :

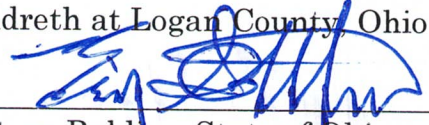
Marshall L. Blair Hildreth, being first duly sworn according to law, states and avers as follows:

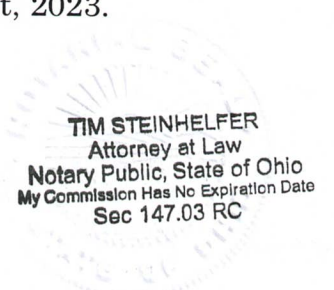
1. That I make this Affidavit upon personal knowledge and in support of the Protest of Bellefontaine Ordinance Petition to which it is attached, except as to those matters specifically stated upon information and belief, and as to those matters, I believe them to be true.
2. That I am above the age of majority, and a qualified elector of the City of Bellefontaine for the November 7, 2023 election.
3. That I have compared the petition on file with the city auditor to that submitted to the Board for verification, and the text of the proposed ordinance is different.
4. That I have reviewed with my attorney the Protest of Bellefontaine Ordinance Petition to which this Affidavit is attached, and all factual statements contained therein are true and correct to the best of my knowledge, information and belief.
5. That the aforementioned petition should not be placed on the November 7, 2023 ballot due to its noncompliance with applicable Ohio election law.

Further sayeth Affiant naught.


Marshall L. Blair Hildreth

Sworn to before me and subscribed in my presence by Marshall L. Blair Hildreth at Logan County, Ohio this 25th day of August, 2023.


Notary Public – State of Ohio


TIM STEINHELPER
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec 147.03 RC