

# Oregon Historic District Society News

Volume 38, Issue 4  
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Special election edition

## Special Election Tuesday, October 11th

Campaign commercials and yard signs will not flood the neighborhood anytime soon, but our OHDS Constitution requires that a special election is in order. This is the first time since the OHDS Constitution was revised that this has come into play. Upon the resignation of trustee Debby Grahl on April 27th, these parts of Article IV, Section 6, Item 4 of the constitution were set in motion. You will see my *educational commentary* in italics. Just imagine my best *Howard Cosell voice*:

### 4. Vacancies

A. Should a vacancy occur within an accounting year, the Board of Trustees shall fill the vacancy from the slate of nominees approved prior to the last trustee election, beginning with that candidate still on the list who received the highest total of votes short of election. This appointment shall take effect immediately and shall be effective only until an election can be held to fill out the remainder term of the Trustee who left the Board. *(This is the process by which Richard Tillman filled Debby's vacancy)*

B. Should an appointment occur in the first part of the accounting year *(in essence, this means after our elections at our annual meeting in April, but prior to our August meeting)*, a special election to fill the remainder term *(which the term in question happens to end April 2012)* shall be scheduled in October, with procedures and publication requirements as outlined above for regular Trustee elections (committee nominations in August, floor nominations in September, publication in September, election in October). Should such an appointment occur too late in the accounting year to be filled at an October special election, the appointment shall extend to the next April Annual Meeting, and the remainder term shall then be filled through the election held at that meeting.

At our September 13th OHDS monthly meeting, one neighbor graciously accepted a nomination from the floor. This is your neighbor Sharon Smith, resident of 122-D Brown St. Even with just one candidate, according to the constitution, an election still has to take place. *(You know you've gone to the polls and seen candidates unopposed—that candidate still needs a vote to win the election)*. The election will be at the October 11th OHDS Meeting at Park Manor at 7pm. If you are a member of the OHDS and would like to exercise your right to vote, but will be unable to attend the meeting, you may make a request in writing for an absentee ballot from Todd Crawford. You can drop a note at his house at 8 Van Buren St. or pop him an e-mail at [todd.crawford@pnc.com](mailto:todd.crawford@pnc.com). The deadline for requesting an absentee ballot is Tuesday, October 4th.

**Curious about what other tidbits are in your 14 page OHDS constitution?**

Visit <http://theoregondistrict.files.wordpress.com/2010/11/constitution.pdf>

# Oregon District Local Liquor Option Election Update

## Submitted by Sara Vice

### Background

The Oregon Historic District Society (OHDS) Board of Trustees voted in early 2011 to drop its long-standing saturation policy in regard to District-area liquor licenses as part of an agreement with the Oregon District Business Association (ODBA) and the Dayton City Commission. The three parties agreed that the residential area would have the opportunity to vote itself “dry” by local liquor option in an upcoming election. Since that time, members of the Board of Trustees have met with legal counsel, as well as City and Montgomery County Board of Election officials and members of the ODBA to review our options.

### A New Ward and Precinct

In August, the City Commission voted to redraw the wards in the city in order to create a new ward that encompasses the Oregon District residential area together with the residential area around Dayton Towers. The City ordinance spelled out boundaries of the ward street by street, which roughly encompasses only the residential part of the Oregon District and the residential section east of Wayne extending to Keowee, excluding properties on Fifth Street, Patterson Boulevard and Wayne Avenue, except for the portion near US35, which is not part of the Special Improvement District. The ward was extended to encompass Dayton Towers and Jaycee Towers in order to meet the minimum number of voters that would be required by pending state legislation. The Montgomery County Board of Elections must approve the new boundaries as a voting precinct in order for it to take effect.

### Ballot Questions: Local Liquor Options

According to the *Guide to Local Liquor Options* published by the Ohio Secretary of State’s office, the ballot language to present liquor options is limited to a selection of questions that cover a variety of situations. The language cannot be modified. The questions that seem most appropriate to present to voters of the new Oregon District residential ward are those that encompass beer and all other alcoholic beverages, as follows:

#### **Beer (Off-premises; on- and off-premises) (Form 5-A) [R.C. 4305.14(B)]**

- (1) Shall the sale of beer as defined in section 4305.08 of the Revised Code under permits which authorize sale for off-premises consumption only be permitted within this precinct, \_\_\_\_\_? [R.C. 4305.14(B)(1)]
- (2) Shall the sale of beer as defined in section 4305.08 of the Revised Code under permits which authorize sale for on-premises consumption only, and under permits which authorize sale for both on-premises and off- premises consumption, be permitted in this precinct, \_\_\_\_\_? [R.C. 4305.14(B)(2)]

mits which authorize sale for both on-premise and off-premise consumption, be permitted in \_\_\_\_\_? [R.C. 4301.35(B)]

### **Spirituos Liquor by the Glass**

(C) Shall the sale of spirituous liquors by the glass be permitted in \_\_\_\_\_? [R.C. 4301.35 (C)]

### **State Liquor Store/Liquor Agency Store**

(D) Shall state liquor stores or liquor agency stores for the sale of spirituous liquor by the package, for consumption off the premises where sold, be permitted in \_\_\_\_\_? [R.C. 4301.35(D)]

In order to vote the area dry, a majority of voters in the new precinct would have to vote no on all of the above questions.

## **The Petition Process**

The process to get the local liquor option questions on the ballot involves circulating a petition to registered voters in the precinct. A certain number of valid signatures must be obtained on the petition in order for the questions to appear on the election ballot. The number of signatures required will be determined by the Montgomery County Board of Elections, based on a percentage of voters in the precinct who voted in the last gubernatorial election, after the redrawn precinct has been approved. The signed petitions must be filed no later than 90 days before the election, and additional notifications are involved that require a lead time of about five months before the election date to begin the process.

Currently, the 2012 primary election has been moved to May, but legislation is pending that may move it back to its usual March date. If the primary takes place in March, then the petitioning process must begin in September to meet the deadlines for the primary. At the monthly meeting on September 13, 2011, the OHDS Board of Trustees approved the ballot questions and will request petitions from the Board of Elections once a new precinct is finalized.

## **Why Vote for a Dry Residential District?**

The intention of the dry district is to provide a measure of protection against encroachment of liquor-serving establishments adjacent to private homes and apartments within the residential area. Voting the residential area dry would have no impact on any existing liquor licenses or properties outside the new boundaries.

The issue of liquor-license saturation has been contentious for many years. Residents on both sides of the issue have voiced differing opinions on the desirability of a dry district. Residents who are registered voters will have the opportunity to decide, both by petition signature and by voting in an election, whether they wish to vote the district dry. The Oregon Historic District Society plans to hold public meetings with all interested parties, in conjunction with the ODBA, to provide further information and the opportunity to ask questions and share concerns.

## OHDS INC. NEWSLETTER

Oregon Historic District Society Inc.  
PO Box 383  
Dayton OH 45401-0383

### OHDS Board of Trustees

George Wymer, President  
226-0669

Amelia O'Dowd, Vice President  
617-953-9101

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Leslie Gonya 224-7678

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### Last, but not least...

Thanks to all who participated in our Alley Sweep on September 24th. Thanks, Jeff Gonya, for chairing. Thanks to the wonderful crew of volunteers!

Thank you to Jeanine and Burgess Gow for chairing the picnic committee this year. The final picnic on September 25th had light attendance, but fun was had by all enjoying delicious soup from Blind Bob's. Burgess and Jeanine scheduled perfect weather. Why stop the picnic fun on Labor Day? Thanks for a great season of picnicking!

### Keep informed!

**E-mail Alerts:** If you aren't receiving e-mail announcements, you're missing out on a lot of news. To add your e-mail to the distribution list, or to send out an alert, contact Ann Cowden at [adcowden@gmail.com](mailto:adcowden@gmail.com). Please note that replies to alerts cannot be received by the announcements g-mail address, but should be sent to Ann directly.

**Newsletter:** To submit an item for the newsletter, call Leslie Gonya at 224-7678 or e-mail [LJGonya@sbcglobal.net](mailto:LJGonya@sbcglobal.net).

**Facebook:** Look for Oregon District news on Facebook, too.

Abandoned Vehicles  
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Water Billing  
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Bulk Waste Pick-up  
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