

GENERAL ELECTION – NOVEMBER 8, 2005

**PROPOSED CHARTER AMENDMENT
ORDINANCE 05-89
DELAWARE CITY**

A majority affirmative vote is necessary for passage.

Article I, Section 5

It is the intent of the City of Delaware to protect the private property of its citizens. Notwithstanding any other provision of law, the City is prohibited from using eminent domain to acquire private property for economic development.

Economic Development – The term “economic development” means any activity to increase tax revenue, tax base, employment, or general economic health, when that activity does not result in (1) the transfer of land to public ownership; (2) the transfer of land to a private entity that is a common carrier, such as a railroad or utility; or (3) the transfer of property to a private entity when eminent domain will remove a harmful use of the land, such as the removal of public nuisances, removal of structures that are beyond repair or that are unfit for human habitation or use, or acquisition of abandoned property.

The limitations of this Section 5 shall not apply after November 20, 2008.

SHALL SECTION 5 OF ARTICLE I OF THE CHARTER OF DELAWARE CITY BE AMENDED?

YES

NO