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To: Village Council
From: Amy Blankenship, Village Solicitor
Re: Charter Amendment Regarding Recall
Date: October 5, 2026

In July of 2025 the Supreme Court of Ohio issued a decision determining that chartered municipalities must set forth a specific process for the recall of elected officials in the charter. Simply referencing the process set forth in Ohio law was not deemed sufficient by the Court.

The Yellow Springs Charter contains the following provisions regarding recall:

SECTION 71. POWER OF RECALL.

Members of the Council may be removed from office by the electors through the procedure prescribed in this Charter.

SECTION 72. RECALL PETITION.

Members of Council may be removed from office before the expiration of their term by the qualified voters of the Village. The procedure for such recall shall be that provided in the Ohio Revised Code.

Therefore, in light of recent case law, the Village should amend its Charter to provide a full process for recall of an elected official. Charter amendments must be placed on the ballot to be voted on by the citizens of the Village. Council can proceed with a Charter amendment by approval of an ordinance with new Charter language addressing the recall process and submitting the issues to the Board of Elections. If Council decides to place this issue on the May 4, 2027 ballot, the legislation must be submitted to the Board of Elections by February 3, 2027.

If so directed by Council, staff can prepare the ordinance containing ballot language to amend the Charter to bring our recall process into compliance with Ohio law.