

## SUPREME COURT OF OHIO RULES ON SEVERAL DATA CENTER PETITION CASES

There have been many conversations surrounding data centers recently. Tensions have risen over where they will be built, their potential benefits or detriments, and who gets to make the decisions surrounding them. Last month, the Supreme Court of Ohio ruled on four citizen-led data center ballot issues.

### Ashville - Pickaway County

Despite a previously enacted moratorium on data centers being built on village property, the Ashville Village Council passed an emergency resolution for a term summary agreement allowing two data centers and a natural gas power plant to be built. A citizen led referendum petition gained enough signatures and was filed with the Village Fiscal Officer, who refused to forward the petition because of rules protecting emergency measures.

After filing a mandamus action with the Supreme Court of Ohio, the court ruled that the Village of Ashville was allowed to refuse petitions against emergency measures. However, because the resolution did not properly explain why it was an emergency, the court ordered the Village to proceed with certifying the petition.



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## PAY INCREASE FOR DEATH PENALTY DEFENSE

State approves first pay raise for death penalty defense since 2023.

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## NEW EBOOKS

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## UPCOMING CLE OPPORTUNITIES

See what upcoming and on-demand CLEs are available.

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## LEGAL THRILLERS COMING TO THE SILVER SCREEN

New movie releases focus on main stream legal trials.

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**Continued from Page 1 - Data Centers****Trenton - Butler County**

A citizen-led initiative sought to amend Trenton City Charter to prohibit data centers over 25 megawatts from being built within the city. After successfully collecting 336 valid signatures, the group tried to file the petition with the city to get the issue on the November 3, 2026 ballot. The city refused to certify the petition, stating that the city charter required signatures from 10% of electors, which in this case meant registered voters, to sign the petition. The city also stated that the issue should go on the 2027 general election ballot.

When brought before the Supreme Court of Ohio, the court ruled that the Trenton City Charter's language regarding electors does not overrule the Ohio Constitution, which defines electors as "persons who cast ballots." A total of 1,277 people cast votes in Trenton's last election, so the petition had gathered enough signatures to be added to the ballot. The court also ruled that while state law did not require the city to put the issue on the 2026 ballot, it could not wait until 2027 and would instead be required to hold a special election 60-120 days after certifying the petition.

**Sidney - Shelby County**

While other petitions concerning data centers have been circulating in Sidney, citizens realized that the Sidney City Charter does not include any language or procedure for recalling an elected official. A petition to add recall provisions gained enough signatures and was filed with the Sidney City Clerk, who rejected the petition.

According to the Ohio Revised Code, all proposed ordinances filed via initiative petition or referendum petition must first have a certified copy of the proposed ordinance filed with the village clerk.

After appealing to the Supreme Court of Ohio, the court found that the clerk was mistaken. The filed petition proposed an amendment to the city charter, which makes it distinct from an initiative or referendum petition and a certified copy was not required. As such, the City of Sidney must accept the petition.

**Wilmington - Clinton County**

After learning of a proposed \$4 billion Amazon data center project in the city, Wilmington citizens launched a petition seeking to change the zoning code, with the goal of establishing quality-of-life for those living near the development. Included in the petition was an expanded ability for citizens to sue the data center for breaches involving issues such as noise pollution, heat generation, or resource usage. When filed with the Clinton County Board of Elections, the board rejected the measure stating that "the ordinance at issue here create[d] a new cause of action and therefore is not within the municipality's power to enact."

Petitioners brought the issue before the Supreme Court of Ohio, claiming the reason for the rejection created a "separation-of-powers problem." The court ruled in favor of the board of elections, agreeing that the language of the petition created a new cause of action and was beyond the city's authority to enact.

## SEPTEMBER EBOOK RELEASES

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The ABA Section of Legal Education and Admissions to the Bar

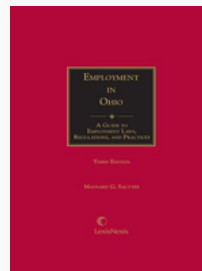


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## PAY RATE INCREASE APPROVED FOR DEATH PENALTY DEFENSE

The Supreme Court of Ohio announced a pay rate increase for attorneys appointed to death penalty defense cases. The new rate of \$165 per hour begins at the end of November 2026.

When requesting the higher rate, the Ohio Public Defender's Office cited fewer attorneys available for appointment, increasingly complex cases, and inflation as justification. This is the first increase since 2023.



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## UPCOMING CLE OPPORTUNITIES

### **Pizza for Pro Bono - Stark County**

Monday, October 5, 2026  
11:30 AM - 1:00 PM

Stark County Bar Association  
116 Cleveland Ave NW #400  
Canton, OH 44702

Free!  
1 CLE hour

- [View Schedule and Get Tickets](#)
- [See Dates for Other Counties](#)

### **An Overview of IRS Tax Practice**

Friday, October 9, 2026  
9:00 AM - 12:00 PM

Akron Summit County Library  
60 South High Street  
Akron, OH 44326

Free!  
2.5 CLE hours

- [View Schedule and Register](#)

### **CLEs on Demand**

Multiple courses are instantly available 24/7 on the Stark County Bar Association's Self-Study page. [View courses and sign-in to get started.](#)

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## LEGAL DRAMAS HITTING THE SILVER SCREEN

October sees the release of several new law adjacent movies coming to theaters. Topics follow high profile cases, some of which continue to have lasting societal impact.

### **The Social Reckoning - R - October 9** *Legal Thriller*

A companion to 2010's *The Social Network*, this film follows whistleblower Frances Haugen and investigative technology reporter Jeff Horwitz as they take on Facebook, raising questions about youth mental health and safety, freedom of speech, election security, and Facebook's responsibility for the spread of misinformation and disinformation.

### **The Trial of Alec Baldwin - October 16** *Documentary*

Filmed during his involuntary manslaughter trial, the documentary follows Alec Baldwin and explores how his life has changed following the *Rust* shooting incident and the death of Halyna Hutchins.

### **You Can See Everything - R - October 16** *Documentary*

A month before reporting to prison, Elizabeth Holmes invites Nathan Fielder into her home to document her life. Holmes is the founder of Theranos, the now defunct health care technology company. Holmes continues to maintain her innocence regarding charges of wire fraud and conspiracy to commit wire fraud.

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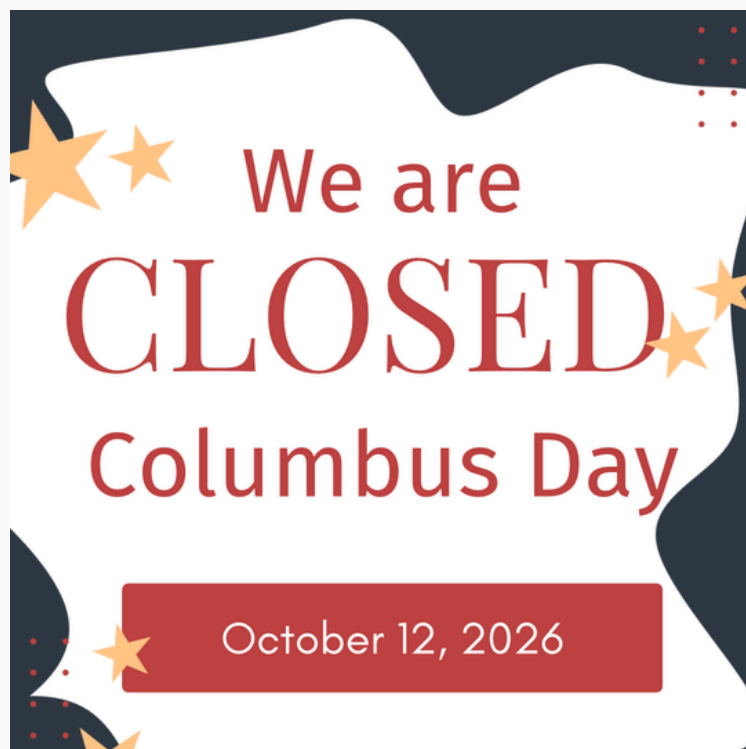
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New members of the Stark County Law Library will receive the final months of 2026 for free when purchasing a 2027 membership. That's three months free!

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