

FIRST READING: 6.8.20
SECOND READING: 6.22.20
THIRD READING: 7.13.20

ORDINANCE NO. 42-20

BY: ALL MEMBERS OF COUNCIL

AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS A PROPOSAL TO AMEND SECTION 7 OF ARTICLE III OF THE CHARTER OF THE CITY OF ROCKY RIVER REGARDING THE TIME WITHIN WHICH AN APPOINTMENT TO FILL A VACANCY TO CITY COUNCIL SHALL BE MADE, AND DECLARING AN EMERGENCY

WHEREAS, Council has received the recommendation of the 2020 Rocky River Charter Review Commission, appointed pursuant to the Charter of the City of Rocky River, to amend the Charter as herein provided, and Council is obligated to submit such proposed amendment to the Electors of the City at the General Election to be held November 3, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

Section 1. That this Council hereby authorizes and directs the submission to the Electors of the City of Rocky River at the General Election to be held at the usual places of voting of said City on Tuesday, November 3, 2020, between the hours as provided by law, the following proposal to amend Section 7 of Article III of the Charter of the City of Rocky River to read as follows:

ARTICLE III
THE COUNCIL

SECTION 7. VACANCIES.

Any vacancy in Council shall be filled by appointment by a two-thirds (2/3) vote of all remaining members of the Council. If the vacancy is not filled within sixty (60) days, the Mayor shall fill the vacancy by appointment. Such appointee shall qualify under Section 3 of this Article and shall hold office and serve for the unexpired term and until his successor is elected and qualified.

Section 2. That the foregoing proposed amendment upon receiving at least a majority of the votes cast thereon at the November 3, 2020, General Election shall become effective immediately upon its adoption.

Section 3. That the ballot submitting the question of the adoption of the aforesaid amendment shall read substantially as follows:

PROPOSED CHARTER AMENDMENT

CITY OF ROCKY RIVER

A majority affirmative vote is necessary for passage.

Shall Article III, Section 7 of the Charter be amended by extending the time in which an appointment to a vacancy of City Council be changed from thirty (30) to sixty (60) days?

Section 4. That the Clerk of this Council is hereby authorized and directed promptly to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County.

Section 5. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be given of the Election to be held on November 3, 2020, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 15th day of July, 20 20.

Amanda G. Buehler
Clerk of Council of the City of Rocky River, Ohio

Section 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Rocky River, with the first publication to be made at least fifteen days prior to the General Election to be held on November 3, 2020, as provided by Article XVIII, Section 9 of the Constitution of the State of Ohio and Ohio Revised Code Section 731.211.

Section 7. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in that it is necessary that it become effective and be certified to the election authorities immediately in order for the question to appear on the ballot at the General Election to be held on November 3, 2020; wherefore, this Ordinance shall go into effect immediately upon its passage.

PASSED: July 13th, 2020 
JAMES W. MORAN
President of Council

PRESENTED TO
MAYOR: July 13th, 2020 APPROVED: July 13th, 2020

ATTEST:


SUSAN G. PEASE
Clerk of Council


PAMELA E. BOBST
Mayor

meu:charter:ord:artIIIsec7

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 42-20 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 13th DAY OF July, 2020 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW, THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 42-20

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 13th DAY OF July, 2020.


CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO