

FIRST READING: 6.22.20
SECOND READING: 7.13.20
THIRD READING: 7.27.20

ORDINANCE NO. 51-20
BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF ROCKY RIVER, REGARDING THE OFFICE OF DIRECTOR OF LAW AND SPECIFICALLY SECTION 135.03 ENTITLED "ASSISTANT; APPOINTMENT AND DUTIES" TO BE CONSISTENT WITH THE CHARTER REGARDING APPOINTMENTS, AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT "A"

WHEREAS: The Rocky River City Charter, Article IV, captioned Administrative Departments, Section 2, captioned Department of Law, regarding appointments by the Director of Law states: "He shall appoint and remove all Assistant Directors of Law and Prosecutors."; and

WHEREAS: Administrative Code Section 135.03 concerning the Assistants to the Director of Law states: "Such position shall be filled by appointment of the Mayor in accordance with the provisions of the City Charter..."; and

WHEREAS: the Rocky River Charter Review Commission had recognized in its Charter Review and in discussions with the Director of Law that Section 135.03 is inconsistent and contrary to Charter Article IV, Section 2 of the Charter regarding the authority for appointing Assistants to the Department of Law, and recommending the Codified Ordinance on the topic be amended to be consistent with the Charter; and

WHEREAS: Council has deemed it appropriate to make the recommended change to Section 135.03 of the City Administrative Code.

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

SECTION 1. That Section 135.03 entitled "Assistant; Appointment and Duties" within the Administrative Code be amended to be consistent with the Charter, as further described in the attached Exhibit "A".

SECTION 2. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety, and for the further reason that this action provides consistency between the Administrative Code and the City Charter, and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: July 27th, 2020


JAMES W. MORAN
President of Council

PRESENTED

TO MAYOR: July 27th, 2020

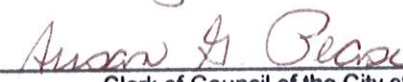
APPROVED: July 27th, 2020

ATTEST:


SUSAN G. PEASE
Clerk of Council


PAMELA E. BOBST
Mayor

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 27th day of July, 20 20.


Clerk of Council of the City of Rocky River, Ohio

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. 57-20 ADOPTED BY THE COUNCIL OF SAID CITY
ON THE 27th 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. 57-20

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED
MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 27th DAY OF
July, 2020.

Angela A. Dineen
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

135.03 ASSISTANT; APPOINTMENT AND DUTIES.

(a) There is hereby created the position of Assistant Director of Law, which position is declared to be in the unclassified service, being professional in nature and impracticable to fill by competitive examination. Such position shall be filled by appointment by the ~~Mayor~~ **Director of Law**, in accordance with the provisions of the City Charter and the duties of such position shall be as are provided in this section.

(b) The duties of an Assistant Director of Law shall be to serve as and perform all the functions of a Prosecutor for the City, for which the salary shall be established by Council.

(c) An Assistant Director of Law shall also assist in the enforcement of the Municipal Income Tax Code, the Building Code, the Fire Prevention Code and the Development Code; shall assist the Director of Law in the trial of civil actions; and shall perform such other services as may be prescribed by the Director that are consistent with the position. For the performance of these services, such Assistant Director of Law shall be paid as a special outside legal counsel at the rate specified by Council.

(Ord. 52-74. Passed 5-13-74. Ord. 51-20. Passed 7-27-20.)