

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

ORDINANCE NO. 53-20
BY: ALL MEMBERS OF COUNCIL

AN ORDINANCE AUTHORIZING THE AMENDMENT OF SECTION 3 OF ARTICLE IX OF THE CHARTER OF THE CITY OF ROCKY RIVER ENTITLED DECLARATION OF CANDIDACY BY CHANGING THE WORD "SHALL" TO "TO" IN THE SECOND LINE OF THIS SECTION, AND DECLARING AN EMERGENCY

WHEREAS, the Electors of the City of Rocky River at the General Election held on November 4, 2008 passed Article X, Section 8, an amendment to the Charter of the City of Rocky River, which grants Council in consultation with the Director of Law the authority to delete obsolete language, rearrange the numbering and titles, and correct typographical errors in the Charter; and

WHEREAS, the Rocky River Charter Review Commission has made recommendation to City Council to make a change in line two of Section 3 of Article IX of the Charter by changing the word "shall" to "to", as a reading of this section appears that the word "shall" was misused, and should be replaced with the word "to", so that the intent is clear that "Each person desiring to become a candidate for a party nomination to a municipal office ~~shall~~ to be voted for at the next succeeding regular municipal election shall, not later than 4:00 P.M...."; and

WHEREAS, City Council deems it appropriate to make the recommended change to Section 3 of Article IX of the Charter.

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 the amendment of Section 3 of Article IX of the Charter of the City of Rocky River to read as follows:

ARTICLE IX
NOMINATIONS AND ELECTIONS

SECTION 3. DECLARATION OF CANDIDACY.

Each person desiring to become a candidate for a party nomination to a municipal office ~~shall~~ to be voted for at the next succeeding regular municipal election shall, not later than 4:00 P.M. of the ninetieth (90th) day before the day of the primary election provided for in Section 2 of this Article, file with the Board of Elections of Cuyahoga County, Ohio, a declaration of candidacy and a nominating petition, which petition shall require signatures of registered electors of the same political party as the candidate, not less than twenty-five (25) for ward councilman; one hundred (100) for councilman-at-large and the City offices at large.

Section 2. 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 in order to maintain the organization and accuracy of the 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, 2020.


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. 53-20 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. 53-20

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

Anson G. Reese
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO