

ORDINANCE NO.: 67 -2014  
INTRODUCED BY: Council, as required by Charter Art. XIV

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF RICHMOND HEIGHTS THE QUESTION OF AMENDING THE CHARTER AT ARTICLE IV, SECTION 1(b); ARTICLE V, SECTION 1 AND ARTICLE XV, SECTION 6 REGARDING COMMENCEMENT OF TERMS, TAKING OATHS OF OFFICE AND THE ASSUMPTION OF DUTIES, AND DECLARING AN EMERGENCY,**

WHEREAS, the Charter Review Committee has recommended to place the issue of amending the Charter before the electorate in order to change the dates for taking oaths, commencing terms and assuming the duties of the respective elective offices in the municipality pursuant to Articles IV, V and XV; and

WHEREAS, pursuant to Charter Article XIV, Council shall submit these proposed amendments to the electorate: and

WHEREAS, the Ohio Constitution provides that the Council shall submit the amendments to the electors at the next regular municipal election that occurs not less than 60 or more than 120 days from the passage of such ordinance.

NOW, THEREFORE, Be it Ordained by the Council of the City of Richmond Heights, Cuyahoga County, State of Ohio, that:

Section 1: There shall be submitted to a vote of the qualified electors of the City, at the general election to be held on Tuesday, the 4<sup>th</sup> day of November, 2014, at the regular places of voting in the City during the regular hours of voting on such date as prescribed by general law, the question of the amendment of the Charter of the City of Richmond Heights at Article IV, Section 1 (b) –Term/Council; Article V, Section 1 –Term of Office/Mayor and Article XV, Section 6- Miscellaneous Provisions, so that as amended, it shall read, in pertinent part, as follows:

**ARTICLE IV  
THE COUNCIL**

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SECTION 1 (b). Term.

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All members of Council shall serve terms commencing on the first day of ~~December~~ **January and no later than the next business day after January 1st** next following their election or until their successors are elected and ~~qualified~~ **certified by the Cuyahoga County Board of Elections.**

Commencing at the regular Municipal election in the year ~~1989~~, 2017, ~~the President of Council and~~ members of council to be elected at large shall ~~be~~ **serve** four (4) year terms. The four (4) members of Council to be elected by ward shall be elected to serve a two (2) year term at the election in the year 1989 and shall be elected to serve four (4) year terms at the elections to be held in the year 1991 and thereafter.

## Article V The Mayor

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### Section 1 –TERM OF OFFICE

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Commencing with the regular municipal election in the year 1989 and each four years thereafter, the Mayor shall be elected **for** terms of four (4) years beginning on the first day of ~~December~~ **January or the next business day after January 1st** next-following such election and shall serve such terms of four (4) years or until ~~his~~ **their** successor is elected and ~~qualified~~ **certified by the Cuyahoga County Board of Elections.**

## Article XV –Miscellaneous Provisions

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### Section 6 – Oath of Office

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Every elected official or officer of the Municipality shall, before entering upon the duties of ~~his~~ **their** office, take an oath, or affirm, that ~~he~~ **they** will in all respects faithfully discharge the duties of ~~his~~ the office; that ~~he~~ they will profess loyalty to the Constitution of the United States of America, to the Constitution of the State of Ohio, and that ~~he or she~~ **they** will uphold this Charter and all of the laws of this Municipality.

**Said oaths of office for elected officials shall be taken on the first day of January or the next business day after January 1st, following their election.**

Section 2: The Board of Elections of Cuyahoga County be, and it is hereby, directed to provide for the voting upon said Amendments and the ballots for said election shall, at the top thereof, be entitled “Proposed Charter Amendment City of Richmond Heights: and the questions to be submitted on said ballot shall be substantially in the following words:

“Shall Article IV, Section 1 (b); Article V, Section 1 and Article XV, Section 6 regarding the commencement of terms, taking oaths and the assumption of duties, be amended to state that the Mayor and all Members of Council shall take their respective Oaths of Office, assume their duties and commence serving on the first day of January (and no later than the next business day after January 1<sup>st</sup>), following their election or until their successor is elected and certified by the Cuyahoga County Board of Elections?”

Section 3: The Clerk of Council is directed to give notice of the above proposed Charter amendments to the electors of the City in accordance with general law, and to certify a copy of this Ordinance to the Board of Elections of Cuyahoga County, Ohio as provided by law.

Section 4: The Director of Finance is authorized and directed to appropriate from the general fund a sum sufficient to pay the cost of publishing said notice referred to in Section 3.

Section 5: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirement, including Section 121.22 of the Ohio Revised Code.

Section 6: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City of Richmond Heights for the reason that is necessary to timely submit the proposed Charter Amendments to the Board of Elections for placement upon the ballot for the general election to be held on November 4, 2014, in compliance with the Ohio Constitution and the City Charter, and therefore, shall take effect and be in force immediately upon its passage and approval of the Mayor.

PASSED: \_\_\_\_\_

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Miesha W. Headen, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

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David H. Roche,  
President of Council