

ORDINANCE NO.: 76 -2014
INTRODUCED BY: Members of Council

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF
RICHMOND HEIGHTS THE QUESTION OF AMENDING THE CHARTER AT
ARTICLE V TO REQUIRE THAT A CANDIDATE FOR MAYOR RECEIVE A
MAJORITY OF THE VOTE TO BE DECLARED SUCCESSFUL, AND
DECLARING AN EMERGENCY.**

WHEREAS, the Council of the City of Richmond Heights believes that certain amendment to the Charter of the City of Richmond Heights should be proposed to the electorate; and

WHEREAS, pursuant to Charter Article XIII, Section 2, Council may submit 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 an ordinance to do so.

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 4th 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 V- The Mayor, Section 2, so that, as amended, it shall read in pertinent part, as follows:

ARTICLE V
THE MAYOR

SECTION 2. Qualifications

(e) A candidate for Mayor must receive a majority of the votes cast for the Office of Mayor in the general election in order to be declared the successful candidate. In the event no candidate receives a majority of the votes cast for the Office of Mayor in the general election, there shall be a run-off election on the first Tuesday after the first Monday in December between the two candidates receiving the highest number of votes cast. In the event the term of office of Mayor under this Charter is scheduled to commence on December 1st of that same year, the incumbent Mayor shall remain in office until the run-off election is held and the date upon which the final results of the run-off election are certified by the Cuyahoga County Board of Elections.

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 V, Section 2, be amended to require that for a candidate to be elected Mayor, the candidate must receive a majority of the votes cast for Mayor in the general election or if otherwise, provide for a run-off election?

Section 3: The Clerk of Council is directed to give notice of the above proposed Charter amendment 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: _____

Miesha W. Headen, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche,
President of Council