

ORDINANCE NO.: 2-2022 (As revised 1/25/22)
INTRODUCED BY: Nelson

AN ORDINANCE AMENDING SECTION 121.22 OF THE CODIFIED ORDINANCES TITLED “ORDINANCES, RESOLUTIONS, MOTIONS AND CONTRACTS” TO CLARIFY AN INTERNAL REFERENCE TO ANOTHER DIVISION IN THAT SECTION AND DEFINING “EMERGENCY MEASURE” .

WHEREAS, it is advisable to clarify Section 121.22 of the Codified Ordinances of Richmond Heights with respect to an internal reference in Section 121.22(b)(6) to 121.22(b)(3) of that ordinance and to define the phrase “emergency measure” as provided in the City Charter;

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

Section 1. Section 121.22, subdivisions (b)(2) and (6) of the Codified Ordinances of the City of Richmond Heights are hereby amended as follows:

“121.22 ORDINANCES, RESOLUTIONS, MOTIONS AND CONTRACTS.

(b) Introduction and Passage of Ordinances and Resolutions.

- (2) No ordinance or resolution requiring more than one reading shall be put on its final passage on the same day on which it was introduced, except emergency legislation. Consistent with the provisions of the Municipal Charter at Article X, Section X-2, an emergency measure is an ordinance or resolution necessary for the immediate preservation of the public peace, health, or safety, or providing for the usual daily operation of a Municipal department, and in in which the emergency is set forth and defined in a preamble and/or section to the ordinance or resolution. Each emergency measure shall contain a statement of the necessity for such emergency action and in addition shall state in precise terms exactly what the emergency is, and shall require the affirmative vote of five (5) members of Council for its enactment as an emergency measure. No action of the Council authorizing any change in the boundaries of the Municipality or the surrender or joint exercise of any of its powers, or granting, renewing or extending any franchise or other special privilege, or contracting for the supply to the Municipality or its inhabitants of the products or service of any utility, whether municipality owned or not, or regulating the rate to be charged for its services, shall be enacted as an emergency measure. A legislative measure, as opposed to an administrative measure, that is not an emergency shall go into effect thirty (30) days after its passage by the Council and signature by the Mayor, or upon its passage after disapproval by the Mayor, as the case may be and as provided by the Municipal Charter.

- (3) All ordinances and resolutions, except emergency legislation, shall have three separate readings on three separate days. When the committee to which an ordinance or resolution has been referred reports such ordinance or resolution to Council, the ordinance or resolution shall stand for final action in accordance with the report of the committee, notwithstanding that such committee reports may report an amended or a substituted ordinance or resolution, provided that such amendment or substitution is germane to the ordinance or resolution originally referred to such committee.
- (4) No ordinance or resolution shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance or resolution, or section thereof shall be amended or repealed unless the new ordinance or resolution contains the title of the ordinance or resolution, or section amended or repealed. When practicable, ordinances or resolutions shall be introduced as amendments to existing ordinances or resolutions, or sections thereof.
- (5) An ordinance or resolution, after reference to a committee and report thereon received, may be re-referred to the committee at any time previous to its final passage.
- (6) The rule requiring that an ordinance or resolution shall be read on three different days, Rule 22(b)(3) in division (b)(3) of this section, may be dispensed with upon the affirmative vote of five of the members of Council and the legislation may be read by title only prior to its passage.
- (7) The Presiding Officer may, on his own initiative, refer proposed legislation to a Standing Committee of Council for their report and recommendation, except that Council, upon the affirmative vote of five members, may suspend the rules and call for a vote on the proposed legislation. Once referred to Committee, the legislation shall be discussed, studied and amended, if necessary, and brought back to the floor for final consideration. A majority of Council at any time, by simple motion, may remove the proposed legislation from a Committee and bring it back to the floor for action by the entire Council."

Section 2. Existing Section 121.22, "Ordinances, Resolutions, Motions and Contracts," of the Codified Ordinances of the City of Richmond Heights is hereby repealed.

Section 3. 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 all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: January 25, 2022

APPROVED: January 25, 2022

ATTEST: Betsy Traben

Betsy Traben
Clerk of Council

Kim A. Thomas
Kim A. Thomas, Mayor

Bobby Jordan
Bobby Jordan
President of Council