

ORDINANCE NO.: 114 -2022
INTRODUCED BY: All of Council

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF RICHMOND HEIGHTS THE QUESTION OF AMENDING THE CHARTER AT ARTICLE VI, SECTION 7, SECTION 8 AND SECTION 9, TO CLARIFY RESTRICTIONS ON APPOINTMENTS OF MEMBERS OF THE PLANNING COMMISSION, ZONING BOARD OF APPEALS, AND RECREATION BOARD; AND DECLARING AN EMERGENCY.

WHEREAS, the Charter Review Committee, pursuant to Article XIV of the City Charter, has recommended to place the issue of amending the Charter before the City's electorate in order to clarify restriction on appointments of members of the Planning Commission, the Zoning Board of Appeals, and the Recreation Board;

WHEREAS, pursuant to Charter, Article XIV, Council shall submit this proposed amendment to the electorate;

WHEREAS, the Ohio Constitution provides that the Council shall submit the amendments to the electors at the next regular election that occurs not less than 60 nor more than 120 days from the passage of such ordinance, which is the general election on November 8, 2022, but the Council is required to file this Ordinance with the Cuyahoga County Board of Elections by September 9, 2022.

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 8th day of November, 2022, 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 VI, Section 7 – "Planning Commission", Article VI, Section 8 – "Zoning Board of Appeals", and Article VI, Section 9 – "Recreation Board" so that, as amended, it shall read in pertinent part as follows:

ARTICLE VI
ADMINISTRATIVE DEPARTMENTS, BOARDS, AND COMMISSIONS

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SECTION 7. PLANNING COMMISSION.

Organization.

(a) The Planning Commission shall consist of five (5) electors of the Municipality of Richmond Heights, who shall be appointed by the Mayor and approved by a majority of Council; none shall hold any other **employment by the Municipality but may hold other non-elective public office or position in on a board, commission, or committee of the Municipality, unless prohibited by the provisions of this Charter.**

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SECTION 8. ZONING BOARD OF APPEALS.

Organization.

(a) There shall be a Zoning Board of Appeals which shall consist of five (5) electors of the Municipality of Richmond Heights, who shall be appointed by the Mayor and approved by the majority of Council; none shall hold ~~any other~~ **employment by the Municipality but may hold other non-elective** public office or position **in on a board, commission, or committee of** the Municipality, **unless prohibited by the provisions of this Charter.**

SECTION 9. RECREATION BOARD.

Organization.

(a) The Recreation Board shall consist of six (6) members to be appointed by the Mayor and approved by a majority vote of Council. All six (6) members of the Board shall be electors of the Municipality. No member shall hold ~~any other~~ **employment by the Municipality but may hold other non-elective** public office or position **on a board, commission or committee of in** the Municipality, **unless prohibited by the provisions of this Charter.**

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

"Shall Section 7, Section 8 and Section 9 of Article VI of the Richmond Heights Charter be amended to clarify that appointees to the Planning Commission, the Zoning Board of Appeals, and the Recreation Board may hold other non-elective public office or position on another board, commission or committee of the City, unless it is prohibited by the provisions of the Charter?"

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 the Ordinance to the Board of Elections of Cuyahoga County, Ohio, as provided by law.

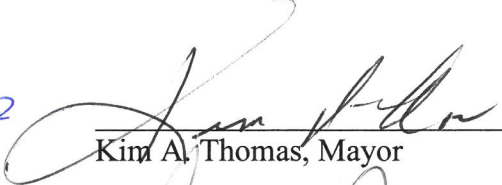
Section 4: The Director of Finance is authorized and directed to appropriate from the general fund a sum sufficient to pay the cost of publishing said notice referred to in Section 3.

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 requirements, 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 it is necessary to timely submit the proposed Charter Amendment to the Board of Elections for placement upon the ballot for the general election to be held on November 8, 2022, 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 by the Mayor.

PASSED: August 23, 2022

APPROVED: August 23, 2022


Kim A. Thomas, Mayor

ATTEST:


Betsy Traben
Clerk of Council


Bobby Jordan
President of Council