

ORDINANCE NO.: 115 -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 9, TO SPECIFY THAT THE RECREATION BOARD IS AN ADVISORY 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 provide that the Recreation Board shall be an advisory board to the City which may make recommendations to the Director of Recreation;

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 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 9. RECREATION BOARD.

There is hereby established a Recreation Board that shall serve the Municipality as an advisory board. ~~and~~ The Council shall by ordinance provide for such organization, and duties ~~and powers~~ of the Recreation Board as are not provided for by this Charter to the extent that the provisions of such ordinance are not inconsistent with or in conflict with the provisions of this Charter.

~~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 public office or position in the Municipality.~~

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Duties

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(b) The Board shall ~~determine and provide~~ **recommend to the Director of Recreation** clean wholesome recreation for all juvenile and adult residents of Richmond Heights.

(c) The Board shall, ~~within its budget limitations,~~ **may recommend to the Director of Recreation** the purchase **of recreation** equipment and ~~provide~~ the **need for** maintenance and repairs ~~supervision~~ to any playground, ball diamond, tennis court, swimming pool or any other area of recreation **facility**, ~~whether it be in or out of Richmond Heights.~~

Board Powers:

~~(a) The Board shall determine and assess any fee necessary for the use, materials, instruction or transportation needed for participation in any or all programs, devised, extended, promoted or underwritten by the Recreation Board.~~

~~(b) The Board shall have the power to schedule, regulate and enforce all policies of the Board in all areas and centers of recreation.~~

~~(c) Written sanction must be obtained from the Board by any group or groups, team or teams, leagues, societies, fraternities, associations or any other body not herein specified, for the use of facilities and/or equipment controlled by the Recreation Board.~~

~~(d) Permits may be granted upon a written request stating the date, specific use, names of users and the signature of at least one (1) adult resident of the Municipality of Richmond Heights to be charged with and held liable for the use of facilities and/or equipment.~~

~~(e) Discrimination because of race, religion or creed cannot be the basis for denial of a permit application. Permits may be denied because of regularly scheduled events at the time and area requested, a request beyond the daily supervised time limitation, failure to comply with Board policy or the undesirability of the nature, character or past experience of the requesting group, body or individuals.~~

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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 9 of Article VI of the Richmond Heights Charter be amended to provide that the Recreation Board shall be an advisory board to the City for the purpose of making recommendations to the Director of Recreation?"

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.

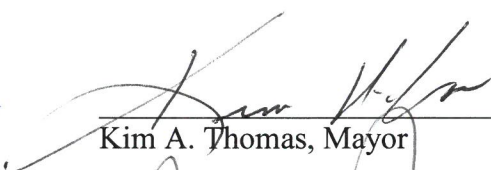
Section 5: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in 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.

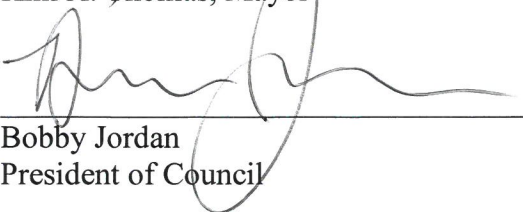
PASSED: August 23, 2022

APPROVED: August 23, 2022

ATTEST: Betsy Traben
Betsy Traben
Clerk of Council



Kim A. Thomas, Mayor



Bobby Jordan
President of Council