

ORDINANCE NO.: 2020 – 45

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 6.01 OF THE VILLAGE CHARTER SO AS TO CONFORM THE DATES OF PRIMARY ELECTIONS IN THE VILLAGE TO THOSE SPECIFIED IN STATE LAW AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission, pursuant to the authority vested in it by Section 12.02 of the Oakwood Village Charter, has considered a proposed amendment to Section 6.01 of the said Charter to conform the dates of primary elections within the Village to the dates specified in State law; and

WHEREAS, the Oakwood Charter Review Commission has recommended said amendment to Charter Section 6.01 by passage of Charter Review Commission Resolution No. CRC 2020 – 01, a copy of which is attached hereto and incorporated herein as Exhibit 1, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution require that Council submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the regular election to be held on the 3<sup>rd</sup> day of November, 2020, the question of whether Section 6.01 of the Charter of the Village of Oakwood, which presently reads as follows:

**Sec. 6.01. REGULAR AND PRIMARY ELECTIONS.** Regular Municipal elections shall be held on the first Tuesday after the first Monday in November in the odd-numbered years, commencing in November 1971. Primary elections shall be on the first Tuesday after the first Monday in May in odd-numbered years, commencing in May, 1987.

should be amended to read as follows:

**Sec. 6.01. REGULAR AND PRIMARY ELECTIONS.** Regular and primary Municipal elections shall be held on the dates specified in Section 3501.01 of the Ohio Revised Code or as otherwise provided in the Ohio Constitution or Ohio Revised Code.

Section 2: The ballot of said election shall at the top thereof be entitled:

"Proposed Charter Amendment a majority affirmative vote is necessary for passage"

and the question to be submitted on said ballot shall be in words as follows:

"Shall Section 6.01 of the Oakwood Village Charter, which presently reads as follows:

**Sec. 6.01. REGULAR AND PRIMARY ELECTIONS.** Regular Municipal elections shall be held on the first Tuesday after the first Monday in November in the odd-numbered years, commencing in November 1971. Primary elections shall be on the first Tuesday after the first Monday in May in odd-numbered years, commencing in May, 1987

be amended to reads as follows:

**Sec. 6.01. REGULAR AND PRIMARY ELECTIONS.** Regular and primary Municipal elections shall be held on the dates specified in Section 3501.01 of the Ohio Revised Code or as otherwise provided in the Ohio Constitution or Ohio Revised Code."

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: 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 citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections for placement upon the ballot for the regular election to be held on November 3, 2020 in order to conform Village primary election dates to those specified in State law for which time is of the essence and, therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: June 9, 2020

Debra L. Hladky  
Debra L. Hladky, Clerk of Council

Johnnie A. Warren  
Johnnie A. Warren, President of Council

Presented to the Mayor: June 10, 2020

Approved: June 11, 2020

[Signature]  
Mayor, Gary V. Gottschalk

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2020 - 45 was duly and regularly passed by this Council at the meeting held on the 9 day of June 2020.

[Signature]  
Debra L. Hladky, Clerk of Council

**POSTING CERTIFICATE**

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2020 - 45 was duly posted on the 11 day — of June 2020 and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.

[Signature]  
Debra L. Hladky, Clerk of Council

DATED: June 11, 2020

EXHIBIT 1

RESOLUTION NO. 2020 - 01

INTRODUCED BY CHARTER REVIEW COMMISSION AS A WHOLE

A RESOLUTION REFERRING TO OAKWOOD VILLAGE COUNCIL  
RECOMMENDED AMENDMENTS TO OAKWOOD CHARTER SECTION 6.01

WHEREAS, Oakwood Charter Section 12.02 commits to the Oakwood Charter Commission the responsibility to review the Oakwood Village Charter and recommend to Oakwood Village Council any alterations, revisions and amendments to the Charter as may be deemed advisable within the judgment of the Commission; and

WHEREAS, the Commission has been duly appointed and it has met and reviewed the Charter; and

WHEREAS, the Commission deems it advisable to amend Section 6.01 of the Charter so that it complies with changes to Ohio law concerning the dates of primary elections;

NOW THEREFORE, BE IT ORDAINED that the Charter Review Commission of the Village of Oakwood, County of Cuyahoga, and State of Ohio recommends to the Oakwood Village Council that:

**SECTION 1.** Oakwood Village Charter Section 6.01 which presently reads as follows:

**Sec. 6.01. REGULAR AND PRIMARY ELECTIONS.** Regular Municipal elections shall be held on the first Tuesday after the first Monday in November in the odd-numbered years, commencing in November 1971. Primary elections shall be on the first Tuesday after the first Monday in May in odd-numbered years, commencing in May, 1987.

should be amended to read as follows:

**Sec. 6.01. REGULAR AND PRIMARY ELECTIONS.** Regular and primary Municipal elections shall be held on the dates specified in Section 3501.01 or as otherwise provided in the Ohio Constitution or Ohio Revised Code.

A "redline" version showing the proposed amendments is attached hereto as Exhibit "A".

**SECTION 2.** The Secretary of the Commission is hereby authorized and directed to refer the proposed amendment to the Oakwood Village Council for its consideration as provided in Oakwood Village Charter Sections. 12.01 and 12.02.

PASSED: May 6, 2020

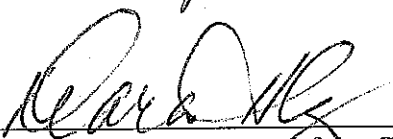
  
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Debra L. Hladky, Secretary of the Commission

Exhibit "A"

Sec. 6.01. REGULAR AND PRIMARY ELECTIONS. Regular and primary Municipal elections shall be held on the dates specified in Section 3501.01 or as otherwise provided in the Ohio Constitution or Ohio Revised Code.