

ORDINANCE NO.: 2020 -49

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 7.14 OF THE VILLAGE CHARTER SO AS TO ALLOW FOR THE POSTING OF ORDINANCES AND RESOLUTIONS ON THE VILLAGE WEBSITE, IN THE VILLAGE HALL LOBBY AND ONE OTHER PUBLIC PLACE IN THE VILLAGE AND DISPENSING WITH THE REQUIREMENT THAT THEY BE POSTED IN OTHER PLACES, 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 7.14 of the said Charter to allow for the posting of ordinances and resolutions on the Village website, the Village Hall lobby and one other public place in the Village and dispensing with the requirement that they be posted in other places; and

WHEREAS, the Oakwood Charter Review Commission has recommended said amendment to Charter Section 7.14 by passage of Charter Review Commission Resolution No. CRC 2020 – 05, 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 3rd day of November, 2020, the question of whether Section 7.14 of the Charter of the Village of Oakwood, which presently reads as follows:

Sec. 7.14. PUBLICATION. All ordinances and resolutions shall be published by posting copies thereof in the Council Chamber and in five of the most public places in the Municipality, to be determined by the Council for a period of not less than fifteen days prior to the taking effect thereof, excepting emergency measures which shall take effect as hereinabove provided. The Council may provide for additional publication of an ordinance or resolution in a newspaper of general circulation within the Municipality, and in such case the effective date of such ordinance or resolution shall be as provided in this Charter.

The Clerk shall make and sign a certificate as to such posting and as to the times when and the places where such posting was done, and such certificate shall be prima-facie evidence that the copies were posted as required. Such certificate as

authenticated by the Clerk shall be entered in the record of ordinances and resolutions on a blank for such purpose.

should be amended to read as follows:

Sec. 7.14. PUBLICATION. All ordinances and resolutions shall be published by posting copies thereof in the lobby of the Village Hall and on the official Village website plus one other public place in the Municipality to be identified on the Village website for a period of not less than fifteen days prior to the taking effect thereof, excepting emergency measures which shall take effect as hereinabove provided. The Council may provide for additional publication of an ordinance or resolution in a newspaper of general circulation within the Municipality, and in such case the effective date of such ordinance or resolution shall be as provided in this Charter.

The Clerk shall make and sign a certificate as to such posting and as to the times when and the places where such posting was done, and such certificate shall be prima-facie evidence that the copies were posted as required. Such certificate as authenticated by the Clerk shall be entered in the record of ordinances and resolutions on a blank for such purpose.

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

"Proposed Charter Amendment allowing for the posting of ordinances and resolutions on the official Village website, in the lobby of the Village Hall and in one other public place within the Village and dispensing with the requirement they be posted in other places"

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

"Shall Section 7.14 of the Oakwood Village Charter, which presently reads as follows:

Sec. 7.14. PUBLICATION. All ordinances and resolutions shall be published by posting copies thereof in the Council Chamber and in five of the most public places in the Municipality, to be determined by the Council for a period of not less than fifteen days prior to the taking effect thereof, excepting emergency measures which shall take effect as hereinabove provided. The Council may provide for additional publication of an ordinance or resolution in a newspaper of general circulation within the Municipality, and in such case the effective date of such ordinance or resolution shall be as provided in this Charter.

The Clerk shall make and sign a certificate as to such posting and as to the times when and the places where such posting was done, and such certificate shall be prima-facie evidence that the copies were posted as required. Such certificate as authenticated by the Clerk shall be entered in the record of ordinances and resolutions on a blank for such purpose.

be amended to read as follows:

Sec. 7.14. PUBLICATION. All ordinances and resolutions shall be published by posting copies thereof in the lobby of the Village Hall and on the official Village website plus one other public place in the Municipality to be identified on the Village website for a period of not less than fifteen days prior to the taking effect thereof, excepting emergency measures which shall take effect as hereinabove provided. The Council may provide for additional publication of an ordinance or resolution in a newspaper of general circulation within the Municipality, and in such case the effective date of such ordinance or resolution shall be as provided in this Charter.

The Clerk shall make and sign a certificate as to such posting and as to the times when and the places where such posting was done, and such certificate shall be prima-facie evidence that the copies were posted as required. Such certificate as authenticated by the Clerk shall be entered in the record of ordinances and resolutions on a blank for such purpose.

YES - For Passage

NO - Against Passage"

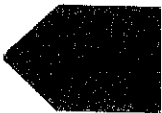
Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

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 streamline and improve the process for the posting of Village ordinances 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: _____

Johnnie A. Warren, President of Council

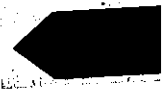


Debra L. Hladky, Clerk of Council

Presented to the
Mayor: _____

Approved: _____

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 - 49 was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2020.

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 - 49 was duly posted on the _____ day of _____, 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.

Debra L. Hladky, Clerk of Council

DATED: _____

EXHIBIT 1

**AMENDED RESOLUTION
CRC 2020 - 05**

INTRODUCED BY CHARTER REVIEW COMMISSION AS A WHOLE

**A RESOLUTION REFERRING TO OAKWOOD VILLAGE COUNCIL
RECOMMENDED AMENDMENTS TO OAKWOOD CHARTER SECTION 7.14**

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 7.14 of the Charter so as to provide for broader accessibility of proposed ordinances and resolutions via the world wide web and for savings of time and costs in the posting thereof.

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 7.14 which presently reads as follows:

Sec. 7.14. PUBLICATION. All ordinances and resolutions shall be published by posting copies thereof in the Council Chamber and in five of the most public places in the Municipality, to be determined by the Council for a period of not less than fifteen days prior to the taking effect thereof, excepting emergency measures which shall take effect as hereinabove provided. The Council may provide for additional publication of an ordinance or resolution in a newspaper of general circulation within the Municipality, and in such case the effective date of such ordinance or resolution shall be as provided in this Charter.

The Clerk shall make and sign a certificate as to such posting and as to the times when and the places where such posting was done, and such certificate shall be prima-facie evidence that the copies were posted as required. Such certificate as authenticated by the Clerk shall be entered in the record of ordinances and resolutions on a blank for such purpose.

should be amended to read as follows:

Sec. 7.14. PUBLICATION. All ordinances and resolutions shall be published by posting copies thereof in the lobby of the Village Hall and on the official Village website plus one other public place in the Municipality to be identified on the Village website for a period of not less than fifteen days prior to the taking effect thereof, excepting emergency measures which shall take effect as hereinabove provided. The Council may provide for additional publication of an ordinance or resolution in a newspaper of general circulation

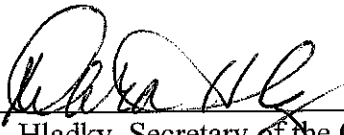
within the Municipality, and in such case the effective date of such ordinance or resolution shall be as provided in this Charter.

The Clerk shall make and sign a certificate as to such posting and as to the times when and the places where such posting was done, and such certificate shall be prima-facie evidence that the copies were posted as required. Such certificate as authenticated by the Clerk shall be entered in the record of ordinances and resolutions on a blank for such purpose.

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 20, 2020



Debra L. Hladky, Secretary of the Commission

Exhibit "A"

Sec. 7.14. PUBLICATION. All ordinances and resolutions shall be published by posting copies thereof on the official Village website and in the lobby of the Village Hall plus one other public place in the Municipality which locations shall be identified on the Village website. The postings shall be maintained for a period of not less than fifteen days prior to the taking effect of said ordinances or resolutions, excepting emergency measures which shall take effect as hereinabove provided. The Council may provide for additional publication of an ordinance or resolution in a newspaper of general circulation within the Municipality, and in such case the effective date of such ordinance or resolution shall be as provided in this Charter.

The Clerk shall make and sign a certificate as to such posting and as to the times when and the places where such posting was done, and such certificate shall be prima-facie evidence that the copies were posted as required. Such certificate as authenticated by the Clerk shall be entered in the record of ordinances and resolutions on a blank for such purpose.