

ORDINANCE NO.: 2026 – 79

INTRODUCED BY COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 10.11 OF THE VILLAGE CHARTER CONCERNING THE MEANS OF PUBLISHING NOTICES OF PROPOSED CHANGES TO VILLAGE ZONING REGULATIONS AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Oakwood, pursuant to the authority vested in it by Section 12.01 of the Oakwood Village Charter, has considered a proposed amendment to Section 10.11 of the said Charter concerning the means of publishing notices of proposed changes to Village zoning regulations; 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, 2026, the question of whether Section 10.11 of the Charter of the Village of Oakwood.

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 10.11 of the Charter of the Village of Oakwood be amended to expand where proposed changes to legislation may be published to include publication on the Village website? Section 10.11, which presently reads as follows:

Sec. 10.11. - Mandatory referral—Automatic zoning referendum.

- A. Any legislation passed by Council or proposed by initiative petition which refers to a change in existing zoning or to a change in any use regulations controlling the use or development of land shall not become effective or binding upon the municipality unless and until the same be submitted to the electors of the municipality and approved by a fifty-five percent (55%) favorable vote of all votes cast for this issue by the qualified electors of the Village and a fifty five percent (55%) favorable vote of all votes cast in each ward in which the change is applicable to property in the ward, at

the next general election in the case of legislation proposed by initiative petition and for legislation adopted by Council at the next general, regular, or primary election held in the municipality, which shall occur not less than seventy five (75) days after its passage by Council or, in the case of legislation proposed by initiative petition, after its certification to the Board of Elections. The Clerk of Council shall advertise any proposed change in a newspaper of general circulation, whose circulation is either the largest, or second to the largest within the limits of the Village for two consecutive times, with at least two weeks between notices and a third notice one week prior to the election.

- B. Subsection A. above shall also apply to any attempt to amend or repeal changes in existing zoning or to a change in any use regulations controlling the use or development of land adopted by initiative petition.

will be amended to read as follows:

Sec. 10.11. Mandatory referral—Automatic zoning referendum.

A. Any legislation passed by Council or proposed by initiative petition which refers to a change in existing zoning or to a change in any use regulations controlling the use or development of land shall not become effective or binding upon the municipality unless and until the same be submitted to the electors of the municipality and approved by a fifty-five percent (55%) favorable vote of all votes cast for this issue by the qualified electors of the Village and a fifty five percent (55%) favorable vote of all votes cast in each ward in which the change is applicable to property in the ward, at the next general election in the case of legislation proposed by initiative petition and for legislation adopted by Council at the next general, regular, or primary election held in the municipality, which shall occur not less than seventy five (75) days after its passage by Council or, in the case of legislation proposed by initiative petition, after its certification to the Board of Elections. The Clerk of Council shall advertise any proposed change on the official website of the Municipality and in a newspaper of general circulation, whose circulation is either the largest, or second to the largest within the limits of the Village for two consecutive times, with at least two weeks between notices and a third notice one week prior to the election.

B. Subsection A. above shall also apply to any attempt to amend or repeal changes in existing zoning or to a change in any use regulations controlling the use or development of land adopted by initiative petition.

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 and for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections in time for placement upon the ballot for the regular election to be held on November 3, 2026 and, therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: August 30, 2026

Eloise Hardin
Eloise Hardin, President of Council

Carol Jackson
Carol Jackson, Clerk of Council

Presented to the
Mayor: _____

Approved: _____

Mayor, Erica Nikolic

I, Carol Jackson, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2026-79 duly and regularly passed by this Council at the meeting held on the 20th day of August 2026.

Carol Jackson
Carol Jackson, Clerk of Council

POSTING CERTIFICATE

I, Carol Jackson, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2026-79 was duly posted on the 31st day of August, 2026, and will remain posted in accordance with the Oakwood Village Charter.

Carol Jackson
Carol Jackson, Clerk of Council

DATED: August 31, 2026

I, Carol Jackson, Clerk of **Council**, Village of Oakwood, County of Cuyahoga, State of Ohio, do hereby certify this to be a true and exact copy of Ord. No. 2026-79 passed by Oakwood Village Council on the 1st reading on the 20th day of August, 2026 by a vote of 6 out of 6 Councilpersons present. Certified this 31st day of August, 2026
Carol Jackson 8-31-2026
Carol Jackson, Clerk of Council Date