

Proposed: 11/22/2021

ORDINANCE NO. 153-2021 (AS), *First Reading*

By Council Member

An Ordinance amending various sections of the Codified Ordinances of the City of Cleveland Heights in furtherance of the transition from the Council-Manager to the Mayor-Council form of government; and declaring an emergency

WHEREAS, on June 17, 2019, pursuant to Articles VIII and XIII of the Charter of the City of Cleveland Heights and the Constitution of the State of Ohio, this Council received an initiative petition from electors in the City of Cleveland Heights proposing amendments to the Charter of the City of Cleveland Heights to change the form of government in Cleveland Heights to a Mayor-Council form of government; and

WHEREAS, pursuant to Article XIII of the City Charter and the Ohio Constitution, this Council, by way of Ordinance No. 71-2019, submitted the proposed charter amendments to the electors, at the November 5, 2019 general election; and

WHEREAS, on November 5, 2019, the amendments to the Charter of the City of Cleveland Heights to change the form of government to a Mayor-Council system of government, collectively known as "Issue 26," were approved by the electors of the City of Cleveland Heights; and

WHEREAS, the Issue 26 amendments provided principally for a directly-elected Mayor, who shall take office on January 1, 2022; and

WHEREAS, the Issue 26 amendments repealed Article IV of the Charter of the City Heights, 'City Manager,' as it existed from its initial adoption, and replaced it with a new Article IV, 'Mayor,'; and

WHEREAS, based upon the change in the form of government from a Council-Manager to a Mayor-Council system, as provided by the charter amendments contained in Issue 26, the Codified Ordinances of the City of Cleveland Heights must be amended to reflect the authority, powers, and duties of the position of the Mayor and the elimination of the City Manager position.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The amendments to the Codified Ordinances of the City of Cleveland Heights set forth in Exhibit A attached hereto and incorporated herein by reference, with the language of the new provisions underlined and the provisions to be deleted struck out or otherwise noted, shall be and are hereby adopted.

SECTION 2. References to the "City Manager" in each and every non-codified ordinance, resolution, policy, procedure, permit, application, or any other document of the City of Cleveland Heights, shall be interpreted to mean Mayor, effective January 1, 2022. Nothing

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contained herein shall be interpreted as precluding the Mayor from administratively revising or rescinding any such documents to the extent such authority is granted to that Office.

SECTION 3. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the amendments to become effective on January 1, 2022, to reflect the authority, powers, and duties of the position of the Mayor and the elimination of the City Manager position in accordance with the Charter amendments contained in Issue 26. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

JASON S. STEIN
President of Council

AMY HIMMELEIN
Clerk of Council

PASSED: