

Proposed: 06/15/2020

ORDINANCE NO. 51-2020 (AS), *Second Reading*

By Council Member Seren

An Ordinance amending Section 111.21, "Voting," of Chapter 111, *Council*, of Part One, Administrative Code, of the Codified Ordinances of the City of Cleveland Heights to allow Council members to recuse themselves from voting due to a conflict of interest.

WHEREAS, the current Section 111.21, "Voting," of Chapter 111, *Council*, of Part One, Administrative Code, of the Codified Ordinances of the City of Cleveland Heights requires unanimous consent of other present Council members in order for a Council member to recuse himself or herself from voting on any question; and

WHEREAS, such unanimous consent should not be required where a Council member has a personal or financial interest in the matter under consideration or when the Council member reasonably believes that voting on a matter could constitute a violation of his or her ethical obligations under the law.

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

SECTION 1. Section 111.21, "Voting," of Chapter 111, *Council*, of Part One, Administrative Code, of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended to read as follows:

Every member present shall vote on any question on the call for ~~the "ayes" and "nays"~~a voice or roll call vote unless ~~excused by the unanimous consent of the other members present, and any member not being so excused who fails or refuses to vote on any question when the "ayes" and "nays" are being taken shall be counted as voting in the affirmative.~~the member recuses themselves. Whenever a member has a personal or financial interest in any matter under consideration or believes that voting on the matter could for any reason constitute a violation of an ethics law, the member shall disclose the interest or ethical concern and recuse themselves from voting. Any member present, not recusing themselves from voting, who fails or refuses to vote on any question when the voice or roll call vote is being taken shall be counted as voting in the affirmative.

SECTION 2. Notice of the 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 3. This Ordinance shall take effect and be in force at the earliest time possible permitted by law.

JASON S. STEIN, Mayor
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED: