

Ordinance No. 21-2020.

By Council Member Kelley.

An emergency ordinance authorizing the submission to the electors of the City of Cleveland of a proposal to amend Section 28 of the Charter of the City of Cleveland relating to meetings of Council.

WHEREAS, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety in that it must be certified to the election authorities immediately in order for the question to appear at a special election to be held on March 17, 2020, and providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That this Council authorizes the submission to the electors of the City of Cleveland at a special election to be held at the usual places of voting in the City of Cleveland on Tuesday, March 17, 2020, of proposal to amend the Charter of the City of Cleveland by amending existing Section 28 to read as follows:

Section 28. Meetings of Council.

At seven o'clock p.m., on the first Monday in January following a regular Municipal election, the Council shall meet at the usual place for holding meetings, at which time the newly-elected members of the Council shall assume the duties of their offices; provided however, that if the first Monday in January following a regular Municipal election falls on a legal holiday, the Council shall meet at the usual place for holding meetings at seven o'clock p.m. the next business day following that holiday, at which time the newly-elected members of the Council shall assume the duties of their offices. Thereafter the Council shall meet at times as may be prescribed by ordinance or resolution. The Mayor, the President of the Council, or any five members of Council may call special meetings of the Council upon at least twelve (12) hours' written notice to each member of the Council, served personally on each member or left at the usual place of residence of the member. Any notice shall state the subjects to be considered at the meeting and no other subjects shall be considered. All meetings of the Council or committees shall be public and any citizen shall have access to the minutes and records at all reasonable times.

Section 2. That the foregoing proposed amendment to the Charter, on receiving at least a majority of the votes cast at the March 17, 2020, special election, shall become effective immediately on its adoption.

Section 3. That the Clerk of this Council is authorized to promptly forward a certified copy of this ordinance to the Board of Elections of Cuyahoga County.

Section 4. That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be given of the election to be held on March 17, 2020, on the foregoing amendment to the Charter of this City and otherwise to provide for the election in the manner provided by the general laws of the State of Ohio.

Section 5. That the Clerk of Council is authorized to cause the full text of the proposed amendment to the Charter to be published once a week for two consecutive weeks in a newspaper published in the City of Cleveland, with the first publication to be made at least fifteen days prior to the special election to be held on March 17, 2020, as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, Section 731.211 of the Revised Code, and Section 200 of the Charter of the City of Cleveland.

Section 6. That the ballot submitting the question of the adoption of the amendment shall read as follows:

PROPOSED CHARTER AMENDMENT CITY OF CLEVELAND
A majority affirmative vote is necessary for passage.

Shall Section 28 of the Charter of the City of Cleveland be amended to provide that if, after a regular Municipal election, the first Monday in January falls on a legal holiday, the first meeting of Council shall be on the next business day?

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed January 6, 2020.
Effective January 7, 2020.