

# Ordinance No. 560-2021

By Mayor Jackson and Council Member  
Kelley

## AN EMERGENCY ORDINANCE

To amend Section 101.021 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ord. No. 482-2021, passed June 7, 2021, relating to open public meetings and hearings.

**FOR PASSAGE**  
**July 14, 2021**

WHEREAS, this ordinance constitutes an emergency measure 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 Section 101.021 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 482-2021, passed June 7, 2021, is amended to read as follows:

Section 101.021      Open Public Meetings and Hearings

(a) *Definitions.* As used in this section:

(1) “Council” shall have the same meaning as defined in Section 101.02.

(2) “Electronically” means by way of electronic equipment or devices, including but not limited to, live-streaming by means of internet, local radio, television, cable public access channels; call in information for a teleconference; or by means of any other similar electronic technology.

(3) “Open to the public” means that a public meeting, or hearing conducted in-person, ~~electronically~~, virtually, or any combination thereof, to which the public has access to the deliberations and official actions of the public body in-person, virtually, electronically, or any combination thereof.

(4) “Public body” ~~includes Council and boards, commissions, and committees established under the Charter or the Codified Ordinances of Cleveland, Ohio, 1976~~ shall have the same meaning as defined in Section 121.22 of the Revised Code.

(5) “Virtually” means by way of teleconference, video conference, or any other similar electronic technology.

(b) *Attendance.* Each public body may permit its members to attend its public meetings or hearings in-person, virtually, or a combination of the two. The following shall apply if any or all of the members are permitted to attend virtually:

(1) Each member attending virtually shall be considered present as if the member is in-person at the public meeting or hearing, shall be permitted to vote, and shall be counted for purposes of determining whether a quorum is present at the public meeting or hearing;

(2) Any vote on a resolution, ordinance or formal action of any kind cast by a member attending virtually shall have the same effect as if member is in-person at the public meeting or hearing; and

# Ordinance No. 560-2021

---

(3) The public body shall ensure that the public can observe and hear the discussions and deliberations of all the members of the public body, whether members are attending in-person or virtually.

(c) *Open to the Public.* Each public body shall determine the method by which its meetings, or hearings are open to the public. For public hearings conducted virtually, the public body must also establish a means, through the use of electronic equipment that is widely available to the general public, to communicate with witnesses and to receive documentary testimony and physical evidence.

(d) *Notice to the Public.* Each public body shall provide at least 12 hours' prior notification of the time, place, agenda items, and the manner by which the meeting or hearing will be held.

Section 2. That existing Section 101.021 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 482-2021, passed June 7, 2021, is repealed.

Section 3. 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.

SM:nl  
7-14-2021  
FOR: Mayor Jackson

**Ord. No. 560-2021**

**REPORT  
after second Reading**

**By Mayor Jackson and Council Member Kelley**

**AN EMERGENCY ORDINANCE**

To amend Section 101.021 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ord. No. 482-2021, passed June 7, 2021, relating to open public meetings and hearings.

**READ FIRST, SECOND AND THIRD TIME**

**and referred to**

**READ FIRST TIME**

**REPORTS**

\_\_\_\_\_  
**CITY CLERK**

**READ SECOND TIME**

\_\_\_\_\_  
**CITY CLERK**

**READ THIRD TIME on JULY 14, 2021**

\_\_\_\_\_  
**PRESIDENT**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED**

\_\_\_\_\_  
**MAYOR**

Recorded Vol. **108** Page \_\_\_\_\_

Published in the City Record \_\_\_\_\_