

RESOLUTION NO.: 2012-R20
SPONSOR: MAYOR NORTON AND COUNCIL AS A WHOLE
INTRODUCED: JUNE 12, 2012 **ASSIGNED TO:** **RULES & PERSONNEL**

A RESOLUTION TO AMEND THE CHARTER OF THE CITY OF GREEN TO ADD NEW SECTION 12.10 TO ALLOW CITY COUNCIL TO CORRECT TYPOGRAPHICAL ERRORS IN THE CHARTER AND MAKE CORRECTIONS SO THAT THE CHARTER IS COMPLIANT AND CONSISTENT WITH OHIO LAW, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Green's Charter requires a review of the Charter's provisions every seven years; and

WHEREAS, Mayor Norton, pursuant to the terms of the Charter, appointed a Charter Review Commission, which was unanimously approved by City Council, to review the Charter and recommend amendments; and

WHEREAS, the Charter Review Commission recommended that City Council authorizes submission of a new Section 12.10 to the voters of the City of Green so that City Council can make changes in the Charter to correct typographical errors as well as changes to make the Charter compliant and consistent with Ohio Law; and

WHEREAS, the Charter requires Green City Council to submit the proposed amendments to the electors of the City of Green at the next regular municipal or Ohio general election unless the proposed amendment is rejected by three-fourths ($\frac{3}{4}$) vote of the members of Council; and

WHEREAS, Green City Council determines that the amendment should be submitted to the electors of the City of Green on November 6, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT AND STATE OF OHIO, THAT:

SECTION ONE:

Proposed new Section 12.10 of the Charter of the City of Green shall state as follows:

12.10 CHARTER CORRECTIONS

City Council shall be authorized to make typographical corrections to or changes or deletions in, as well as changes in the form of, the Charter; however, the changes shall relate to matters of form; or, to make the Charter consistent with Ohio law upon advice of the Law Director. Any such modification, change, or correction shall, in all cases, be approved by resolution of Council, prior to going into effect. No modification, change or correction shall affect the construction, meaning, substance, or intent of the Charter as adopted and amended by the people, except where the change corrects the Charter to comply with Ohio law. The specific powers granted by this Section include:

- (A) City Council may correct obvious misspellings and typographical errors.
- (B) City Council may divide the text of any section or paragraph into shorter paragraphs or subparagraphs and letter or number the same to improve clarity and ease of reference.
- (C) City Council may renumber the sections and rearrange their order to provide:
 - (1). More coherent grouping of sections related in subject matter; and
 - (2). Continuous, consecutive numbering of sections.
- (D) City Council may remove inconsistent language and correct language that violates Ohio law to insure that the Charter complies with Ohio law.

Upon the adoption of any amendment that creates or abolishes an office or offices or changes the powers or duties of any officer or agency of the City, the City Council shall make necessary correlative changes in existing sections that refer to such offices, officers, or agencies by deleting therefrom, as the case may be, the name of the office created or the title of the officer or agency then having such powers or duties.

SECTION TWO:

The proposed new Section 12.10 of the Charter of the City of Green shall be placed before the qualified electors of the City of Green for their approval on the ballot of the November 6, 2012 election.

SECTION THREE:

Green City Council requests the following ballot language:

“Shall Section 12.10 of the Charter of the City of Green be approved to allow the City Council to correct typographical errors in the Charter, removing inconsistent language and correct language that violates Ohio Law to insure that the Charter complies with Ohio Law?”

FOR THE AMENDMENT AGAINST THE AMENDMENT

SECTION FOUR:

The Clerk of Council of the City of Green shall certify a copy of this Resolution to the Board of Elections of Summit County, along with a copy of the proposed ballot language no later than September 6, 2012, as required by law.

SECTION FIVE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meeting of this Council and any deliberations of this City and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION SIX:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed 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 at the earliest time allowed by law.

ADOPTED: July 10, 2012
Molly Stevens
Molly Stevens, Clerk

[Signature]
Joel Reed, Council President

APPROVED: July 11, 2012
[Signature]
Richard G. Norton, Mayor

COPIED _____
SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: July 11, 2012

ON ROLL CALL: Colopy -yea France -yea Humphrey -yea Knodel -yea
Neugebauer -yea Reed -yea Summerville -yea Adopted 7-0

Suburbanite publication on July 15 and July 22, 2012
Molly Stevens
Molly Stevens, Clerk

6/05/2012 Approved as to form and content by Stephen J. Pruneski, Law Director 80 6/7/12