

ARTICLE XIII

GENERAL PROVISIONS

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SECTION 1. EFFECTIVE DATE OF CHARTER.

This Charter shall take effect on January 1, 1962, after its approval by the electors of the Municipality; except for the purpose of electing officers and the holding and conducting of municipal elections.

SECTION 2. SAVING CLAUSE.

The determination that any part of this Charter is invalid shall not invalidate or impair the force or effect of any other part hereof, except that such other part is wholly dependent for its operation upon the part declared invalid.

SECTION 3. EFFECT OF THE CHARTER UPON EXISTING LAWS AND RIGHTS.

The adoption of this Charter shall not affect any pre-existing rights of the Municipality, or any right or liability or pending suit or prosecution, either on behalf of or against the Municipality or any officer thereof; nor any franchise granted by the Municipality, or pending proceedings for the authorization of public improvements or the levy of assessments therefor. Except as a contrary intent appears herein, all acts of the Council of the Municipality shall continue in effect until lawfully amended or repealed.

SECTION 4. INTERPRETATION OF THE CHARTER.

The Article and Section headings herein have been inserted for convenient reference, and are not intended to define or limit the scope of, or otherwise affect any provision of this Charter.

SECTION 5. CONTINUANCE OF PRESENT OFFICERS.

All persons who are appointees, employees or non-elected officials of the Municipality shall continue in office and in the performance of their duties until provisions shall have been made otherwise in accordance with the provisions of this Charter. When such provisions shall have been made, the term of any such appointee, employee or non-elected official shall expire.

The powers which are conferred, and the duties which are imposed upon any appointee, employee or non-elected official, commission, board or department of the Municipality under the laws of the State of Ohio, shall, if such office or department be abolished by this Charter, be thereafter exercised and discharged by the officers, board or department upon whom are imposed corresponding functions, powers and duties hereunder.

SECTION 6. OATH OF OFFICE.

Every elected official or officer of the Municipality shall, before entering upon the duties of his office, take an oath, or affirm, that he will, in all respects, faithfully discharge the duties of his office; that he will profess loyalty to the Constitution of the United States of America and to the Constitution of the State of Ohio; and that he will uphold this Charter and all of the laws of this Municipality.

SECTION 7. CHARTER REVIEW.

In January, 1967, and each five (5) years thereafter, the Council shall appoint as members of a Charter Review Commission nine (9) electors of the City holding no elective office of the City of Sheffield Lake. Such Commission shall review the Municipal Charter, and within five (5) calendar months after such appointment, recommend to Council such alterations, revisions, and amendments, if any, to this Charter, as in its judgment are desirable. The Council shall submit to the electors not later than the next succeeding general election any such proposed alterations, revisions, or amendments. The members appointed to said Commission shall serve without compensation. Meetings of the Charter Review Commission shall be open to the public.

SECTION 8. CONFLICT OF INTEREST.

Any elected or appointed City officer or employee who has a financial interest, direct or indirect or by reason of ownership of stock in any corporation, in any contract with the City or in the sale of any land, material, supplies or services to the City or to a contractor supplying the City, shall make known that interest and shall refrain from voting upon or otherwise participating in his capacity as a City officer or employee in the making of such sale or in the making or performance of such contract. Any such person who willfully conceals such financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position. Violations of this section with the knowledge express or implied of the person or corporation contracting with or making a sale to the City, shall render the contract or sale voidable by the Council.

(Adopted 11-7-67)