

CHARTER FOR THE MUNICIPALITY OF SHEFFIELD LAKE LORAIN COUNTY, OHIO

EDITOR'S NOTE: The Sheffield Lake Charter was originally adopted on November 7, 1961, and became effective January 1, 1962. Dates appearing in parentheses following a section heading indicate that those provisions were subsequently adopted, amended or repealed on the date given.

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Preamble

We, the people of the Municipality of Sheffield Lake, County of Lorain and State of Ohio, in order to secure ourselves the benefits of Municipal Home Rule and to exercise all the powers of local self-government under the Constitution and Laws of the State of Ohio, do hereby adopt this Charter for our Municipality. The male pronoun or adjective wherever used in this Charter refers to both the male and female unless otherwise specifically indicated. Likewise, the female pronoun or adjective wherever used in this Charter refers to both the male and female unless otherwise specifically indicated. The term two-thirds of the remaining members of Council wherever used in the Charter of the City of Sheffield Lake, Ohio, shall mean and be defined as a majority of the voting members of Council excluding the President of Council plus one additional voting member of Council.

(Amended 11-8-88.)

ARTICLE I

NAME AND BOUNDARIES

ARTICLE I

SECTION 1. ANNEXATION AND DETACHMENT.

The Municipal Corporation now existing and now known as the City of Sheffield Lake, Ohio, hereafter in this Charter called the "Municipality", shall continue to be a body politic and corporate under the same name and with the same boundaries, with power and authority to change the boundaries and annex other territory contiguous thereto in the manner authorized by the general laws of the State of Ohio.

(Amended 11-8-66.)

ARTICLE II

MUNICIPAL POWERS

ARTICLE II

SECTION 1. MANNER OF EXERCISE.

The Municipality shall have all powers of local self-government now and hereafter granted to Municipalities by the Constitution of the State of Ohio, and such further powers as are now or hereafter granted by the laws of the State of Ohio; and all such powers shall be exercised in the manner prescribed by this Charter or by ordinances of Council created hereby. Enumeration of or reference to particular powers by this Charter shall not be construed to be exclusive.

ARTICLE III

THE MAYOR

ARTICLE III

SECTION 1. TERM.

The Mayor shall be elected at the regular municipal elections, held in the year 1963 and every four years thereafter, for a term of four (4) years commencing on January 1 following the general election.

(Amended 11-7-06.)

SECTION 2.

QUALIFICATIONS.

The Mayor shall have been a qualified elector and a resident of the Municipality for at least two (2) years immediately prior to his election, and shall continue to be a qualified elector and resident during his term of office. He shall not hold any other public office or municipal employment in the City of Sheffield Lake, except that of Director of Public Safety as provided by this Charter, a notary public or a member of the State Militia, National Guard or Reserve Corps of the United States of America. He shall not solicit, contract for, receive or be interested in any profit or emolument from or on account of any contract, job, work or service with, or for, the Municipality.

(Amended 11-3-15.)

SECTION 3. REMOVAL

If at any time the Mayor shall cease to possess any of the aforesaid qualifications of office, or shall be declared legally incompetent, or to be determined by a majority vote of Council to be guilty of malfeasance, misfeasance or nonfeasance in office, it shall be the duty of Council to declare the office of Mayor vacant, and upon such declaration the office of Mayor shall automatically and immediately become vacant. Such declaration by Council shall be made by a majority vote of Council but shall not be finally and officially made until after a public hearing upon the charge or charges brought, and provided further that the Mayor shall have been notified in writing of the charge or charges against him at least fifteen (15) days in advance of such hearing; provided further, that the Mayor and/or his counsel shall have been given an opportunity to be heard, present evidence and examine under oath, all witnesses appearing in support of such charge or charges. To be effective and final, such declaration of vacancy in the office of Mayor must receive the affirmative vote of two-thirds (2/3) of the membership of the legislative authority at the conclusion of the public hearing.

If at any time the Mayor shall be convicted of a felony or other crime involving moral turpitude, it shall be the duty of Council to declare the office of Mayor vacant and upon such declaration the office of Mayor shall automatically and immediately become vacant. Such declaration by Council shall cause the office of Mayor to be vacant provided, however, that the Mayor shall be notified in writing of the fact that the Council has declared the office of Mayor vacant as a result of the Mayor having been convicted of a felony or other crime involving moral turpitude. The Mayor shall if he disputes the fact that he has been convicted of a felony or other crime of moral turpitude shall advise the Council through the Clerk of Council within fifteen (15) days from the date of the receipt by him of the above set forth notification and upon such notification a hearing shall be held by the Council and the Mayor shall be notified in writing at least fifteen (15) days in advance of the hearing as to the date, place and time of the hearing; and further provided that the Mayor or his counsel shall be given an opportunity to be heard, present evidence and examine under oath all witnesses appearing in support of the claim that the Mayor has been convicted of a felony or other crime of moral turpitude. For the declaration of vacancy in the office of Mayor on the basis that the Mayor has been convicted of a felony or other crime involving moral turpitude to be effective; the determination that the Mayor has been convicted of a felony or other crime involving moral turpitude must receive the affirmative vote of two-thirds (2/3) of the membership of the legislative authority.

(Amended 11-8-88)

SECTION 4. VACANCY IN THE OFFICE OF MAYOR.

(a) Absence. When the Mayor is absent or inaccessible or is unable, for any cause or reason to perform his duties, the President of Council shall become the Acting Mayor, but he shall not thereby cease to be President of Council.

(b) Absence of President of Council. In the event the President of Council shall be absent or inaccessible or, for any reason, unable to perform his duties as Acting Mayor, then the President pro tem of the Council shall become the Acting Mayor with all the powers and duties of the Mayor, but he shall not thereby cease to be a member of Council.

(c) Vacancy. In the event the office of Mayor shall become vacant for any cause or reason, the office of Mayor shall be filled according to the following order of succession: Council President unless he or she is unable or declines to serve as Mayor, then the Council members at large in descending order of longevity in service unless all Council members at large are unable or decline to serve as Mayor, then the ward Council members in descending order of longevity unless all ward Council members are unable or decline to serve as Mayor, then the Director of Finance unless he or she is unable or declines to serve as Mayor, then the Director of Law.

In the event that more than one Council member at large or more than one ward Council member have the same longevity in service, then the Council member at large or ward Council member, of those who have the same longevity in service, who received the largest number of votes in the most recent general election shall stand next in the order of succession.

Any person filling a vacancy in the office of Mayor shall serve for the unexpired term until a successor is duly elected and qualified. In the event any member of Council fills a vacancy in the office of Mayor, his or her prior office shall become vacant. In the event that a department head fills a vacancy in the office of Mayor he or she shall not thereby cease to retain his or her office as a department head and shall not thereby have his or her salary or benefits reduced while serving for the unexpired term of Mayor.

(Amended 11-3-15)

SECTION 5. DUTIES AND POWERS OF THE MAYOR.

(a) Executive Powers. The Mayor shall be the chief executive officer of the Municipality. He shall supervise the administration of the Municipality's affairs and shall exercise control over all departments and divisions, except those reserved by this Charter to Council or its officers and employees. He shall be the chief conservator of the peace within the Municipality, and shall cause all laws, ordinances and resolutions to be enforced within the Municipality. He shall be responsible for the preparation and submission of the annual estimate of receipts and expenditures, and of appropriation measures, and shall at all times keep the Council fully advised as to the financial condition of the Municipality. He shall cause all terms and conditions imposed in favor of the Municipality, or its inhabitants in any franchise or contract to which the Municipality is a party to be faithfully kept and performed. He shall be the ceremonial and official head of the Municipality recognized by the Courts for purposes of serving civil processes, and by the Governor for military purposes. He shall execute on behalf of the Municipality all contracts, conveyances, evidences of indebtedness, and all other instruments to which the Municipality is a party, unless otherwise directed by Council. He shall perform all such duties as are required by the laws of the State of Ohio, this Charter, or by any ordinance or resolution of Council.

Except as otherwise provided by this Charter, civil service regulations, or the laws of the State of Ohio, the Mayor shall have the power to appoint officers and employees of the Municipality with the approval of a majority of the voting members of Council. The Mayor shall have the power to transfer, reduce or remove any officer or employee of the Municipality with the provisions that the officer or employee so removed, transferred or reduced has a right to appeal such transfer, reduction or removal to the Council, and that upon a two-thirds (2/3) vote of the voting members of Council, the Mayor's decision to transfer, reduce or remove may be over-ruled.

(Adopted 11-7-61)

(b) Legislative Powers. The Mayor shall attend Council meetings but shall have no vote on any matters coming before it. He shall have the right to recommend legislation and to participate in the discussion of all matters coming before Council. Every ordinance or resolution passed and adopted by the Council shall forthwith be attested by the President of Council, or other presiding officer, and promptly presented to the Mayor by the Clerk of Council. If the Mayor approves such ordinance or resolution he shall sign and return same to the Council within ten (10) days after its passage or adoption by Council, but if he disapproves, he shall return it to Council along with his written objections within ten (10) days by delivery to the Clerk of Council, who will in turn provide him with a written receipt. The Mayor's objections shall be read at the next Council meeting and entered in full upon the journal of the Council. He may approve or disapprove the whole or part or item of an ordinance or resolution appropriating money, but otherwise his approval or disapproval shall be addressed to the entire ordinance or resolution. If the Mayor fails to return an ordinance or

resolution within the time limited by this section, said ordinance or resolution shall take effect in the same manner as if he had approved. When the Mayor has disapproved an ordinance or resolution or part or item thereof, as herein provided, the Council may, no later than thirty-five (35) days thereafter, proceed to reconsider it and if beyond reconsideration, the ordinance or resolution, or part or item thereof, be approved by vote of two-thirds ($2/3$) of the membership of the Council it shall take effect as if it had received the signature and approval of the Mayor.

(Amended 11-7-67)

(c) Judicial Powers. The Mayor shall have all the judicial powers granted generally by the laws of the State of Ohio to mayors of Municipalities.

ARTICLE IV

THE COUNCIL

SECTION 1. POWERS, ELECTION AND TERM OF OFFICE.

Except as reserved by the Constitution of the State of Ohio and this Charter, the legislative power of the Municipality shall be vested in a Council of eight (8) members; four (4) of whom shall be elected by the respective wards, three (3) of whom shall be elected at large, and one (1) whom shall be elected as President of Council.

Members of Council shall be elected for a term of four (4) years commencing on January 1 following the general election.

Council shall have such further powers, duties, or obligations as are set forth in the general laws and Constitution of the State of Ohio in addition to any powers, duties, or obligations as set forth and not in conflict with this Charter; and in the event that there is such conflict then those granted, allowed or imposed by this Charter shall prevail.

(Amended 11-7-06)

SECTION 2.

QUALIFICATIONS.

No person shall be eligible to be a member of Council unless he shall have been continuously a resident and qualified elector for two (2) years in the Municipality. Any member of Council elected or appointed from a particular ward shall, in addition, have been a resident of the ward from which he is elected or appointed for at least one (1) year immediately prior to his election, and shall continue to remain a resident of such ward during the remainder of his term. Except that if the ward boundaries should change during his term thereby affecting his residency the two year residency requirement within the ward shall be waived.

(Amended 11-7-67; 11-7-78)

No person elected or appointed to Council shall continue to serve as a member unless during his term of office he shall continuously be a resident and qualified elector of this Municipality. (Adopted 11-7-61)

No member of Council shall hold any other municipal office or municipal employment in the City of Sheffield Lake either compensated or not, except as otherwise provided in this Charter, and except that of Notary Public, member of the State Militia, National Guard or Reserve Corps of the United States.

(Amended 11-7-67)

No member of Council shall, directly or indirectly, solicit, contract for, receive or be interested in any profit or emolument from or on account of any contract, job, work or service with, or for, the Municipality.

Any member who ceases to possess any of the foregoing qualifications herein shall forfeit his office. Council may declare void any contract made by the Municipality in which any member is, or may become interested.

SECTION 3. PRESIDENT OF COUNCIL.

(a) Duties. The President of Council shall preside at all meetings of Council and shall appoint all committees of Council.

He shall co-ordinate the activities and work of the various committees of Council. As President of Council he shall have all the duties, powers, rights and obligations as any other member of Council, except that he shall not vote upon any matter before Council unless and only when it is necessary to resolve a tie vote. In absence of the Mayor, he shall act as Mayor, as provided in Article [III](#), Section [4\(a\)](#) of this Charter.

(b) Vacancy in Office. In case of vacancy, the President of Council shall be elected by Council from among its members and the one so elected shall serve for the unexpired term.

SECTION 4. REMOVAL.

Council shall be the judge of the election and qualifications of its own members including the President of Council. Council may, by vote of two-thirds (2/3) of its members including the President of Council, expel or remove any member for gross misconduct, misfeasance, malfeasance, or disqualification of office; or for the violation of his oath of office; or for conviction of a felony or other crime involving moral turpitude; or for persistent failure to abide by orders of Council. There shall be no expulsion or removal of any member without the concurrence of at least two-thirds (2/3) of all the remaining members of Council including the President of Council and only when the accused member shall have been notified in writing of the charge against him at least fifteen (15) days in advance of any hearing upon such charge, and the member has an opportunity to be heard, to be represented by legal counsel, to present evidence, and to examine under oath, any witness in support of such charge.

(Amended 11-8-88.)

SECTION 5. VACANCIES.

Should any office of Councilman become vacant, the vacancy shall be filled by appointment by two-thirds (2/3) vote of the remaining members of Council, voted and discussed in open meetings. Should the Council fail to fill the vacancy within sixty (60) days, the Mayor shall fill the vacancy by appointment. The sixty (60) days vacancy period shall commence when the council seat is officially declared vacant by Council. Whoever is appointed shall serve until replaced by a councilman elected to fill such vacancy. Said election shall occur at the next general election occurring in an odd-numbered year. Councilmen appointed to office may at their option be a candidate for election under the Rules of Article [IX](#) herein to serve the remainder of the unexpired term. Whoever is appointed to Council shall be qualified for office under Article [IV](#), Section [2](#). Any appointee to Council who is unable to be a candidate for office due to the deadline for filing for election having passed prior to his appointment may seek office as a write-in candidate to complete the remainder of the unexpired term to which he was appointed.

(Amended 11-8-88.)

SECTION 6. APPOINTMENTS.

Should Council fail to act, within thirty (30) days, on any appointment made by the Mayor which required legislative concurrence by this Charter, then the appointment shall become effective.

SECTION 7. SALARIES AND BONDS.

Council shall fix its own compensation and that of each employee of the Municipality, including officers and members of any board or commission of the Municipality whether elected, appointed or chosen, and shall establish bond for the faithful discharge of the duties of the office. The premium for such bonds shall be paid by the Municipality. Compensation for all elected officials shall be fixed at least forty-five (45) days prior to the last date for the filing of nominating petitions for the next terms beginning on the first day following certification of their election. The compensation of any elected official shall not thereafter be changed during such term or any part thereof. Council may authorize any municipal official or employee to travel for municipal purposes and provide that the expense of such travel be paid by the Municipality.

(Amended 11-3-92.)

SECTION 8. MEETINGS AND ORGANIZATIONS.

Council shall organize itself and may prescribe by its own rules, regulations, ordinances and resolutions the times and places of its regular meetings. Council shall, however, hold a regular meeting at least two times a month except that it may by rule provide for a period of no more than thirty (30) continuous days during any one calendar year in which no meeting need be held. Council shall make its own rules concerning special meetings.

SECTION 9. QUORUM.

Five voting members of Council shall constitute a quorum for the transaction of business at any meeting of Council. When one or more vacancies exists in the membership of Council, four (4) voting members shall constitute a quorum. A lesser number may adjourn the meeting from time to time in order to compel the attendance of absent members in such manner and under such penalties as may be prescribed by rules of Council.

(Amended 11-7-78)

SECTION 10. GENERAL LEGISLATIVE PROVISIONS.

(a) Rules and Journal of Council. Council shall adopt its own rules and procedures and shall keep a journal of its proceedings.

(Adopted 11-7-61)

(b) Clerk of Council. Council shall appoint, and may remove, a Clerk of Council and such other employees as Council deems necessary.

(Amended 11-7-78)

(c) Form of Legislative Action. Council shall by ordinance provide the form and procedure for enacting legislation, and for publishing and posting adopted legislation. Such ordinances once adopted shall not be repealed or amended without the vote of two-thirds (2/3) of the members of Council.

(Adopted 11-7-81)

(d) Assessments, Advertising of Contracts and Sale of Municipal Property. Council shall by ordinance provide for the procedure for making public improvements, for levying assessments, for advertising and awarding contracts, and for sale or disposal of public property by competitive bids.

(Amended 11-7-67)

SECTION 11. EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS.

(a) Each ordinance or resolution providing for the appropriation of money or for an annual tax levy, or for improvements petitioned for by the owners of property to be benefitted and specially assessed therefor, and any emergency ordinance or resolution necessary for the immediate preservation of the public peace, health and safety, shall take effect, unless a later date be specified therein, upon its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor, as the case may be.

(b) No other ordinance or resolution shall become effective until thirty (30) days after its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor, as the case may be.

(c) Each emergency measure shall contain a statement of the necessity for such emergency action, and shall require the affirmative vote of two-thirds (2/3) of the membership of the legislative authority for the suspension of rules and for its enactment. No action of Council authorizing the surrender or joint exercise of any of its powers, or granting, extending or renewing any franchise, or contracting for the supply to the Municipality or its inhabitants of the produce or service of any utility, whether municipally owned or not, shall be designated an emergency measure or enacted under suspension of the rules.

(d) No ordinance or resolution excepting those ordinances and resolutions described and set forth in subsection (a) of this Section [11](#) of Article [IV](#) of this Charter or as otherwise provided in this Charter shall be passed by the Council until it has been read at three meetings of the Council.

(Amended 11-8-88)

SECTION 12. ENACTMENT OF ZONING ORDINANCES AND REGULATIONS.

The Council may provide by ordinance for the procedure for the passage and amendment of any zoning ordinance, the maps and regulations thereof and the publication of notice and public hearing thereof, provided that, the minimum notice of the time and place of such public hearing shall be published in a newspaper of general circulation in the Municipality thirty (30) days immediately prior to the date of such public hearing. In the event it is proposed to amend, enlarge, or change ten (10) or less parcels of land within any area, zone or district classification defined in an enacted ordinance, then, in addition to the newspaper notice hereinbefore provided, notice of the time and place of such public hearing shall be provided to the record title holders of the property immediately adjacent, adjoining and abutting on such area, zone, or district proposed to be changed, at least ten (10) days prior to the date of the public hearing. Record title holder shall mean the title holder of such property as disclosed by the records of the Auditor of Lorain County, Ohio. If the mailing address of such record title holder cannot be reasonably ascertained, then the aforesaid newspaper notice of such hearing shall be deemed adequate notice. Nothing herein provided shall be construed as limiting the power of the Council from enlarging on such notice. Any legislation; except legislation referring proposed zoning changes to Planning Commission, establishing public hearings for proposed zoning changes and providing for notification of proposed zoning changes; which would amend, enlarge, or change any area, zone or district classifications shall not be passed as an emergency legislation.

(Amended 11-3-92; 11-8-22)

SECTION 13. ENACTMENT OF MUNICIPAL INCOME TAX ORDINANCES AND RESOLUTIONS.

The Council shall not adopt any ordinance or resolution changing the Municipal income tax rate for persons having income taxable within the City of Sheffield Lake, or changing the percentage of credit allowable to residents of the City of Sheffield Lake having income taxable in another municipality, unless such ordinance or resolution has first been submitted to the electors of the City of Sheffield Lake and approved by a majority of the electors voting thereon at any general, regular, or special election. Council shall, by resolution adopted by a majority of the members of Council eligible to vote, submit any such ordinance or resolution to a vote of the electors of the City of Sheffield Lake at a general, regular, or special election specified in the resolution to be held no sooner than ninety (90) days after the adoption of the resolution for such submission.

(Enacted 11-8-94.)

ARTICLE V

ADMINISTRATIVE OFFICERS AND DEPARTMENTS

SECTION 1. GENERAL PROVISIONS.

A Department of Law, a Department of Finance, a Department of Public Safety, a Department of Public Service and a Department of Taxation are hereby established, and Council shall provide by ordinance for their organization. Council may establish by ordinance new departments or divisions thereof. With the exception of those departments set forth herein, the Council may combine or abolish existing departments or divisions and may authorize one person to be the head of two or more departments or divisions.

(Amended 11-7-78.)

SECTION 2. DEPARTMENT OF LAW.

The Director of Law shall be the head of the Department of Law, and shall be appointed by the Mayor, with approval of a majority of voting members of Council for a term not to exceed that for which the Mayor is elected. The Director of Law shall serve the Mayor, the Council, the administrative officers and departments, and the commissions and boards of the Municipality as legal counsel and shall represent the Municipality in all court proceedings or before administrative boards or commissions. He shall perform all duties now and hereafter imposed upon city solicitors by the laws of the State of Ohio, unless otherwise provided by ordinance of Council, and he shall perform such other duties as the Council or Mayor may impose upon him consistent with his office. The Director of Law and the City of Sheffield Lake, Ohio's, Department of Law shall not provide any legal services for or legal representation for the Sheffield/Sheffield Lake Board of Education. No person shall act as Director of Law unless duly admitted to practice of Law in the State of Ohio.

(Amended 11-3-15.)

SECTION 3. DEPARTMENT OF FINANCE.

The Director of Finance shall be the head of the Department of Finance and the fiscal officer of the Municipality. He shall be appointed by the Mayor with the concurrence of the majority of the membership of the Council for a term not to exceed that for which the Mayor is elected. In the event the Mayor desires to remove the Finance Director, it shall be necessary to have a two-thirds (2/3) concurrence of Council. He shall be custodian of all monies and evidences of investment of the Municipality and shall keep a detailed record of all receipts and disbursements of Municipal monies, and a record of all expenditures from various appropriated funds. He shall supervise and keep all financial accounts of the Municipality and the several departments and officers thereof. He shall keep an accurate account of all taxes and assessments, and of all moneys due to and all receipts and disbursements by the Municipality, of all assets and liabilities of the Municipality, and of all appropriations made by Council. He shall examine and approve, if in proper form and an appropriation has been duly made, payrolls, bills and other claims; and prepare and sign all warrants and make payment thereon. He shall assist the Mayor and Council in the preparation of estimates, budgets and appropriations, and shall perform such other duties as this Charter or ordinance may direct and generally perform the fiscal duties and functions discharged by the Auditor and Treasurer of a City. He shall be bonded in an amount to be determined by Council.

(Amended 11-3-15.)

SECTION 4. DEPARTMENT OF PUBLIC SAFETY.

The Mayor shall also serve as the Director of Public Safety and shall be the head of the Department of Public Safety, which shall consist of the Division of Police, Division of Fire, and the Division of Health. He shall make all necessary rules and regulations for the administration of the Department of Public Safety, and the several divisions thereof, and shall be charged with the duty of enforcing all police, health, safety and sanitary regulations which may be prescribed by the ordinances, resolutions or rules of the Municipality, or the general laws of the State of Ohio. The Director of Public Safety shall perform such other duties, consistent with his office as may be required by this Charter, by ordinances or resolutions of Council.

(Amended 11-3-15.)

SECTION 5. DEPARTMENT OF PUBLIC SERVICE.

The Director of Public Service shall be the head of the Department of Public Service, which may consist of the Division of Water, Division of Sewers and Division of Streets and Roads, and Division of Building Inspection. He shall be appointed by the Mayor with the concurrence of a majority of the membership of Council, for a term not to exceed that for which the Mayor is elected, and shall be removed by the Mayor with the concurrence of two-thirds (2/3) of the membership of Council. Should for any reason, there be no Director of Public Service, the Department of Public Service shall be the responsibility of and be directed by the Mayor.

The Director of Public Service shall have charge of all public works and improvements and the construction thereof, and of all engineering and inspection in connection therewith. He shall be charged with the construction, improvement, repair and maintenance of streets, sidewalks, alleys, lanes, bridges, wharves, docks, and breakwalls; of water mains, pumps, systems, pipes, purification and filtration plants, and the water distribution systems, of sewers, sewage system, drains, ditches, culverts streams, water courses and harbors, and of all public buildings, parks, playgrounds, cemeteries, and other public places belonging to the Municipality dedicated to public use. He shall manage and control cemeteries, market houses, sewage treatment plants, water works, and all public utilities of the Municipality, owned or operated in whole or in part by the Municipality, and shall enforce all the obligations of privately owned or operated public utilities enforceable by the Municipality.

He shall have charge of the making and preservation of all records of surveys, maps, plans, drawings and cost estimates for public work; the cleaning, resurfacing, repairing, sprinkling and lighting of streets and public places; the collection of rubbish and disposal of wastes; and the preservation of all property belonging to the Municipality and pertaining to the functions thereof. He shall perform such other duties, consistent with his office, as may be required by this Charter, ordinance of Council, or as directed by the Mayor.

He shall be required by Council to purchase, at his own expense, professional liability insurance for an error or omission for rendering or failure to render a professional service commonly referred to as Architects and Engineers Errors and Omissions Insurance, and shall provide the Council with written evidence to the effect that such insurance is in full force and effect and may not be cancelled without at least ten (10) days written notice to the Mayor and Council.

(Amended 11-3-92.)

SECTION 6. DEPARTMENT OF TAXATION.

The Department of Taxation is hereby established and Council shall provide by ordinance for its organization. The Director of Finance shall be the head of the Department of Taxation. As the head of the Department of Taxation, the Director of Finance shall keep an accurate account of all taxes collection and monies disbursed therefrom; the Director of Finance shall do all things as provided by ordinance or resolution involving the collection, assessment and disbursement of tax monies. As the head of the Department of Taxation, the Director of Finance shall assist the Mayor and Council in the preparation of estimates as to amounts of taxes to be collected in preparation of budgets and appropriations and shall perform such other duties as this Charter or ordinance may direct.

(Amended 11-8-94; 11-3-15)

ARTICLE VI

CIVIL SERVICE COMMISSION

SECTION 1. MEMBERSHIP.

A Civil Service Commission shall be established which shall consist of three (3) electors of the Municipality, not holding other municipal office or appointment, to be appointed by the Mayor, with the concurrence of a majority of Council, for a term of three (3) years; except that of the three (3) to be appointed for a term beginning January 1, 1962, one shall be appointed for a term of one (1) year, one shall be appointed for a term of two (2) years, and one shall be appointed for a term of three (3) years. No more than two (2) members shall be members of the same political party. Any vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment.

ARTICLE VI

SECTION 2. OFFICERS.

The Commission shall designate one of the members as Chairman and may appoint a Secretary who is not a member of the Commission, and who may not hold other municipal office or appointment.

(Amended 11-2-82)

SECTION 3. DUTIES, PRIOR SERVICE AND JOB CLASSIFICATION.

The Commission shall establish a job classification system as prescribed in the Rules- Regulations of the Civil Service Commission of the City of Sheffield Lake dated 1962 or any revisions thereafter.

(Amended 11-7-67)

Any person who shall have been continuously in full time employment in the service of the Municipality for a period of one (1) year, or more, prior to the approval of this Charter, shall be retained in the same or similar position without examination; except that such persons shall be required to submit to a physical examination given by a physician designated and paid by the Municipality, the results of which shall be filed with the Commission for record purposes only. Such persons shall otherwise be subject to all regulations and rules of the Civil Service Commission. The Commission shall provide by rule for the ascertainment of merit and fitness as a basis for an appointment and promotion in the service of the Municipality. The Commission shall determine the practicability of competitive examination for any non-elective office of job classification in the Service of the Municipality, and for appeals from the action of the Mayor or any Director in any case of transfer, reduction or removal.

(Adopted 11-7-61)

In addition to the other duties set forth herein, the Civil Service Commission shall, commencing in 1979 and at least every three (3) years thereafter review, and if necessary revise the rules-regulations of the Civil Service Commission of the City of Sheffield Lake in order to insure that they comply with all applicable Federal, State of Ohio and local laws and/or ordinances.

(Amended 11-7-78)

SECTION 4. REMOVAL.

The Mayor may at any time suspend any Commissioner for inefficiency, neglect of duty, malfeasance, misfeasance or nonfeasance in office, incapacity or incompetency; provided, however, that such suspension shall not become final without the concurrence of two-thirds (2/3) of the membership of the legislative authority.

SECTION 5. COMPENSATION AND FUNDS.

Members of the Civil Service Commission shall serve without compensation. A sufficient sum shall be appropriated by the Council to carry out the civil service provisions of this Charter.

ARTICLE VII

BOARDS AND COMMISSIONS

SECTION 1. BOARD OF ZONING AND BUILDING APPEALS.

(a) Organization. There shall be established a Board of Zoning and Building Appeals, which shall consist of five (5) members, one of whom shall be and serve as a member of the Sheffield Lake Planning Commission. Said members shall hold no other municipal office or employment except as provided herein and shall be residents of the Municipality. All members shall be appointed by the Mayor, with the concurrence of a majority of the legislative authority and shall serve for a term of four (4) years. The members of the first board shall be appointed as follows: one for a term of one (1) year; one for a term of two (2) years; one for a term of three (3) years; two for term of four (4) years. Any vacancy existing during the term of any member shall be filled for the unexpired term in the same manner as the original appointment. All members shall serve without compensation and may be removed by two-thirds (2/3) of the membership of the legislative authority. The Building Inspector and the Director of Public Service shall be non-voting, ex- officio members of the Board of Zoning and Building Appeals, and shall not count toward the number of votes necessary to establish a quorum of the Board, nor the number of votes necessary for the Board to take any official action. The Building Inspector and Director of Public Service and shall furnish necessary technical advice as required by the Board.

(Amended 11-6-73; 11-7-78; 5-4-21.)

(b) Powers and Duties. The Board of Zoning and Building Appeals shall have the following duties and powers:

(1) To hear and decide appeals made for exceptions to, and variations in, the application of resolutions, ordinances, rules and regulations, measures or orders of administrative officials or agencies governing zoning and building in the Municipality, as may be required to avoid injustice and avoid unreasonable hardship, subject to such procedures as shall be established by Council, and subject further to such reasonable standards as shall be prescribed by Council, including, but not limited to, the existence of practical difficulties or unnecessary hardships in the strict interpretation of the aforesaid ordinances, resolutions, rules and regulations, measures and orders; provided that the granting of such exceptions or variances will be in harmony with the general purpose and intent thereof.

(2) To keep minutes of all its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact and also keep records of all its examinations or other official actions. Every determination, decision, order or requirement of the

Board shall immediately be filed in the office of the Board and made a matter of public record. The Board shall make no determination, decision or order except in an open and public meeting, and shall grant no variance to the zoning requirements without the majority approval of all members appointed to the Board.

(3) To establish rules and regulations for its own procedure not inconsistent with this section.

(4) To formulate and submit to Municipal Council changes in and amendments to the Building Code which the Board determines as desirable.

(5) To do and perform such other duties and functions as may be imposed upon it by this Charter, existing ordinances and resolutions of Council.

SECTION 2. PLANNING COMMISSION.

(a) Organization. A Municipal Planning Commission shall be established which shall consist of five (5) members, one of whom shall be and serve as a member of the Sheffield Lake Board of Zoning and Building Appeals, not holding other municipal employment, office, or appointment in the City of Sheffield Lake, except as provided herein, to be appointed by the Mayor, with the concurrence of a majority of the members of Council. All members of this Commission shall serve without compensation. The members of this present Planning Commission shall continue in office until the expiration of their present term, with the one additional member to be appointed for a six (6) year term. All appointments thereafter shall be for a term of four (4) years. Any vacancy occurring during the term of any member of the Municipal Planning Commission shall be filled for the unexpired term in the same manner as authorized in the original appointment. The Mayor, with the concurrence of two-thirds (2/3) of the membership of the legislative authority shall have the right to remove an appointed member for cause. The Building Inspector shall be an a non-voting, ex-officio member of this Commission, and shall not count toward the number of votes necessary to establish a quorum of the Commission, nor the number of votes necessary for the Commission to take any official action. (Amended 11-7-67; 11-7-78; 5-4-21.)

(b) Duties and Powers. The Municipal Planning Commission shall have such powers and duties as are or may be conferred upon it by the general laws of the State of Ohio, and such other powers as may be conferred upon it by ordinance or resolution of Council except as herein provided, concerning the plans, design, location, removal, relocation, widening, extension and vacation of streets, parkways, playgrounds, and other public places; and shall act as the Platting Commission of the Municipality in the approval of plats for subdivision of land and for the zoning of the Municipality or for any other lawful purpose, in order to provide for open spaces for traffic, utilities, access of fire fighting apparatus, recreation, light and air, and for the avoidance of congestion of population. The Commission shall constantly endeavor to formulate plans for the future physical development of the Municipality.

(c) Mandatory Referral. No public building, street, boulevard, parkway, park, playground, harbor, dock, wharf, airport, landing strip, bridge, tunnel, or publicly or privately owned utility or part thereof shall be constructed or authorized to be constructed in the Municipality; nor shall any street, avenue, parkway, boulevard, or alley be opened for any purpose whatsoever; nor shall any street, avenue, parkway, boulevard or alley be widened, narrowed, relocated, vacated or its use changed; or any ordinance referring to zoning or other regulations controlling the use or development of land be passed, unless and until it shall have been submitted to the Planning Commission for report and recommendation. Any matter so referred to the Planning Commission shall be acted upon by it within sixty (60) days from the date of referral unless a longer time be allowed by Council. If the Planning Commission shall fail to act within the time allotted, it shall be deemed to have approved such matter. Any provision of any proposed ordinance, resolution or order disapproved by the Planning Commission shall require an affirmative vote of two-thirds (2/3)

of the membership of the legislative authority, for adoption or authorization.

SECTION 3. PARK- RECREATION BOARD.

(a) Organization. A Park-Recreation Board shall be established and consist of five (5) members, all of which have been residents of the Municipality for at least one (1) year prior to their appointment, who shall serve without compensation. The Mayor shall appoint with concurrence of a majority of Council four (4) members of the Board. The fifth member of the Board shall be a member of Council appointed by the President of Council. All Board members appointed shall be electors of the Municipality, not holding any other Municipal employment or office. All five (5) Board members shall serve for a term of two (2) years. The Mayor, with cause, may remove members with the concurrence of a majority of the membership of the legislative authority. Any vacancy occurring during the term of any member of the Park-Recreation Board, shall be filled for the unexpired term in the same manner as authorized for the original appointment. The Mayor and Service Director shall be non-voting, ex- officio members of the Board, and shall not count toward the number of votes necessary to establish a quorum of the Board, nor the number of votes necessary for the Board to take any official action. (Amended 11-7-78; 5-4-21.)

(b) Duties and Powers. The Board shall make its own rules and regulations and elect its own Chairman and Secretary. The Board shall meet at least once each month and all meetings shall be open to the public. The Board shall have control and management of all parks, park entrances, gymnasiums, swimming pools and indoor recreation centers and all improvements thereon, excepting and excluding therefrom and from the control and management of the Board the City of Sheffield Lake, Ohio's Community Civic Center which Community Civic Center shall be controlled and managed pursuant to ordinances of Council, including their construction, repair and maintenance. The Board shall perform all other duties and exercise such other powers as may be conferred upon them by ordinances of Council. (Amended 11-6-84)

SECTION 4. PARK COMMISSION.

(EDITOR'S NOTE: The provisions of this section were repealed by general election on November 7, 1967. See Article [VII](#), Section [3](#), Park-Recreation Board.)

ARTICLE VIII

FINANCE

SECTION 1. APPROPRIATION ORDINANCE.

The Mayor shall furnish to the Council an ordinance making appropriations for the expenditures of the Municipality during the current year. The Council shall adopt such ordinance in its original form or with such revisions as it may deem proper within ninety (90) days after the receipt of a Certificate of Estimated Income for the fiscal year from the County Auditor or the Budget Commission. The Council may amend or supplement said appropriation ordinance after its passage. Council may make one or more preliminary appropriations for current expenses until the annual appropriation ordinance is in effect.

SECTION 2. TRANSFERS AND BALANCES.

The Council may transfer any part of an unencumbered balance of an appropriation of any fund allowed by law to any purpose or object for which the appropriation for the current year has proven insufficient, except that no transfer shall be made of moneys raised or appropriated for the payment of any bond or note of the Municipality unless all indebtedness, interest and other obligations which must lawfully be paid from such moneys have been paid.

SECTION 3. PAYMENT OF CLAIMS.

No money shall be drawn from the treasury nor shall an obligation for expenditure be incurred except in accordance with appropriations made by Council. Claims shall be approved in writing by the head or acting head of the department for which the obligation was incurred. The Council may, by ordinance provide for additional regulations or controls with respect to the payment of claims.

SECTION 4. CUSTODY AND DEPOSIT OF FUNDS.

The Council shall, by ordinance, provide for the custody of all funds of the Municipality and for the deposit of funds in a bank or banks, and shall provide for an Investment Committee of five (5), one of whom shall be the Finance Director. The Committee shall meet at least once each quarter, for a minimum of four (4) meetings per year. All funds received on behalf of the Municipality by any officer, employee or agent thereof shall be promptly paid over to the Director of Finance, and he shall cause them to be promptly placed in a depository bank; but the Council may authorize such sums, as it deems proper, to be in cash for the daily operation of any department or office. The Director of Finance, with the concurrence of the majority of the members of Council eligible to vote, shall invest monies of the Municipality in bonds or notes of this Municipality, or any other investment permitted by law, in such manner as is now or hereafter authorized by general law of the State of Ohio for such investment by Municipalities.

(Amended 11-3-15.)

SECTION 5. PUBLIC BIDDING.

No net expenditure for any contract for purchase of services, supplies or material, other than the compensation of persons employed by the City, that exceeds the financial limitations imposed by the statutes of the State of Ohio, shall be made or authorized by Council unless pursuant to contract made with a person, firm or corporation whom Council determines to be the lowest and best responsible bidder after public advertising and receipt of bids in the manner provided in this section. Council may authorize the expenditure of funds exceeding the financial limitations imposed by the statutes of the State of Ohio without public bidding, for the acquisition of real estate, for the discharge of non-contractual claims against the municipality, for personal services, for joint use of facilities or exercise of power with other political subdivisions, for products or services of public utilities, including those municipally operated, or for goods or services as part of State or consortium bidding.

(Amended 11-8-05.)

SECTION 6. PUBLIC IMPROVEMENTS.

Public improvements of all kinds may be made by the appropriate department, either by the direct employment of the necessary labor and purchase of supplies and materials, with a separate account as to each improvement so made; or by contract let as provided in the preceding section, either for a closed price or upon a unit basis.

SECTION 7. LIMITATION ON RATE OF TAXATION.

The taxing authority of this Municipality shall be in all respects, subject to the limitation therein provided by the Constitution and laws of the State of Ohio and nothing contained in this Charter shall be construed to authorize a levy of any taxes by this Municipality in excess of said limitations without the vote of the people.

SECTION 8. SUBMISSION OF EXTRA LEVY.

The Council may at any time at least ninety (90) days prior to a November election or the date of the special election designated in the resolution herein provided, declare by resolution, adopted by a vote of a majority of the members of Council eligible to vote, that the amount of taxes which may be raised within the limitations of this Charter will be insufficient to provide an adequate amount for the necessary requirements of the Municipality for current operating expenses, and other expenses payable from the general fund of the Municipality, and such permanent improvements and equipment as shall have an estimated useful life of five (5) years or more; and that it is necessary to levy taxes in excess of such limitations, in addition to the levies authorized and limited by this Charter for the municipal purpose or purposes specified in such resolution. Such resolution shall specify the additional sum which it is necessary to levy, the purpose or purposes thereof, the additional rate estimated to be required therefor, and the date of any proposed election thereon. Such resolution shall be effective upon its adoption and shall be certified within five (5) days thereafter to the election authorities, who shall place such question upon the ballot at the next succeeding November election or at such special election specified in the resolution. If a majority of those voting thereon vote for the approval of such additional levy, the Council shall immediately make such levy, or such part thereof as its finds necessary, pursuant to such approval, and certify the same to the County Auditor, to be placed on the tax list and collected as other taxes.

(Amended 11-7-67)

The authority of the Council to submit additional levies to a vote of the people, or to levy taxes upon such other subjects and for such other purposes as may be lawful under the Constitution or laws of this State, shall not be deemed impaired or abridged by reason of any provision contained in this Charter.

SECTION 9. DEBT LIMITATION.

The net indebtedness of the Municipality, created or incurred without vote of the electors, shall never exceed that percentage, of all property in the Municipality as listed and assessed for taxation, that has been set by the Constitution and laws of the State of Ohio. As used in this section, the term "net indebtedness" shall have the same meaning and shall be calculated in the manner provided by the laws of the State of Ohio, and the same be amended from time to time, for the issuance of notes and bonds of municipal corporation.

(Amended 11-7-67)

ARTICLE IX

NOMINATIONS AND ELECTIONS

SECTION 1. SELECTION OF CANDIDATES AND PROCEDURES.

Nominations for elective offices of the Municipality shall be made only by petition, signed by registered electors of the Municipality in number not less than prescribed by the general election laws of the State of Ohio, and shall contain no party marks or designation. There shall be a primary election held whereby the candidates for any office shall file a petition in accordance with the provisions of this Charter and the general laws of the State of Ohio. The number of candidates for any office at any regular Municipal election in the City at large, or in each ward, as the case may be, shall be the two (2) candidates on the primary election ballot receiving the highest number of votes at the primary election. In case there shall not be for any office more than two (2) persons who shall have filed petitions as provided for in this Charter, then said persons shall be the candidates at the regular election and the primary for the particular office shall not be held. The name of each person who is nominated in compliance herewith shall be printed on the official ballot at the general election and the names of no other candidate shall be printed thereon. (In no case shall any elector cast more than one vote for any elective office at any one election.)

If a citizen who has filed his nomination petition properly for any of the elective offices shall become disqualified from holding office or die between (a) the last day for filing nomination petitions and (b) the day of election, then the County Board of Elections shall make provision on the day of election to fill the office for which he was a candidate, so that the electors may vote for a write-in candidate for the office for which he was a candidate.

Except as otherwise provided in this Charter, the general laws of Ohio shall govern the nomination and election of elective officers of the Municipality.

(Amended 11-2-82)

SECTION 2. WRITE-IN CANDIDATES.

Any candidate who wishes to be considered as a write-in candidate for the general election must file his or her Declaration of Intent in accordance with the general laws of the State of Ohio at least fifty (50) days before the date of the general election.

(Enacted 11-8-05)

ARTICLE X

INITIATIVE, REFERENDUM, RECALL

SECTION 1. INITIATIVE AND REFERENDUM.

The rights and powers of initiative, referendum and recall are reserved to the people of the Municipality and shall be exercised in accordance with the provisions of the Constitution and general laws of the State of Ohio. The people of the Municipality may propose ordinances and resolutions by initiative petition and adopt them by election. Any ordinance or resolution adopted by Council shall be subject to referendum under the laws of the State of Ohio. The Council shall by ordinance establish the procedures by which initiative and referendum are exercised. (Amended 11-7-06)

SECTION 2. RECALL.

The electors of the Municipality shall have the power to remove from office, by recall election, any elected official of the Municipality. After any elected official has served six (6) months of his term, a petition demanding his removal may be filed with the Clerk of Council, who shall note thereon the name and address of the person filing the petition and the date of such filing, and deliver to such person a receipt therefor, and attach a copy thereof to said petition. Such petition may be circulated in separate parts, but the separate parts shall be bound together and filed as one instrument. Each part shall contain the name and office of the person whose removal is sought, together with a statement in not more than two hundred (200) words setting forth the grounds for the removal. Such petition shall be signed by at least that number of electors which equals twenty-five percent in number of the electors voting at the last preceding regular municipal election, provided, however, the petition for recall of a councilman elected from a ward shall be signed by at least that number of electors of the councilman's ward equal to twenty-five percent in number of the electors of such ward who voted at the last preceding regular municipal election.

Within twenty (20) days after the day on which such petition shall have been filed, the Clerk of Council shall determine whether or not it meets the requirements. If the Clerk of Council finds the petition insufficient, he shall promptly certify the particulars in which the petition is defective, deliver a copy of his certificate to the person who filed the petition, and make a record of such delivery. Such person shall be allowed a period of ten (10) days after the day on which such delivery was made in which to make the petition sufficient. If the Clerk of Council shall find the petition sufficient, he shall promptly so certify such petition to Council, and shall deliver a copy of such certificate to the officer whose removal is sought, and shall make a record of such delivery. If such officer shall not resign within five (5) days after the day on which such delivery shall have been made, Council shall thereupon fix a day for holding a recall election which shall be not less than thirty (30) days nor more than forty-five (45) days after the date of such delivery, and shall cause notice of such recall election to be published on the same day of each week for two consecutive weeks in a newspaper determined by Council to be of general circulation in the Municipality.

At such recall election, this question shall be placed upon the ballot: "Shall (naming the officer) be allowed to continue as (naming the office) ?", with the provision on the ballot for voting affirmatively or negatively, and in the event a majority of the vote is negative such officer shall be considered as removed, his office shall be deemed vacant, and such vacancy shall be filled as provided in this Charter. The officer removed at such recall election shall not be eligible for appointment to the vacancy created thereby. If the officer is not removed at such recall election, no further recall petitions shall be filed against him for a period of one (1) year following such election.

ARTICLE XI

FRANCHISES

SECTION 1. GRANT, AMENDMENT OR RENEWAL.

The Council may by ordinance grant permission to any person, firm or corporation to construct and operate a public utility in, on, under or above any public street or ground within the Municipality. It may prescribe in the ordinance the kind and quality of service or product to be furnished, and rate or rates to be charged therefor, and any other terms conducive to the public interest. Such grant may be amended or renewed in the manner and subject to the provisions established by this Charter for original grants. Such grant, amendment or renewal shall be for such a period of time as Council may determine, and shall not be perpetual or exclusive. No consent of the owner of property abutting on any public street or ground shall be necessary to the effectiveness of any grant, amendment, or renewal unless the construction or operation of the public utility authorized thereby is of such character as to constitute an additional burden upon such public street or ground. All such grants, amendments or renewals shall be made subject to the continuing right of Council to provide reasonable regulations for the operation of such utilities with preference to such streets and public grounds, including the right to require such reconstruction, relocation, or discontinuance of appliances, plant or equipment used in such streets, or public grounds, as shall, in the opinion of Council, be necessary in the public interest.

No ordinances making, amending, or renewing such grant shall be passed by the Council until it shall have been read at three (3) regular meetings of the Council.

ARTICLE XII

AMENDMENTS TO CHARTER

SECTION 1. MANNER OF AMENDMENT.

This Charter may be amended by either of two methods. The Council may, by an affirmative vote of at least two-thirds (2/3) of the membership of the legislative authority, submit to the electors any proposed amendment or amendments to this Charter; or upon petition signed by not less than ten (10) percent of the registered electors of the Municipality voting in the last preceding general election setting forth any proposed amendment or amendments to this Charter, the Council shall forthwith submit such proposed amendment or amendments to the electors in accordance, in each instance, with the provisions of the Constitution of Ohio now or hereafter in effect. The Council shall determine the manner of submission of any proposed amendment or amendments to the electors to the extent that such submission is not governed by this Charter or the Constitution of the State of Ohio.

If any such proposed amendment or amendments shall be approved by a majority of the electors voting thereon, it or they shall become a part of this Charter; except that if two or more inconsistent proposed amendments on the same subject matter shall be submitted at the same election, only the one such amendment receiving the largest majority of affirmative votes cast, shall become part of this Charter.

ARTICLE XIII

GENERAL PROVISIONS

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)