

ORDINANCE NO. 63-1990

Offered by Council

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF RICHFIELD THE QUESTION OF WHETHER ARTICLE III, SECTION 3.04(B) SHALL BE AMENDED TO PROVIDE FOR SUCCESSION IN OFFICE IF THE MAYOR-ELECT FAILS TO ASSUME OFFICE AND DECLARING AN EMERGENCY

WHEREAS, a Charter Review Commission has been created; and

WHEREAS, the Charter Review Commission has recommended that Article III, Section 3.04(B) be amended as hereinafter provided; and

WHEREAS, pursuant to Article XVIII, Section 18.02 of the Charter, the Council of the Village of Richfield has by a vote of two-thirds of its members determined to submit the proposed amendment to the Charter to the electors; and

WHEREAS, pursuant to Article XVIII, Section 18.02 of the Charter of the Village of Richfield and Article XVIII, Section 8 of the Constitution of Ohio, the Council has determined to submit the proposed Charter amendment at the general election to be held on November 6, 1990.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio, by the vote of two-thirds of its members:

SECTION 1: That this Council hereby authorizes and directs the submission to the electors of the Village of Richfield at the general election to be held on November 6, 1990 a proposal to amend the Charter of the Village of Richfield by amending Article III, Section 3.04(B) to read as follows:

"ARTICLE III
Mayor

Section 3.04 Absence and Vacancy

A. * * *

B. Vacancy: If the office of Mayor becomes vacant, the President of Council shall forthwith become the Mayor for the unexpired term and the Vice President shall become the President of Council.

Thereupon, the vacancy in Council shall be filled in the manner provided in Section 4.14 of Article IV, and then a new President of Council and Vice President of Council shall be chosen by Council in the manner provided in Section 4.05 of Article IV. If the president of Council declines to serve as Mayor, he shall not thereby cease to be President of Council or a member thereof, and Council shall then appoint, by the affirmative vote of two-thirds (2/3) of its members elected or appointed to Council, one (1) of its members as Mayor for the unexpired term which member shall qualify in accordance with Section 3.01 of this Article. In the event that the Mayor-elect fails to take office on the date set for the commencement of his term by reason of death, resignation, failure to qualify or for any other reason whatsoever, there shall be deemed a vacancy in said office as of the date set for the commencement of the term for which the Mayor-elect was elected, and the President of the newly elected and organized Council as provided in Sections 4.04 and 4.05 of this Charter shall become the Mayor for that term as provided above. A successor shall be elected for the unexpired term at the next regular municipal election if (a) such election shall occur more than two (2) years prior to the expiration of the unexpired term; and (b) the vacancy shall have occurred more than one hundred twenty (120) days prior to such election."

SECTION 2: That the foregoing proposed amendment shall be voted on at the general election to be held on November 6, 1990 as above provided, and if approved by a majority of the electors voting thereon at such election shall become effective from and after the time of its approval by the electors.

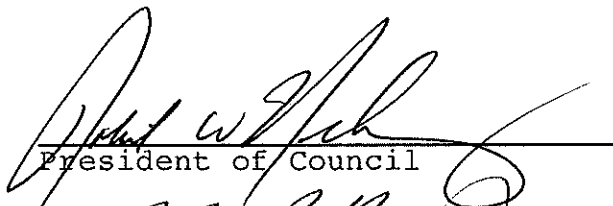
SECTION 3: That, provided the foregoing proposed amendment is approved by a majority of the electors voting thereon at such election, any provisions of the Richfield Charter inconsistent therewith be, and the same hereby are, repealed.

SECTION 4: That the Clerk of Council is hereby authorized and directed to cause a copy of the proposed Charter amendment to be published in accordance with the provisions contained in Ohio Revised Code Section 731.211(B).

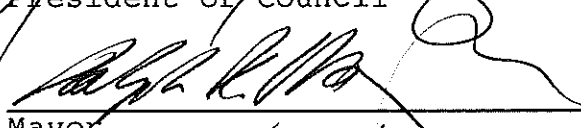
SECTION 5: That the Clerk of Council be, and she hereby is, authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Summit County, Ohio and to request the Board of Elections to place this issue on the ballot at the general election to be held in the Village of Richfield on November 6, 1990.

SECTION 6: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety for the reason to be forwarded to the Summit County Board of Elections to be voted upon by the electors on November 6, 1990 and provided this Ordinance receives the affirmative vote of two-thirds of the members elected or appointed, it shall take effect and be in force from and after its approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: 8/21/90



President of Council



Mayor

Dated: 8/23/90

ATTEST:



Clerk of Council