

CITY OF OBERLIN, OHIO

ORDINANCE No. 23-77 AC CMS

AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO A VOTE OF THE ELECTORS OF THE CITY OF OBERLIN, OHIO, AT A SPECIAL ELECTION TO BE HELD ON MARCH 19, 2024, A PROPOSAL TO AMEND SECTION IX(C)(6) OF THE CHARTER OF THE CITY OF OBERLIN, OHIO, TO PROVIDE THAT NO ADDITIONAL READINGS OF AN ORDINANCE OR RESOLUTION BE REQUIRED THAT HAS NOT BEEN PASSED BY A MAJORITY VOTE OF THE MEMBERS OF COUNCIL ON A FIRST OR SECOND READING AND, THAT AN ORDINANCE OR RESOLUTION THAT HAS NOT BEEN PASSED BY AT LEAST A MAJORITY VOTE OF THE MEMBERS OF THE COUNCIL UPON FINAL READING MAY BE RE-INTRODUCED AT A SUBSEQUENT MEETING OF COUNCIL AS AN EMERGENCY MEASURE

WHEREAS, pursuant to Section XXVIII of the Charter of the City of Oberlin, the Council previously appointed a Charter Review Committee to review the Charter of the City and make recommendations to the Council; and

WHEREAS, the Charter Review Committee has completed its task of reviewing the Charter and has made its recommendations to the Council; and

WHEREAS, this Council has determined that it is in the best interest of the City of Oberlin to propose some or all of those recommended Charter amendments to the electors of the City of Oberlin for approval.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio that:

SECTION 1. The proposed amendments to Section IX(C)(6) of the Charter of the City of Oberlin, Ohio, as is set forth in the attachment hereto, which is marked "Exhibit A" and incorporated herein by reference, are, subject to approval by the electors of the City of Oberlin, hereby approved and adopted.

SECTION 2. This Council hereby authorizes the submission of the proposed amendments to the electors of the City of Oberlin for acceptance or rejection at a special election to be held on March 19, 2024, and if approved by a majority vote of the electors, shall become effective as of the date of passage.

SECTION 3. The ballot language for said proposed amendments to Section IX(C)(6) of the Charter of the City of Oberlin, Ohio, shall read as follows or as required to be modified by the Ohio Secretary of State:

PROPOSED CHARTER AMENDMENT

(A majority affirmative vote is necessary for passage.)

Shall Section IX(C)(6) of the Charter of the City of Oberlin be amended to provide that no additional readings of an ordinance or resolution be required that has not been passed by a majority vote of the members of the Council on the first or second reading and that an ordinance or resolution that has not been passed by at least a majority vote of the members of Council upon final reading may be reintroduced at a subsequent meeting of the Council?

	YES	SHALL THE PROPOSED AMENDMENTS TO SECTION IX(C)(6) OF THE CHARTER OF THE CITY OF OBERLIN, OHIO, BE ADOPTED?
	NO	

SECTION 4. If this ordinance receives the affirmative vote of at least 2/3 of its members, the Clerk of Council of the City of Oberlin shall cause this ordinance to be certified to the Board of Elections of Lorain County, Ohio, as soon as possible but not later than 4:00 p.m. on December 20, 2023, and shall further cause the full text of said proposed Charter Amendment to be published in a newspaper of general circulation in the City of Oberlin, Ohio, at least once a week for three consecutive weeks during the month of February of 2024.

SECTION 5. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were conducted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: to comply with applicable time requirements to place a charter amendment on the ballot, and provided that it is elevated to emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect on the earliest date allowed by law.

PASSED: 1st Reading: November 20, 2023
2nd Reading: December 4, 2023
3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 12/05/2023

EFFECTIVE DATE: 12/04/2023

EXHIBIT A

SECTION IX. PROCEDURE OF COUNCIL.

*** * ***

C: READING, PASSAGE, POSTING AND RECORDING OF LEGISLATIVE ACTION

6. Upon due consideration of each ordinance or resolution, a vote shall be taken by "ayes" and "nays" and shall be entered into the record. No ordinance or resolution shall be passed without the affirmative vote of at least four (4) members of the Council. No additional readings shall be had of any ordinance or resolution that fails to receive the affirmative vote of at least four (4) members of the Council. Any ordinance or resolution that fails to be passed by at least four (4) members of the Council may be re-introduced at any subsequent meeting of the Council. All persons interested shall be given the opportunity to be heard on any ordinance or resolution before a vote is taken on any reading.