

ORDINANCE NO. 2010-031

REPEALING ORDINANCE 2010-026 AND DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF WAYNESVILLE, OHIO, AT THE NOVEMBER 2, 2010, GENERAL ELECTION, CERTAIN CHARTER AMENDMENTS TO SECTION 3.01 AND THE GLOSSARY OF THE VILLAGE CHARTER (MAYORAL CHANGES)

WHEREAS, Ordinance 2010-026, previously adopted by Village Council, contains an error with respect to the beginning date of proposed changes to Section 3.01 of the Village Charter related to the office of Mayor; and

WHEREAS, the Village of Waynesville Charter Revision Commission has recommended certain alterations, revisions, and amendments to the Charter of the Village of Waynesville; and

WHEREAS, it is the intent of the Village Council to submit said alterations, revisions, and amendments to the electors of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville, Ohio, _____ members elected thereto concurring:

Section 1. That Ordinance 2010-026, previously adopted by Council, is hereby repealed in its entirety.

Section 2. That the following amendments to the Charter of the Village of Waynesville, attached hereto as Exhibit A and incorporated herein by reference, shall be submitted to the electors of the Village of Waynesville as a single issue at the general election to be held on the 2nd day of November 2010, at the regular places of voting in said Village as established by the Board of Elections:

Section 3. That the Clerk of Council is hereby directed to certify a copy of this Ordinance to the Board of Elections of Warren County, Ohio, and the Clerk is directed to provide notice of the proposed Charter amendments to the electors of the Village as required by law.

Section 4. That this Ordinance provides for the submission of a question to the electorate and shall be effective immediately upon its passage pursuant to Section 4.08 of the Village of Waynesville Charter.

Adopted this _____ day of _____ 2010.

Attest: _____
Staci Morris, Clerk of Council

Earl J. Isaacs, Mayor

CERTIFICATE

The undersigned, Clerk of Council of the Village of Waynesville, hereby certifies this to be a true and exact copy of Ordinance No. 2010-031, adopted by the Council of the Village of Waynesville on _____, 2010.

Clerk of Council

EXHIBIT A

SECTION 3.01 MAYOR AND VICE MAYOR

~~(A) The Mayor shall be elected, at large, by separate non-partisan ballot for a four year term. Candidates for the office of Mayor shall have resided in the Municipality for at least one year prior to assuming office. The Mayor, when elected and throughout the term of office, shall be and must remain a resident and a qualified elector of the Municipality. The Mayor shall be a member of Council and have the right to vote on all matters before the Council, but shall have no veto power. In addition to the powers, rights, and duties as a member of Council, the Mayor shall serve as President of Council and shall preside at all meetings of the Council. The Mayor shall be the head of the municipal government for all ceremonial and non-administrative purposes and shall be chief spokesperson for the Municipality in dealing with other governments. The Mayor shall have judicial powers as provided by the general laws of Ohio and shall perform such other duties as may be prescribed, from time to time, by ordinance of the Council.~~

~~(B) During its organizational meeting the Council shall choose, by an affirmative vote of at least four members of Council, one of its members as President pro tempore who shall act as Mayor during the temporary absence or disability of the Mayor.~~

~~(C) In case of the death, resignation, or removal of the Mayor, the President pro tempore shall hold the office of Mayor until a qualified successor is elected. Such successor shall be elected to the office of Mayor for the unexpired term at the next Municipal election that occurs more than ninety days after the vacancy in the office of Mayor has occurred, except that when the unexpired term ends within one year immediately following the date of such election, an election to fill such unexpired term shall not be held and the President pro tempore shall hold the office of Mayor for the remainder of such unexpired term. Upon the election of a person as Mayor other than the President pro tempore then serving as Mayor, the President pro tempore shall remain a member of Council for the remainder of his/her term.~~

~~(D) In the event of a vacancy in the office of Mayor whereby the President pro tempore is required to serve as Mayor, the Council shall select a person to fill the vacancy on Council. However, nothing herein shall prevent the President pro tempore from serving the full term for which elected.~~

(A) The Council shall select biennially, beginning in 2012, from among its own members, one to serve as Mayor and one as Vice-Mayor for a term of two years and until their successors are chosen and qualified. Selection of Mayor and Vice-Mayor shall occur during Council's organizational meeting. The Council shall choose, by an affirmative vote of at least four members of Council, one of its members as Mayor. Upon selection of Mayor, the Council shall choose, by an affirmative vote of at least four members of Council, one of its members – other than the Mayor – as Vice-Mayor. Holding the office of Mayor or Vice-Mayor, for any period of time, does not alter the term in office for which the Council member was elected.

(B) Qualifications of Mayor and Vice-Mayor

The Mayor and Vice-Mayor shall be Council members. The Mayor and Vice-Mayor shall be and must remain a resident and a qualified elector of the Municipality

(C) Powers, Duties, and Obligations of the Mayor and Vice-Mayor

The Mayor and Vice-Mayor shall be members of Council and have the right to vote on all matters before the Council, but shall have no veto power. In addition to the powers, rights, and duties as a member of Council, the Mayor shall serve as President of Council and shall preside at all meetings of the Council. The Mayor shall be the head of the municipal government for all ceremonial and non-administrative purposes and shall be chief spokesperson for the Municipality in dealing with other governments. The Mayor shall have judicial powers as provided by the general laws of Ohio and shall perform such other duties as may be prescribed, from time to time, by ordinance of the Council. The Vice-Mayor shall perform the duties of the Mayor when the Mayor is absent.

(D) Vacancies in the Mayor or Vice-Mayor Positions

In case of the death, resignation, or removal of the Mayor, the Vice-Mayor shall hold the office of Mayor until a qualified successor is chosen by Council. Such successor shall hold the office of Mayor for the unexpired term. Upon the selection of a person as Mayor other than Vice-Mayor, then serving as Mayor, the Vice-Mayor shall retain the office for the remainder of his/her term. The selection process shall be as defined in Section A of Article III of this Charter, and shall occur at the next regular Council meeting following the vacancy. In case of the death, resignation, or removal of the Vice-Mayor, Council shall select a new Vice-Mayor from the members of Council. The new Vice-Mayor shall hold the office for the unexpired term. The selection process shall be as defined in Section A of Article III of this Charter, and shall occur at the next regular Council meeting following the vacancy.

(E) Mayor and Vice-Mayor Vacancies: Filling the Council Position

In the event of a vacancy in the office of Mayor or Vice-Mayor, and after, the vacancy(ies) have been filled, the Council shall select a person to fill the vacancy(ies) on Council.

GLOSSARY

President pro tempore a.—A temporary "president." The Village shall have a president pro tempore who shall act as Mayor during the temporary absence of the Mayor. (3.01)

Vice Mayor - A temporary Mayor." The Village shall have a Vice Mayor who shall act as Mayor during the temporary absence of the Mayor. (3.01)