

ORDINANCE NO. 81-22

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF AVON THE QUESTION OF AMENDING ARTICLE IV, SECTION 12 OF THE AVON CITY CHARTER ENTITLED FORM OF LEGISLATIVE ACTION AND DECLARING AN EMERGENCY

WHEREAS, the 2022 Avon Charter Review Commission, in its final report, has recommended to Council that it submit to the electors the question of amending Article IV, Section 12 of the City Charter, entitled Form of Legislative Action; and

WHEREAS, pursuant to Article XIII, Section 7(b) of the City Charter, Council shall submit to the electors any proposed amendments to the City Charter recommended by the Charter Review Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - There shall be submitted to the electors of the City of Avon at the General Election to be held November 8, 2022 at the regular places of voting between the hours of 6:30 A.M. and 7:30 P.M., the question of whether Article IV, Section 12, 3rd paragraph of the City Charter, entitled Form of Legislative Action which currently read as:

Article IV, Section 12 – Form of Legislative Action

All ordinances, resolutions, statements, orders, proclamations and reports required by law or by this Charter or by ordinance to be published or posted, shall be published or posted at five (5) places, one (1) of which shall be the Municipal Building, and four (4) other places designated by Council, for a period of not less than fifteen (15) days prior to the taking of effect thereof. An emergency ordinance or resolution shall also be published or posted as aforesaid, but said requirement shall not postpone the immediate taking effect thereof, as provided in [Section 14](#) of this Article. (Amended 11-4-86; 11-4-03)

SHOULD BE AMENDED TO READ AS FOLLOWS:

Article IV, Section 12 – Form of Legislative Action

All ordinances, resolutions, statements, orders, proclamations and reports required by law or by this Charter or by ordinance to be published or posted, shall be published or posted **electronically and at City Hall** ~~at five (5) places, one (1) of which shall be the Municipal Building, and four (4) other places designated by Council,~~ for a period of not less than fifteen (15) days prior to the taking of effect thereof. An emergency ordinance or resolution shall also be published or posted as aforesaid, but said requirement shall not postpone the immediate taking effect thereof, as provided in [Section 14](#) of this Article. **Council may, by appropriate legislative action, designate additional methods or places for publication.** (Amended 11-4-86; 11-4-03)

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Section 2 - The ballots for said election shall, at the top thereof, be entitled "Proposed Avon Charter Amendments" and the question to be submitted on said ballot shall be in a form as set forth in attached Exhibit A.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity for Council to submit the Charter Amendments proposed by the Charter Review Commission to the electors of the City of Avon for the November 8, 2022 election; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR _____

William D. Logan, Acting Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director

EXHIBIT A

PROPOSED AVON CHARTER AMENDMENT

Article IV, Section 12, 3rd Paragraph – Form of Legislative Action

All ordinances, resolutions, statements, orders, proclamations and reports required by law or by this Charter or by ordinance to be published or posted, shall be published or posted **electronically and at City Hall** ~~at five (5) places, one (1) of which shall be the Municipal Building, and four (4) other places designated by Council~~, for a period of not less than fifteen (15) days prior to the taking of effect thereof. An emergency ordinance or resolution shall also be published or posted as aforesaid, but said requirement shall not postpone the immediate taking effect thereof, as provided in [Section 14](#) of this Article. **Council may, by appropriate legislative action, designate additional methods or places for publication.** (Amended 11-4-86; 11-4-03)

**Shall Article IV, Section 12 of the Avon City Charter entitled
Form of Legislative Action be amended?**

_____ YES

_____ NO