

CHARTER
OF THE CITY OF
GARFIELD HEIGHTS, OHIO

EDITOR'S NOTE: The Garfield Heights Charter was approved by the voters on November 6, 1956. Dates appearing in parentheses following a section heading indicates that the section was subsequently amended, enacted or repealed on the date given.

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CHARTER OF THE CITY OF GARFIELD HEIGHTS

PREAMBLE

We, the people of the City of Garfield Heights, being grateful to Almighty God for our freedom, and being aware of our rights and duties as citizens, do, ordain, and establish this Charter in order to provide an efficient and beneficial municipal government that shall insure the full measure of self-government granted us by the Constitution and Laws of the State of Ohio, and that shall promote our common peace, safety, and welfare.

SECTION 1. CORPORATE BOUNDARIES.

The municipality now existing in the County of Cuyahoga, State of Ohio, and known as the City of Garfield Heights, shall continue to be a body politic and corporate under the name of the City of Garfield Heights, with the same boundaries as now exist, but with power and authority to change its boundaries in the manner authorized by the laws of the State of Ohio, except that no territory shall be detached from or annexed to the City, nor shall the City or any segment thereof be annexed to or merged with any body politic, nor shall the corporate existence of the City be terminated, without the assent of sixty per cent (60%) of the electors of the City voting on each proposal. Any such question shall be submitted to the electors at a regular election in such manner as the Garfield Heights City Council shall by resolution or ordinance prescribe.

The City of Garfield Heights shall have all powers of local self government now or hereafter granted to municipalities by the Constitution and laws of Ohio, and all such powers shall be exercised in the manner prescribed by this Charter, or by ordinance of the Council created hereby or in such manner as may now or hereafter be provided by the Laws of Ohio.

SECTION 2. NOMINATIONS AND ELECTIONS.

A general election for the choice of elective officers provided for in this Charter shall be held on the first Tuesday after the first Monday in November in odd numbered years. Elections so held shall be known as regular municipal elections. Such other elections shall be held as may be required by law, or provided for in this Charter.

SECTION 3. NOMINATIONS.

Candidates for all offices to be voted for at any municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the fifth Tuesday prior to such municipal election.

SECTION 4. PETITIONS.

The name of an elector of the City shall be printed upon the ballot, when a petition shall have been filed in his behalf with the election authorities on or before 4:00 p.m. on the fortieth day before the primary election provided for in Section 2 of the Charter; said petition shall be accompanied by a written acceptance from the nominee. Such petition shall be signed by at least five hundred (500) electors of the City, if for the nomination of a candidate for an office filled by election from the City at large, and by at least one hundred (100) electors of the ward if for the nomination of a candidate for an office to be filled by election from a ward. Except as otherwise provided in this Charter the Laws of Ohio shall govern the nomination and election of the elective officers of the City.

(Amended 11-5-57.)

SECTION 5. SELECTION OF CANDIDATES.

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 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 persons who shall have filed petitions as provided for in this Charter, the said persons shall be the candidates at the regular municipal election and the primary for that 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 election, and the names of no other candidates shall be printed thereon.

SECTION 6. RECALL.

The electors shall have the power to remove from office by a recall election any elected officer of the City. If an elected officer shall have 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 and a statement in not more than two hundred (200) words of the grounds for the removal. If the person sought to be recalled be the Mayor or President of Council, such petition shall be signed by at least that number of electors which equals twenty per cent (20%) of the electors voting in the entire city at the last preceding local November election. If the person sought to be recalled is a councilman, such petition shall be signed by at least that number of electors in the ward represented by such councilman, which equals twenty per cent (20%) of the electors voting in such ward at the last preceding local November election. Within ten (10) days after the day on which such petition shall have been filed, the Clerk shall determine whether or not it meets the requirements hereof. If the Clerk shall find 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 twenty (20) days after the day on which such delivery was made in which to make the petition

sufficient. If the Clerk shall find the petition sufficient, he shall promptly so certify to the Council, 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, the Council shall thereupon fix a day for holding a recall election, not less than sixty (60) days nor more than seventy-five (75) days after the date of such delivery. 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 on such question. If a majority of the votes cast at such election shall be voted affirmatively, such officer shall remain in office. If a majority of the votes cast shall be voted negatively, 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 by such recall election shall not be eligible for appointment to the vacancy created thereby.

(Amended 11-2-65.)

SECTION 7. COUNCIL POWERS, TERM AND VACANCY.

The legislative power of the City, except as limited by this Charter, and such additional power as may be expressly granted by this Charter, shall be vested in a Council of seven (7) members elected by wards, serving for a term of two years, or until their successors are elected and qualified.

The term of office of all Councilmen elected in 1973 shall commence on January 1, 1974 and end at midnight of the first Sunday following the General Election in 1975. Commencing with the election in November, 1975 and for each succeeding term thereafter, the term of office of the Councilmen shall commence on the first Monday following the General Election in November and shall end two years later at midnight on the Sunday following the General Election in that year.

When the office of a Councilman shall become vacant the vacancy shall be filled by election for the unexpired term by a majority vote of all remaining members of the Council. If the Council fails, within thirty (30) days to fill such a vacancy, the Mayor shall fill it by appointment.

(Amended 11-2-71.)

SECTION 8. DIVISION OF CITY INTO SEVEN WARDS.

Upon the adoption of this Charter by the electors of the City of Garfield Heights and at least sixty (60) days prior to the filing date of nominating petitions for the terms beginning on January 1, 1958, the present City Council shall divide the City into seven (7) wards which shall be as nearly equal in population as is possible, each ward to be composed of contiguous and compact territory bounded by natural boundaries or street lines. In the event Council shall not have fixed the division of wards herein prescribed, the Director of Public Service shall cause such division to be made at least thirty (30) days prior to the filing date herein provided. If and when any territory is annexed to the City, the Council shall by ordinance declare it a part of the adjacent ward or wards.

The Council is hereby given the authority to make future re-divisions of the City into seven (7) wards which shall be as nearly equal in population as is possible, each ward to be composed of contiguous and compact territory bounded by natural boundaries or street lines.

SECTION 9. QUALIFICATIONS OF MEMBERS OF THE COUNCIL.

Members of Council shall be electors of the City, shall reside in their ward during their term of office, shall have resided in the City continuously for a period of at least three (3) years immediately preceding their election and shall have resided in their respective wards for at least one (1) year immediately preceding their election. Members of Council shall not hold any other public office or public employment except as otherwise provided in this Charter, and that of Notary Public or member of the State Militia or the Reserve Corps of the United States, and shall not be interested in the profits or emoluments of any contract job, work or service of the Municipality. Any member who shall cease to possess any of the qualifications herein required shall forthwith forfeit his office, and any such contract in which any member is or may become interested may be declared void by the Council. No member of the Council shall, except in so far as is necessary in the performance of the duties of his office, directly or indirectly interfere in the conduct of the administrative department, or directly or indirectly take any part in the appointment, promotion or dismissal of any officer, or employee in the service of the City other than the officers or employees of the Council.
(Amended 11-3-87)

SECTION 10. MEETINGS OF COUNCIL AND ATTENDANCE.

Within five days after the commencement of their term, at the call of the Mayor, members of the Council shall meet in the Council chambers and organize. The President of Council shall preside at all Council meetings.

In each calendar month, except that they may elect to adjourn during summer recess, the Council shall hold at least two (2) regular meetings, the time and place of which shall be prescribed by ordinance. The Mayor or any two members of Council may call special meetings upon at least twelve (12) hours written notice to each member, served personally or left at his usual place of residence. Such notice shall state the subject or subjects to be considered at the meeting and no other subject shall be there considered. Council meetings shall be open to the public at all times unless an Executive Session is held for one of the reasons set forth in Ohio Revised Code Sections 121.22(G)(1) through 121.22(G)(6). Absence from five consecutive regular meetings shall operate to vacate the seat of a member unless such absence is authorized by the Council.
(Amended 11-3-92)

SECTION 11. RULES OF COUNCIL.

The Council shall determine its own rules and keep a journal of its proceedings. This journal shall at all reasonable times be open to public inspection. The Council shall be the judge of the election and qualifications of its own members. It may expel any member for gross misconduct, or malfeasance in or disqualification from office, or for conviction of a crime involving moral turpitude while in office, or violation of this Charter, or persistent failure to abide by the rules of the Council; provided, however, that such expulsion shall not take place without the concurrence of two-thirds (2/3) of its members nor until the accused member shall have been notified in writing of the charge against him not less than ten (10) days in advance of a public hearing. If Council fails to review the election and to monitor the qualifications of its members, the Mayor shall authorize and direct the Law Director to take appropriate action regarding said election and qualifications.
(Amended 11-3-92)

SECTION 12. PRESIDENT OF COUNCIL.

A President of Council shall be elected at the regular municipal election and shall preside at all regular and special meetings of Council, but shall have no vote therein. The President of Council shall perform such duties as presiding officer as may be imposed by the Council. If the office of the President of Council becomes vacant, the President Pro Tem shall assume the office, perform the duties thereof, and shall be relieved of the rights and duties of Ward Councilperson. The President of Council shall be elected for a term of two years. A candidate for the office of President of Council shall be an elector of the City and shall have resided in the City continuously for a period of at least three (3) years immediately preceding the election for which the candidate seeks office.

The President of Council elected in the General Election of November, 1995 shall finish his term of office, expiring at midnight on the Sunday following the General Election of November, 1999. Commencing with the election in November, 1999, and for each succeeding term thereafter, the term of office of the President of Council shall commence on the Monday following the General Election in November, and shall end two (2) years later at midnight on the Sunday following the General Election in that year and he shall serve until his elector is elected and qualified. (Amended 11-3-98.)

SECTION 13. PRESIDENT PRO TEM.

At its organization meeting, Council shall elect a president pro tem from among its members who shall preside in the absence of the President of Council and retain his rights, powers and duties as a councilman, including the right to vote on all issues.

SECTION 14. CLERK OF COUNCIL.

The Council shall appoint a Clerk and such other officers and employees of Council as it may deem necessary to serve at the pleasure of the Council. The Clerk shall keep the records of the Council and perform such other duties as may be required by this Charter or by Council.

SECTION 15. LEGISLATIVE PROCEDURE.

A majority of all the members elected shall constitute a quorum and do business, but a lesser number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The affirmative vote of a majority of the members elected to the Council shall be necessary to adopt any ordinance or resolution except changes in zoning which shall require a two-thirds (2/3) vote. The vote upon the passage of each ordinance and resolution shall be taken by "yeas" and "nays" and entered individually upon the journal. Three readings of ordinances and resolutions may be suspended by two-thirds (2/3) vote of all members elected to Council. (Amended 11-3-70.)

SECTION 16. DUTIES OF COUNCIL.

The Council shall make provision by ordinance for: (a) the form and method of enactment of its ordinances and the adoption of its resolutions; (b) the method of giving public notice of the enactment of its ordinances and adoption of its resolutions, and of any other of its acts or proceedings which it deems proper to publish; (c) the procedure for making public improvements and levying assessments, including the procedure for combining two or more public improvements, and the levying of assessments therefor, in one proceeding, if the Council finds that it will be economical and practical to undertake such improvements jointly; (d) the advertising of contracts and proposed purchases, and of alterations or modifications of contracts; (e) the sale or disposal of municipal property; (f) such other general regulations as the Council may deem necessary, including the use of an official seal; (g) the procedure for adoption and amendments of zoning regulations and the provision for a public hearing which shall be advertised in a newspaper of general circulation in the City of Garfield Heights.

SECTION 17. REVISION AND CODIFICATION OF ORDINANCES.

Ordinances may be revised, codified, rearranged, and published in book form under appropriate titles, chapters, and sections, and such revisions and codification may be made in one ordinance comprising one or more subjects. The publication of such revision and codification in book form as aforesaid shall be held sufficient publication of the ordinance or ordinances contained in such revision and codification. Any such publication of a revision or codification of ordinances in book form shall contain a certification of the President of Council and the Clerk of the correctness of such revision, codification, and publication, and the book so published shall be received in evidence in any court for the purpose of proving the ordinance or the ordinances therein contained, in the same manner and for the same purposes as the original book, ordinances, minutes, or journal would be received.

SECTION 18. EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS.

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 a majority of the foot frontage of the property to be benefited and specially assessed therefor, and any emergency ordinance or resolution necessary for the immediate preservation of the public peace, health, or safety shall take effect, unless a later time be specified therein, upon its signature by the Mayor, or upon the expiration of the time within which it may be disapproved by the Mayor, or upon its passage after disapproval by the Mayor, as the case may be. No other ordinance or resolution shall go into effect until thirty (30) days after its final passage by the Council. Each emergency measure shall contain a statement of the necessity for such emergency action and shall require the affirmative votes of at least two-thirds (2/3) of the members of Council for its enactment. No action of the Council in authorizing any change in the boundaries of the City, or the surrender of joint exercise of any of its powers, or in granting any franchise, or in contracting for the supply to the City or its inhabitants of the product or service of any utility, whether municipality owned or not, shall be taken as an emergency measure.

SECTION 19. MAYOR'S VETO.

Any ordinance or resolution passed by the Council shall be signed by the President or other presiding officer and presented forthwith to the Mayor by the Clerk. If the Mayor approves such ordinance or resolution he shall sign it within ten (10) days after its passage or adoption by the Council, but if he does not approve it, he shall return it to the Council with his objections within said ten (10) days, or if the Council be not then in session, at the next regular meeting thereof, which objections the Council shall cause to be entered in full on its journal. If the Mayor does not sign or veto an ordinance or resolution after its passage or adoption, within the time specified, it shall take effect in the same manner as if he had signed it. The Mayor may approve or disapprove the whole or any item or part of any item or part of any ordinance or resolution appropriating money. When the Mayor refuses to sign an ordinance or resolution or part thereof and returns it to the Council with his objections, the Council shall, after the expiration of not less than one week, proceed to reconsider it and, if upon reconsideration, the resolution or ordinance or part or item thereof disapproved by the Mayor be approved by the vote of two-thirds (2/3) of all the members elected to the Council it shall take effect without the signature of the Mayor. In all such cases the votes shall be taken by "yeas" and "nays" and entered individually on the journal.

SECTION 20. SALARIES AND BONDS.

The Council shall have the power to fix its own compensation and that of each employee of the City, including officers and members of any board or commission of the City, whether elected, appointed or chosen, and to establish bond for the faithful discharge of the duties of the office. The premium of any bond required by the Council shall be paid by the City. The compensation of all elected officials shall be fixed at least thirty (30) days prior to the filing date of nominating petitions for the terms beginning after the regular municipal elections for which such petitions were filed, and shall not thereafter be changed in any respect during any such term or any part thereof. The Council may authorize any officer of the City to make such travel as the Council deems to be in the public interest, and may provide that the expense of such travel be paid by the City. (Amended 11-2-76.)

SECTION 21. LIMITATION ON THE RATE OF TAXATION.

The aggregate amount of taxes that may be levied by the taxing authority of the City of Garfield Heights without a vote of the people, on any taxable property assessed and listed for taxation according to value, for all purposes of the City, shall not in any one year exceed eight and three tenths (8.3) mills for each dollar of assessed valuation. Within the maximum levy provided for in Section 21, subsections A to D, the Council shall annually levy an amount sufficient to pay the interest, sinking fund and retirement charges on all notes and bonds of the City of Garfield Heights heretofore or hereafter lawfully authorized to be issued without the authority of the electors, which levy shall be placed before and in preference to all other levies and for the full amount thereof.

- 21-A. Within the maximum levy provided for in Section 21, the Council may levy an amount not to exceed one (1) mill for the purpose of creating a fund for the construction, reconstruction or acquisition of permanent improvements or additions thereto, as defined by Section 133.01 of the Revised Code of Ohio.
- 21-B. Within the maximum levy provided for in Section 21, the Council may levy fifteen hundredths (.15) mill for the purpose of creating a fund to be used for recreational purposes. This fund is to be administered by the Recreation Board created by Section 47 of this Charter.
- 21-C. Within the maximum levy provided for in Section 21, the Council may levy an amount not to exceed one and fifteen hundredths (1.15) mills for the purpose of providing for the street lighting needs of the City.
- 21-D. Within the maximum levy provided for in Section 21, the Council may levy an amount not to exceed six (6) mills for the purpose of paying the current operating expenses of the City of Garfield Heights, and for the purpose of paying any other expenses that may lawfully be included within the general levy for the general fund of the City of Garfield Heights, including police and fire pensions.
(Amended 11-6-01.)

SECTION 22. EXCEPTION TO TAX LIMITATION.

The limitation of Section 21 of the Charter upon the power of Council to levy taxes shall not operate as a limitation upon the power of Council to levy taxes upon such other subjects and for such other purposes as may be lawful under the Constitution and laws of this State.

SECTION 22A. SEWER FUND AND STREET FUND ESTABLISHED.

A Sewer Fund is hereby established to be funded with 6% of the receipts from the yearly City Income Tax. The Sewer Fund shall be used for construction of storm retention basins, culverting or channeling of open waterways, the reconstruction of storm and sanitary sewer laterals or mains or the acquisition of land for such purpose and for the repair and maintenance of catch basins. The funds resulting from this storm and sanitary improvement levy shall be used for no other purpose.

A Street Fund is hereby established to be funded with 6% of the receipts from the yearly City Income Tax. The Street Fund shall be used for the construction, reconstruction, repair and maintenance of streets within the City of Garfield Heights. The funds resulting from this street improvement levy shall be used for no other purpose. (Amended 11-3-87)

SECTION 23. MAYOR'S ESTIMATE.

The fiscal year of the City shall begin on the first day of January. On or before the fifteenth day of November of the current fiscal year, the Mayor, with the assistance of the Director of Finance, shall prepare and submit to the Council an estimate of the revenues and expenditures of the City departments for the ensuing year. This estimate shall be compiled from detailed information furnished by the head of each department, division, board or commission on uniform blanks prescribed by the Mayor. The classification of the estimate of expenditures shall be as nearly uniform as possible for the main functional divisions of all departments, and shall give the following information:

- (a) An estimate of the anticipated revenue from each source during the next succeeding fiscal year, with a comparative statement of the amount received from such source during the two preceding years and the current year plus an estimate of such amounts for the remainder of the current year.
- (b) A detailed estimate of the expense of conducting each department and activity of the City for the next succeeding fiscal year, together with comparative statements as provided in the next preceding paragraph, with reasons for proposed increases or decreases as compared with the current fiscal year.
- (c) A detailed inventory of supplies and materials on hand and the estimated value thereof at the date of the preparation of the estimate.
- (d) A separate schedule for each department showing the things necessary for the department to do and the things which should be done if possible.
- (e) The amount of the total and net debt of the City together with a schedule of maturities of outstanding bonds and notes.
- (f) A statement of the unencumbered balance in each bond and improvement fund.

SECTION 24. APPROPRIATION ORDINANCE.

The Mayor shall furnish to the Council, along with the estimate described in Section 23, an ordinance making appropriations for the expenditures of the City during the year covered by said estimate. As early in the fiscal year as possible but in no event later than ninety (90) days after the beginning of the fiscal year, Council shall adopt such ordinance in its original form or with such revision as it may find proper. The appropriation ordinance shall be in such form and detail as may be required by the general laws of Ohio, and may be

amended or supplemented by the Council after its passage but appropriations shall not be made in excess of the estimated revenues of the City. The Council may make preliminary appropriation for current expenses sufficient in amount to meet the current needs until the annual appropriation ordinance has been enacted and is in effect. The passage of any ordinance authorizing the issue or sale of bonds or notes of the City shall constitute an appropriation of the proceeds thereof for the purposes for which said bonds or notes are issued.

SECTION 25. PAYMENT OF CLAIMS.

No money shall be drawn from the treasury nor shall any obligation for the expenditure of money be incurred, except pursuant to appropriations made by the Council. No warrant for the payment of any claim shall be issued until such claim shall have been approved in writing by the head of the department for which the obligation was incurred. Each head of a department and his surety shall be liable to the City for all loss and damage sustained by the City by reason of the negligent or corrupt approval of any claim against the City in his Department. The Director of Finance shall have power to require evidence that the amount of the claim is justly due and is in conformity to law and ordinance, and for that purpose he may summon before him any officer, agent or employee of any department of this City, any claimant or other person, and examine him upon oath or affirmation relative thereto.

SECTION 26. CUSTODY AND DEPOSIT OF FUNDS.

The Council shall by ordinance provide for the custody of all funds of the City and for the deposit of funds in a bank or banks to be determined by competitive bidding. Such deposit shall be made in the bank or banks which offer the highest and best bids therefor, and furnish such proper security as the Council may determine.

All funds received on behalf of the City by any officer, employee, or agent thereof, shall be promptly paid over to the Director of Finance, and by him promptly placed in a depository bank, but the Council may authorize such sums as it deems proper to be kept in cash for the daily operation of any department or office.

The Director of Finance may invest moneys of the City in such manner as is now or hereafter authorized by general laws of the State of Ohio for such investment by cities.

SECTION 27. CERTIFICATION OF EXPENDITURES.

No contract, agreement or other obligation involving the expenditure of money shall be entered into, nor shall any ordinance, resolution or order for the expenditure of money be passed or issued by the Council, or be authorized by any officer of the City, unless the Director of Finance shall have first certified in writing to the Council, or to the proper officer, as the case may be, that the money required for such contract, agreement, obligation or expenditure is in the Treasury to the credit of the fund from which it is to be drawn and not appropriated for any other purpose. The provisions of this section shall not be construed to prevent the making of contracts for a period

extending beyond a single fiscal year when such contracts are otherwise authorized by this Charter or by general laws of the State of Ohio. All moneys actually in the Treasury to the credit of the fund from which they are to be drawn, and all moneys applicable to the payment of the obligation or appropriation involved or that are anticipated to come into the Treasury before the maturity of such contract, agreement or obligation, from taxes, assessments, license fees, or from sales of services, products, or by-products of any municipal undertaking, and moneys to be derived from lawfully authorized bonds or notes, shall, for the purpose of such certificate, be deemed to be in the Treasury to the credit of the appropriate fund, and shall be subject to such certification.

SECTION 28. PUBLIC BIDDING.

The Council may authorize, in specific cases, expenditures of the funds of the City in amounts exceeding the Ohio Revised Code bid limits which currently are \$15,000, without public bidding, for the acquisition of real estate, for the discharge of non-contractual claims against the City, for personal services, for the joint use of facilities or exercise of powers with other political subdivisions, or for the product or services of public utilities (including those municipally operated and any provider of local or long distance telephone service) but no other expenditure exceeding the Ohio Revised Code bidding limits shall be made except pursuant to contract made with the lowest and best bidder after public advertising and receipt of bids in the manner provided by ordinance. (Amended 11-2-99.)

SECTION 29. INITIATIVE.

The electors of the City shall have power to propose any ordinance or resolution, except an ordinance for the appropriation of money or an ordinance making a tax levy, and to adopt or reject the same at the polls, such power being known as the initiative. An initiated ordinance or resolution may be submitted to the Clerk of the Council by petition signed by at least five per cent (5%) of the registered electors of the City. When so submitted, the Clerk shall forthwith determine the sufficiency of the petition and if found sufficient, the Council shall at once have the proposed ordinance or resolution read and referred to an appropriate committee which may be a committee of the whole. Provisions shall be made for public hearings on the proposed ordinance or resolution not later than thirty (30) days after the date on which such ordinance or resolution was submitted to the Clerk. The Council shall within forty (40) days after such ordinance or resolution is submitted, take final action thereon, either enacting or rejecting the proposed ordinance or resolution. If the Council fails or refuses to pass such proposed ordinance or resolution or passes it in some form different from that set forth in the petition therefor, the committee of the petitioners may require that it be submitted to a vote of the electors either in its original form or in the amended form by filing with the Clerk a supplemental petition signed by that number of additional registered electors which, when taken together with those who signed the original petition, will total at least ten per cent (10%) of the registered electors of the City, and if said supplemental petition is signed by that number of additional registered electors which, when taken together with those who signed the original petition, will total at least twenty per cent (20%) of the registered electors the date of the election may be fixed

therein, not less than sixty (60) days from the time of filing such supplemental petition. Such supplemental petition shall be filed within ten (10) days after the final action on such ordinance or resolution by the Council. The Council shall thereupon provide for submitting such ordinance or resolution to the vote of the electors at the date so fixed, or at the next general election in any year occurring more than sixty (60) days from the filing of such supplemental petition, if no date be so fixed therein.

SECTION 30. REFERENDUM.

The electors shall have the power to approve or reject at the polls any ordinance or resolution passed by the Council, except as hereinafter provided. Within thirty (30) days after the final passage by the Council of an ordinance or resolution, a petition signed by at least ten per cent (10%) of the registered electors of the City may be filed with the Clerk of the Council, requesting that such ordinance or resolution be either repealed or submitted to a vote of the electors. If said petition is signed by twenty per cent (20%) or more of such registered electors, the date of the election may be fixed therein, not less than ninety (90) days from the time of filing thereof. When such petition is filed, the Clerk shall first ascertain the sufficiency of the petition, and if found sufficient, the Council shall thereupon, within thirty (30) days of the filing of such petition, reconsider such ordinance or resolution. If upon such reconsideration the ordinance or resolution is not repealed, the Council shall provide for submitting it to a vote of the electors on the date so fixed, or at the first general election in any year occurring more than ninety (90) days from the filing of such petition, if no date be so fixed. No such ordinance or resolution shall go into effect until approved by a majority of those voting thereon. When the Council by law or under provisions of general ordinances, is required to pass more than one ordinance or resolution necessary to make and pay for any public improvement, the referendum provision shall apply only to the first ordinance or resolution required to be passed and not to any subsequent ordinances or resolutions relating thereto. Ordinances providing for the annual tax levy or for improvements petitioned for by the owners of a majority of the foot front of the property benefited and to be specially assessed therefor, and appropriation ordinances limited to the subject of appropriations shall not be subject to referendum, but all other ordinances, including emergency ordinances, shall be subject to referendum, except that emergency ordinances shall go into effect at the time indicated therein. If, when submitted to a vote of the electors, an emergency measure be not approved by a majority of those voting thereon, it shall be considered repealed as regards any further action thereunder; but such measure shall be deemed sufficient authority for payment, in accordance with the ordinance, of any expense incurred previous to the referendum vote thereon.

Ordinances submitted to the Council by initiative petition and passed by the Council either with or without change, but not required to be submitted to a vote of the electors shall be subject to referendum in the same manner as other ordinances.

THE MAYOR

SECTION 31. EXECUTIVE AND ADMINISTRATIVE POWERS.

The executive and administrative powers of the City shall be vested in the Mayor, directors of departments and other administrative officers provided for in this Charter or by ordinance.

SECTION 32. TERM AND QUALIFICATIONS OF MAYOR.

The Mayor shall be the Chief Executive Officer of the City. He shall be elected for a term of four (4) years, and serve until his successor is elected and qualified.

The term of office of the Mayor elected in November, 1985, shall end at midnight of November 30, 1989. Commencing with the General Election in November, 1989, and for each succeeding term thereafter, the term of office of the Mayor shall commence on December 1st of said General Election and shall end four (4) years later at midnight of November 30th following the General Election in that year.

The Mayor shall be an elector of the City and shall have resided in the City continuously for a period of at least three (3) years immediately preceding his election, and shall not hold any other public office or public employment except that of Notary Public or a member of the State Militia, or the Reserve Corps of the United States or a member of various Boards and Commissions with the approval of Council, and shall not be interested in the profits or emoluments of any contract, job, work or service with or for the Municipality. The Mayor shall have his office at the City Hall and shall devote his entire time and effort during business hours, and such other times as may be necessary, to the business of the City. If the Mayor shall cease to possess any of these qualifications or shall be convicted of crime involving moral turpitude, his office shall immediately become vacant.

(Amended 11-3-87)

SECTION 33. GENERAL POWERS AND DUTIES OF MAYOR.

The Mayor shall supervise the administration of the City's affairs, and shall exercise control over all departments and divisions except those reserved to Council or its officers and employees by this Charter. He shall be the chief conservator of the peace within the City and shall see that all laws and ordinances are enforced. He shall be responsible for the preparation and submission to the Council of the annual estimate of receipts and expenditures and the appropriation ordinance, and shall at all times keep the Council fully advised as to the financial condition and needs of the City. He shall recommend to the Council such measures as he deems necessary or expedient. He shall see that all terms and conditions imposed in favor of the City or its inhabitants in any franchise or contract to which the City is a party are faithfully kept and performed. He shall appoint all officers and employees of the City, except members, officers and employees of the Council and Judges. All persons appointed by the Mayor, except those whose term of office is fixed by this Charter or by law, may be promoted, transferred, reduced or removed by the Mayor, subject however, to the Civil Service provisions of this Charter.

The foregoing appointive powers of the Mayor may be delegated by him to the directors of any department or to the heads of any division with respect to the officers or employees in the classified service within their respective department or division. The Mayor shall execute on behalf of the City all contracts, conveyances, evidences of indebtedness and all other instruments to which the City is a party. The Mayor shall be recognized as the official and ceremonial head of the City government, by the governor for military purposes, and by the courts for the purpose of receiving service of civil process. All appointments made by the Mayor pursuant to the within section shall be approved and ratified by a majority vote of the elected members of Council. (Amended 11-6-79.)

SECTION 34. MAYOR'S RIGHT IN COUNCIL.

The Mayor and the directors of all departments established by this Charter, or that may hereafter be established by ordinance shall be entitled to seats in the Council. Neither the Mayor nor the Director of any department shall have a vote in the Council, but the Mayor shall have the right to introduce ordinances and to take part in the discussion of all matters coming before the Council and the Directors of Departments shall be entitled to take part in all discussions in the Council relating to their respective departments. The Council by ordinance or resolution may authorize other city officials to have seats in Council.

SECTION 35. VACANCY IN THE OFFICE OF MAYOR.

When the Mayor is absent and inaccessible, or is unable for any cause to perform his duties, the President of Council shall be Acting Mayor. In case of death, resignation or removal of the Mayor, or the Mayor ceasing to qualify for the office, the President of Council shall vacate his office and succeed to the office of the Mayor. In the event the President of Council is for any reason unable to succeed to the office of the Mayor, then the Council President Pro Tem shall vacate his office and succeed to the office of Mayor. In the event that neither the President of Council nor the Council President Pro Tem is able to succeed to the office of Mayor, then a new Mayor shall be selected by the Council of the City from its qualifying membership by a majority vote. In the event that the Mayor shall be unable to complete his term of office and there remains more than one (1) year remaining in the Mayor's term of office, then a special election shall be called. The special election shall be governed under the rules for special election in effect in the Municipality at the time the Mayor vacates office, and shall be held ninety (90) days from the day the Mayor vacates office. If the 90th day falls on a Saturday, Sunday or federal holiday, then the election shall be held on the first Tuesday following the Saturday, Sunday or federal holiday. (Amended 11-3-98.)

ADMINISTRATIVE OFFICERS AND DEPARTMENTS

SECTION 36. GENERAL PROVISIONS.

A Department of Law, a Department of Finance, a Department of Public Safety, a Department of Public Service and Properties, a Department of Public Relief and Welfare, and a Department of Parks and Recreation are hereby established by this Charter, and the Council shall provide by ordinance for the organization thereof. The Council may establish by ordinance new departments or divisions thereof. The Department of Parks and Recreation shall be in charge of a Director of Parks and Recreation who shall manage and direct all recreational activities of the City of Garfield Heights.

With the exception of the Law, Finance, and the Parks and Recreation Departments, the Council may combine or abolish existing departments and divisions as it may deem necessary and may authorize one person to be the head of two or more departments or divisions. (Amended 11-2-76.)

SECTION 37. DEPARTMENT OF LAW.

The Department of Law shall be in charge of the Director of Law, appointed by the Mayor to serve at his pleasure. The Director of Law shall be duly admitted to the practice of law in Ohio. He shall be the City Solicitor and shall perform all duties required by ordinance and the duties which are imposed upon City Solicitors by the general law of Ohio.

SECTION 38. DEPARTMENT OF FINANCE.

The Department of Finance shall be in charge of the Director of Finance, appointed by the Mayor to serve at his pleasure. The Director of Finance shall have charge of the financial affairs of the City, including the keeping and supervision of all accounts; the custody and disbursement of City funds and moneys; the making and collection of special assessments, the issuance of licenses and the collecting of license fees; the control over expenditures; and such other duties as the Council may by ordinance require.

SECTION 39. DIVISION OF PURCHASES AND SUPPLIES.

There shall be in the Department of Finance a Division of Purchases and Supplies. The Commissioner of Purchases and Supplies shall make all purchases for the City in the manner provided by ordinance, and shall, under such regulations as may be provided by ordinance and by direction of the Board of Control, sell all property, real and personal, of the City not needed for public use or that may have become unsuitable for use or that may have been condemned as useless by the director of a department. He shall have charge of such store rooms and warehouses of the City as the Council may by ordinance provide.

SECTION 40. REVOLVING EQUIPMENT FUND.

There is hereby established, under the supervision of the Director of Finance, a Revolving Equipment Fund to provide for the replacement, maintenance, repair, and operating costs of City-owned equipment. For the purpose of this section, operating costs shall not include wages or salaries of equipment operators. To place this Fund in operation, an initial deposit estimated to be equal to the accrued depreciation on equipment in service on the effective date of this Charter is provided in Section 21-D of this Charter.

The costs of replacing, maintaining, repairing and operating City equipment and the administrative costs involved in the operation of this Fund shall be paid from the Revolving Fund which in turn will be reimbursed by means of rental charges from City departments using such equipment. These rental charges shall be transferred to the Revolving Fund from departmental appropriations which shall be provided for that purpose by Council in the annual appropriation ordinance. It shall be the duty of the Director of Finance to establish a schedule of rental rates sufficient to ensure the successful operation of this Fund. Such equipment operating data shall be furnished by department heads as may be required by the Director of Finance to assist in establishing rental rates.

Equipment replacements only may be purchased from this Fund. The purchase of additional equipment must be made from other funds out of direct appropriations for that purpose.

Equipment, for the purpose of this section, shall mean physical property of a more or less permanent nature ordinarily used in carrying on operations, other than buildings, land or improvements to either, or furniture and furnishings of buildings.

SECTION 41. DEPARTMENT OF PUBLIC SAFETY.

The Department of Public Safety shall be in the charge of the Safety Director. There shall be in the Department of Public Safety a Police Division and a Fire Division. There shall be in the Department of Public Safety a Division of Building, Engineering and Inspection.

- 41-A Annual rate of pay to be paid members of the police division. The annual rate of compensation for the members of the police division, Department of Public Safety, shall be no less than the average that is paid to members of police divisions in the suburban cities with a population of twenty-five thousand (25,000) or more whose boundary lines are contiguous to the City of Cleveland.

On or about the first day of April of each year, the Council shall cause a survey to be made as to the rate of compensation paid to members of the police divisions of suburban cities whose population is twenty-five thousand (25,000) or more, whose boundary lines are contiguous to the City of Cleveland, based upon the latest federal decennial census. Not later than the first day of June of each year, Council shall enact legislation providing for the payment of a rate of compensation for the members of the police division not less than the average compensation paid to the aforementioned suburban cities, which such rate of compensation shall become effective on and shall be paid from the first day of June of that year.

The expression "rate of compensation" or pay, as used in this section, shall apply only to a basic amount of wages and does not include such benefits as might be set up by any city by way of holidays, vacations, other permitted absences, overtime, longevity, night or split shifts, pay for specialized service within a classification or rank, or other premium pay differentials or any type whatsoever. The foregoing enumeration is not exclusive; it is the intent of this section that nothing other than a basic amount of wages, with included range scales, be included within the meaning of "rate of compensation" or pay.

Upon passage of this Charter Amendment, a special survey shall be made in accordance with the hereinbefore stated provisions, and the new rate shall be paid beginning January 1, 1973.

For the purpose of this section, the pay ranges of 1971 shall be considered as a base. Such additional funds as shall be required by the operation of this Section in addition to the 1971 base, shall be generated by an increase in the limitation on the rate of taxation as provided in Section 21 of this Charter.

Council is hereby authorized to increase the limitation on the rate of taxation by such millage as shall be needed to realize the funds required.
(Amended 11-3-92.)

- 41-B Annual rate of pay to be paid members of the fire division. The annual rate of compensation for members of the fire division, Department of Public Safety, shall be no less than the average that is paid to members of the fire divisions in the suburban cities with a population of twenty-five thousand (25,000) or more whose boundary lines are contiguous to the City of Cleveland.

On or about the first day of April of each year, the Council shall cause a survey to be made as to the rate of compensation paid to members of the fire divisions of suburban cities whose population is twenty-five thousand (25,000) or more, whose boundary lines are contiguous to the City of Cleveland, based upon the latest Federal decennial census. Not later than the first day of June of each year, Council shall enact legislation providing for the payment of a rate of compensation for the members of the fire department not less than the average compensation paid to the aforementioned suburban cities, which such rate of compensation shall become effective on and shall be paid from the first day of June of that year.

The expression "rate of compensation" or pay, as used in this section, shall apply only to a basic amount of wages and does not include such benefits as might be set up by any city by way of holidays, vacations, other permitted absences, overtime, longevity, night or split shifts, pay for specialized service within a classification or rank, or other premium pay differentials or any type whatsoever. The foregoing enumeration is not exclusive; it is the intent of this section that nothing other than a basic amount of wages, with included range scales, be included within the meaning of "rate of compensation" or pay.

Upon passage of this Charter Amendment, a special survey shall be made in accordance with the hereinbefore stated provisions, and the new rate shall be paid beginning January 1, 1973.

For purposes of this section, the pay ranges of 1971 shall be considered as a base. Such additional funds as shall be required by the operation of this section in addition to the 1971 base, shall be generated by an increase in the limitation on the rate of taxation as provided in Section 21 of this Charter.

Council is hereby authorized to increase the limitation on the rate of taxation by such millage as shall be needed to realize the funds required.
(Amended 11-3-92.)

SECTION 42. THE DEPARTMENT OF PUBLIC SERVICE AND PROPERTIES.

The Department of Public Service and Properties shall be in charge of the Service Director.

SECTION 43. DEPARTMENT OF PUBLIC RELIEF AND WELFARE.

The Department of Public Relief and Welfare shall be administered by the Director of Public Relief and Welfare in accordance with the general laws of Ohio and ordinances not in conflict with such general laws.

BOARDS AND COMMISSIONS**SECTION 44. BOARD OF CONTROL.**

There shall be a Board of Control consisting of the Mayor, Director of Law, Director of Finance, Director of Public Service, the President of Council, and three (3) members of Council to be selected by the President of Council.

Any question brought before the Board of Control resulting in a tie vote shall be brought before the Council as a whole for a final determination.

All Board of Control Meetings shall be held prior to any regular meeting of City Council. In the case of an emergency, a Board of Control Meeting may be held prior to a properly called Special Meeting of Council.
(Amended 11-3-92.)

SECTION 45. CITY PLANNING COMMISSION.

The City Planning Commission shall consist of the Mayor, one (1) member of Council to be selected by the Council, and three (3) electors of the City not holding other municipal office. The present members of the City Planning Commission, other than the Mayor and Councilman, shall continue to serve until the expiration of their respective terms, and their successors shall each be appointed by the Mayor for a term of six (6) years. A vacancy occurring during the term of any member of the City Planning Commission shall be filled for the unexpired term in the manner authorized for an original appointment.

The City Planning Commission shall have such powers as may be conferred on it by ordinance of the Council concerning the plan, design, location, removal, relocation and alteration of any public buildings or structures or those located on public streets or property; the location, relocation, widening, extension and vacation of streets, parkways, playgrounds and other public places; the approval of plats for the subdivision of land; the zoning and rezoning of the City for any lawful purpose; and such other powers as are now or may hereafter be conferred upon it by ordinance of the Council or the general law of Ohio.

SECTION 46. BOARD OF ZONING APPEALS.

There shall be a Board of Zoning Appeals composed of five (5) members appointed by the Mayor. The members of the Board shall be appointed for a term of five (5) years each. Vacancies on the Board shall be filled for the unexpired term in the manner authorized for an original appointment. The Chairman of the Board shall be elected by the members thereof for a term not exceeding two (2) years.

Jurisdiction of Board of Zoning Appeals. It shall be the duty of the Board of Zoning Appeals to hear and decide appeals for exceptions to and variations in the application of ordinances governing zoning in the City of Garfield Heights in conformity with the purpose and intent thereof, and to hear and decide all appeals made for exceptions to and variations in the application of ordinances or from orders or regulations of Administrative Officials charged with the enforcement of zoning laws in accordance with the provisions of

applicable ordinances. Rulings and decisions of the Board of Zoning Appeals pertaining to variances in and exceptions to the Use District as designated by the zoning ordinances as established by Council shall be final two weeks after the date of decision unless such decision is reviewed by Council upon its own initiative and is superseded by vote of five (5) members of Council; and Council is hereby empowered to take such action. (Amended 11-3-70.)

SECTION 47. RECREATION BOARD.

There shall be a Recreation Board consisting of five (5) members. Council shall appoint two members for a term of two years, one of whom shall be a Councilman and the other a member of the Garfield Heights Board of Education. The remaining members shall be electors of the City, appointed by the Mayor, whose terms shall be for six years except that the Mayor's first appointment shall be for six, four and two years respectively.

The Recreation Board shall elect one of its own members as Chairman to serve a term of two years. The Recreation Board shall have all powers granted by ordinance of Council.

SECTION 48. CIVIL SERVICE COMMISSION.

The Civil Service Commission shall consist of three electors of the City not holding other municipal office to be appointed by the Mayor to serve for terms of six years. At the time of any appointment not more than two members of the Commission shall be members of the same political party. A vacancy occurring during the term of any member of the Commission shall be filled for the unexpired term in the manner authorized for an original appointment.

The civil service of the City is hereby divided into the unclassified and classified service.

1. The unclassified service shall include:
 - a. All officers elected by the people.
 - b. All directors of departments.
 - c. The Clerk of Council.
 - d. The members of all boards and commissions appointed by the Mayor or Council.
 - e. Any temporary or part-time office or position.
 - f. Any position requiring qualifications of an expert.
 - g. Any person working as secretary to the Mayor or a Director.
2. The classified service shall comprise all positions not specifically included in the unclassified service.

The Civil Service Commission shall make rules for the appointment, promotion, transfer, lay-off, reinstatement, suspension and removal of persons in the classified service. Before any such rules or amendments thereof shall become effective, they shall be published in writing and an opportunity given for a public hearing thereon to be held after reasonable notice thereof has been given by the Commission.

The Commission shall provide rules for the procedure of the Commission, for standardization and classification of positions, for competitive and noncompetitive tests, for qualifications in meeting reasonable requirements as to age, sex, physical condition and moral character, for investigating and keeping a record of the efficiency of the personnel in the classified service and for requiring reports relative thereto from appointing authority, for such other rules as may be necessary and proper for the enforcement of the merit system and for appeals from the action of appointing authority in the case of transfer, reduction or removal. The action of the Commission on any such appeal shall be final.

The Commission shall report its proceedings to the Mayor or Council upon request, and shall make a report to the Mayor at the beginning of each fiscal year.

All persons who have been continuously employed in the service of the Municipality in the same or similar position, herein included in the classified service for at least thirty days preceding the adoption of this Charter shall retain their positions until discharged, reduced, promoted, or transferred in accordance with the provisions of this Charter.

SECTION 49. REMOVAL OF MEMBERS OF BOARDS AND COMMISSIONS.

A member of any Board or Commission may be removed by the Mayor for neglect of duty, incapacity, incompetency, or malfeasance in office, but only after opportunity has been given for a public hearing before the Mayor, to be held at least ten (10) days after written charges have been made and notice thereof has been given to the accused member. Such member shall be heard in person or by counsel; and such removal shall be final.

SECTION 50. CONTRACTS AND FISCAL MATTERS.

The general laws of Ohio relating to budgets, appropriations, deposits, expenditures, debts, bonds, contracts, and other fiscal matters of municipalities shall be applicable to this City except as modified by or necessarily inconsistent with the provisions of this Charter.

SECTION 51. FRANCHISES.

The Council may by ordinance grant permission to any person, firm or corporation to construct and operate a public utility on, across, under or above any public street or ground within this City. It may prescribe in the ordinance the kind and quality of service or product to be furnished, the 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 a period of time not exceeding twenty-five years as the Council may determine, and shall not be exclusive.

No consent of the owner of property abutting on any public street or ground shall be necessary to the effectiveness of any such 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 the Council to provide reasonable regulations for the operation of such utilities with reference 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 the Council, be necessary in the public interest.

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

SECTION 52. AMENDMENTS.

The Council may, by a two-thirds (2/3) vote of its members, submit to the electors of the City of Garfield Heights at any general election amendments to this Charter, or upon petition signed by ten per cent (10%) of the registered electors of this City setting forth any proposed amendment and submitted to Council at least ninety (90) days prior to the general election such proposed amendment shall be so submitted by the Council. The submission of any proposed amendment to the electors shall be governed by the requirements of the Constitution of Ohio, and, to such extent as said Constitution shall fail to provide therefor, the Council shall determine the manner for such submission.

SECTION 53. EFFECTIVE DATE OF CHARTER.

The provisions of this Charter shall become effective January 1, 1957 except that the present elected officials and appointed directors and commission members shall complete their present terms.

SECTION 54. SAVINGS CLAUSE.

The determination that any section, sub-section or paragraph of this Charter is invalid shall not invalidate nor impair the force or effect of any part hereof, except to the extent that such other part is dependent for its operation upon the provision declared invalid.

SECTION 55. EFFECT OF CHARTER UPON EXISTING LAWS AND RIGHTS.

The taking effect of this Charter shall not affect any pre-existing rights of this Municipality, nor any right to liability or pending suit of prosecution either on behalf of or against the Municipality, nor any contract entered into by the Municipality or for its benefit, nor any franchise granted by the Municipality, nor 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 this Municipality shall continue effect until lawfully amended or repealed.

SECTION 56. INTERPRETATION OF THE CHARTER.

The Article and Section headings herein have been inserted for convenience and reference and are not intended to define or limit the scope of, or otherwise affect, any provision of this Charter.

SECTION 57. CHARTER REVIEW COMMITTEE.

The Charter of the City of Garfield Heights shall be reviewed at least once each four (4) years by an appointed citizens' committee. Such citizens' committee shall be composed of nine (9) electors of this City who shall be selected in the following manner:

- (a) Each councilman shall select one member.
 - (b) The President of Council shall select one member.
 - (c) The Mayor shall select one member.
- (Amended 11-6-90.)

SECTION 58. USE OF LAND.

Notwithstanding anything in the Charter or laws of this City to the contrary, any change to the existing land uses, or any legislation changing the existing Zoning Map, shall not be approved or passed by the declaration of an emergency and shall not become finally effective without approval of the electors of Garfield Heights.

Approval shall require a majority favorable vote of all votes cast by qualified electors at any regular Municipal election.

When submitted for approval, no ordinance, resolution, bylaw, measure, regulation, restriction, amendment, provision, law, legislation or other proposed change of the use of land shall contain more than one subject clearly expressed in the title.

Upon failure to receive approval, the proposed change shall not be presented again for one year.

The schedule that a proposed zoning change must meet is as follows:

March General Election

September 30	Last day an individual requesting a zoning change may address a letter to the Mayor requesting a change in zoning. Prior to this date, the letter must be addressed to the President of Council fourteen (14) days before the next regularly scheduled Planning Commission meeting.
October 14-21	Last Planning Commission meeting which may recommend the proposed zoning change to Council and to the Ways and Means Committee (meets the third Wednesday of October).
October 31	Last day for zoning legislation to be introduced at a Council meeting. The proposed legislation must be immediately referred to the Ways and Means Committee for a minimum of fifteen (15) days. A public hearing must be held fifteen (15) days after the Council meeting at which zoning legislation is introduced.
November 1	Last day for notice of a public hearing to be given.
November 15	Public hearing must be held by this date.
November 30	Legislation must be passed in Council by this date.
December 3	The ordinance must be advertised in a newspaper of general circulation in the City of Garfield Heights three (3) consecutive weeks by this date.

- December 18 The Board of Elections must be notified of the ordinance. The ordinance and ballot language must be submitted to the Board of Elections by this date.
- January 2 One (1) copy of the proposed ordinance must be posted in each of five (5) public places by this date.
- March 2-8 Election takes place between March 2nd and March 8th.

November General Election

- May 15 Last day an individual requesting a zoning change may address a letter to the Mayor requesting a change in zoning. Prior to this date, the letter must be addressed to the President of Council fourteen (14) days before the next regularly scheduled Planning Commission meeting.
- June 1-7 Last Planning Commission meeting which may recommend the proposed zoning change to Council and to the Ways and Means Committee (meets the first Wednesday of June).
- June 15 Last day for zoning legislation to be introduced at a Council meeting. The proposed legislation must be immediately referred to the Ways and Means Committee for a minimum of fifteen (15) days. A public hearing must be held fifteen (15) days after the Council meeting at which zoning legislation is introduced.
- June 16 Last day for notice of a public hearing to be given.
- July 2 Public hearing must be held by this date.
- August 3 Legislation must be passed in Council by this date.
- August 4 The ordinance must be advertised in a newspaper of general circulation in the City of Garfield Heights three (3) consecutive weeks by this date.
- August 19 The Board of Elections must be notified of the ordinance. The ordinance and ballot language must be submitted to the Board of Elections by this date.
- September 3 One (1) copy of the proposed ordinance must be posted in each of five (5) public places by this date.

November 2-8 Election takes place between November 2nd and November 8th.

(Amended 11-2-04.)