

ORDINANCE NO. 22-88  
INTRODUCED BY: Mr. Kelly

**AN ORDINANCE**  
**TO PROVIDE FOR AN ELECTION ON THE ADOPTION OF AN  
AMENDMENT TO ARTICLE VI SECTION 6.4 OF THE CHARTER OF  
THE CITY OF BAY VILLAGE PERTAINING TO THE CIVIL SERVICE  
COMMISSION DUTIES, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Section 13.6 of the Charter of the City of Bay Village requires that the Charter Review Commission meet every ten years to review the Charter; and

**WHEREAS**, the 2022 Charter Review Commission for the City of Bay Village has proposed amendments to the Charter to be presented to the electors pursuant to Section 13.6;

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Bay Village, Ohio:

**SECTION 1.** That the current Section 6.4 of the Charter of the City of Bay Village states:

**SECTION 6.4 DUTIES**

The Commission shall provide by rule for ascertainment of merit and fitness as the basis for appointment and promotions in the classified service of the Municipality, as required by the Constitution of the State of Ohio and for appeals from the action of the Mayor in any case of transfer, reduction or removal, and the action of the Commission on any such appeal shall be final. The Commission shall keep a record of its proceedings and examinations, which shall be open to public inspection and shall, in all matters not in conflict with this Charter, conduct its affairs in accordance with the provisions of the general law.

**SECTION 2.** That the question of the adoption of the following proposed Charter Amendment be submitted to a vote of the qualified electors of the City of Bay Village at the general election to be held on the 8<sup>th</sup> day of November, 2022 as prescribed by general law, where a majority affirmative vote is required for passing and the proposed new language is provided herein in italics:

**SECTION 6.4 DUTIES.**

The Commission shall provide by *rules of Civil Service Commission* for ascertainment of merit and fitness in the classified service of the *City, as required by the Constitution of the State of Ohio; for the basis and method for determination of eligibility, certification, appointment and promotion of candidates for the positions in the classified service; for the conduct of the affairs of the commission;* and for appeals from the action of the Mayor in any case of transfer, reduction or removal, and the action of the Commission on any such appeal shall be final. The Commission shall keep a record of its proceedings and examinations, which shall be open to public inspection. *The Commission shall have the authority to adopt rules and regulations in accordance with home rule which may differ from State law, to govern its proceedings and fulfill*

*its duties hereunder, and in such event of a conflict with State law, rules adopted by the Commission shall supersede provisions of State law and be determinative and govern the Commission's proceedings.*

**SECTION 3.** That the ballot for said election shall, at the top thereof, be entitled, “Proposed Amendment to City Charter Ballot.” Thereunder shall be printed, “A Majority Vote is Necessary for Adoption.” The question to be submitted on the ballot shall be substantially in the following words: “Shall the proposed amendment to Article VI Section 6.4 of the Charter of the City of Bay Village REGARDING CIVIL SERVICE COMMISSION DUTIES be adopted?”

**SECTION 4.** That notice of the time and place of holding such election shall be given as required by law.

**SECTION 5.** That the Clerk is hereby directed to either publish the full text of the proposed Charter amendment in a newspaper of general circulation within the municipal corporation once a week for two consecutive weeks at least fifteen days prior to the election, or mail a copy of the proposed Charter amendment to each elector whose name appears upon the registration books of the last regular election held in said City, at least 30 days before the date of such election.

**SECTION 6.** That the City pay the cost of printing and mailing copies of said proposed Charter Amendment or publishing said notice.

**SECTION 7.** That the Clerk is hereby directed to certify a copy of this ordinance to the Board of Elections of Cuyahoga County.

**SECTION 8.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

**SECTION 9.** That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, and for the further reason that it is immediately necessary to place said proposed amendment on the ballot in a timely fashion so the electors may decide the question proposed, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED: August 22, 2022

  
PRESIDENT OF COUNCIL

  
CLERK OF COUNCIL

APPROVED: August 22, 2022

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MAYOR

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