

**CHARTER
FOR
VILLAGE OF WOODLAWN, OHIO**

TABLE OF CONTENTS

	<u>PAGE</u>
Preamble	2
<u>Article I</u>	
Name, Boundaries and Powers	2
<u>Section 1.01</u> <i>Name and Boundaries</i>	2
<u>Section 1.02</u> <i>Powers</i>	2
<u>Article II</u>	
Legislative Authority	2
<u>Section 2.01</u> <i>Number, Selection, Term</i>	2
<u>Section 2.02</u> <i>Vice Mayor</i>	3
<u>Section 2.03</u> <i>Vacancy When Vice Mayor Becomes Mayor</i>	3
<u>Section 2.04</u> <i>Qualifications</i>	3
<u>Section 2.05</u> <i>Compensation of Council</i>	3
<u>Section 2.06</u> <i>Procedures for Legislation</i>	3
<u>Section 2.07</u> <i>Subject and Amendment of Bylaws, Ordinances, and Resolutions</i>	4
<u>Section 2.08</u> <i>Authentication and Recording</i>	5
<u>Section 2.09</u> <i>Publication and Certification of Ordinances in Book Form</i>	5
<u>Section 2.10</u> <i>Adoption of Technical Ordinances and Codes by Incorporation by Reference</i>	5
<u>Section 2.11</u> <i>Certificate of Clerk as to Publication</i>	6
<u>Section 2.12</u> <i>Effect of Not Making Publication</i>	6
<u>Section 2.13</u> <i>Vacancy in Office of Council</i>	6
<u>Section 2.14</u> <i>Judge of Election and Qualification of Members; Quorum and Special Meetings</i>	6
<u>Section 2.15</u> <i>Rules; Journal; Expulsion of Members</i>	6
<u>Section 2.16</u> <i>Meetings of Council</i>	6
<u>Section 2.17</u> <i>General Powers</i>	7
<u>Section 2.18</u> <i>Ethics</i>	7
<u>Section 2.19</u> <i>Property</i>	7
<u>Article III</u>	
Mayor	7
<u>Section 3.01</u> <i>Mayoral Power</i>	7

<u>Section 3.02</u>	<i>Mayor of Village; Election; Term; Qualifications; Power; Duties</i>	7
<u>Section 3.03</u>	<i>Vacancy in Office of Mayor</i>	8
<u>Section 3.04</u>	<i>General Duties of the Mayor</i>	8
<u>Section 3.05</u>	<i>Filling of Vacancies in Offices</i>	8
<u>Section 3.06</u>	<i>Communications to the Council of Finances and General Conditions</i>	8
<u>Section 3.07</u>	<i>Protests Against Excessive Expenditures</i>	8
<u>Section 3.08</u>	<i>Supervision of Conduct of Officers</i>	8
<u>Section 3.09</u>	<i>Annual Report to Council</i>	9

Article IV

Municipal Manager	9
--------------------------------	---

<u>Section 4.01</u>	<i>Municipal Manager</i>	9
<u>Section 4.02</u>	<i>Powers and Duties of Municipal Manager</i>	9
<u>Section 4.03</u>	<i>Contracts by Municipal Manager; Central Purchasing</i>	9

Administrative Officials and Departments	10
---	----

<u>Section 4.04</u>	<i>Conflict of Interest</i>	10
<u>Section 4.05</u>	<i>Law Director</i>	10
<u>Section 4.06</u>	<i>Appointment of Finance Director</i>	10
<u>Section 4.07</u>	<i>Powers and Duties of Finance Director</i>	10
<u>Section 4.08</u>	<i>Accounts of Finance Director</i>	11
<u>Section 4.09</u>	<i>Quarterly Account; Annual Report</i>	11
<u>Section 4.10</u>	<i>Receipt and Disbursement of Funds</i>	11
<u>Section 4.11</u>	<i>Duty of Delivering Money and Property</i>	11
<u>Section 4.12</u>	<i>Clerk of Council</i>	11
<u>Section 4.13</u>	<i>Police Protection</i>	12
<u>Section 4.14</u>	<i>Fire Department</i>	12
<u>Section 4.15</u>	<i>Public Works Director</i>	13
<u>Section 4.16</u>	<i>Recreation Director</i>	13
<u>Section 4.17</u>	<i>Building Commissioner/Inspector</i>	14
<u>Section 4.18</u>	<i>Engineer</i>	14

Article V

Boards and Commissions	14
-------------------------------------	----

<u>Section 5.01</u>	<i>Effect of Charter Action on Pre-existing Boards and Commissions</i>	14
<u>Section 5.02</u>	<i>Planning Commission</i>	14
<u>Section 5.03</u>	<i>Board of Zoning Appeals</i>	14
<u>Section 5.04</u>	<i>Recreation Commission</i>	15
<u>Section 5.05</u>	<i>Charter Review Commission</i>	15
<u>Section 5.06</u>	<i>General Provisions</i>	16
<u>Section 5.07</u>	<i>Vacancy in Boards or Commissions</i>	16

Article VI

Taxation and Borrowing	16
-------------------------------------	----

<u>Section 6.01</u>	<i>Power to Incur Indebtedness</i>	16
----------------------------	--	----

<u>Section 6.02</u>	<i>Issuance of Bonds</i>	16
<u>Section 6.03</u>	<i>Procedure in Bond Issue</i>	17
<u>Section 6.04</u>	<i>Short-Term Borrowing</i>	17
<u>Section 6.05</u>	<i>Municipal Earnings Tax Limitation</i>	17

Article VII

Initiative, Referendum, Recall	17
<u>Section 7.01</u> <i>Initiative, Referendum, Recall</i>	17

Article VIII

General Provisions	18
<u>Section 8.01</u> <i>Separability</i>	18
<u>Section 8.02</u> <i>City Status</i>	18
<u>Section 8.03</u> <i>Transitional Procedure</i>	18

CHARTER OF THE VILLAGE OF WOODLAWN, OHIO

Preamble

We the people of the Village of Woodlawn, Ohio, in order to secure home rule, provide efficient and fair methods of administering affairs of the community, ensure the continuation of our present form of government, and provide the best possible protection for the health, safety, and welfare of the community, do hereby adopt this Charter.

Article I

Name, Boundaries and Powers

Section 1.01 *Name and Boundaries*

The people of the Village of Woodlawn, Ohio, within the corporate limits as established at the time of the adoption of this Charter, or as thereafter established in the manner provided by law, shall be and continue to be a municipal corporation of the name of “the Village of Woodlawn.” The corporation will thereafter be referred to as “the Village.”

Section 1.02 *Powers*

The Village shall have all the powers of local self-government and the benefits of municipal home rule that may now or thereafter be lawfully possessed or exercised by municipal corporations under the Constitution or laws of the State of Ohio. All such powers shall be exercised in the manner prescribed in this Charter, or, to the extent that the manner is not prescribed herein, in such a manner as shall be provided by ordinance or resolution of the Council. Any such ordinance or resolution shall supersede and override State statutes. In the absence of such provisions as to any power, such power shall be exercised in the manner now or hereafter prescribed by the general laws of the state applicable to municipalities.

Article II

Legislative Authority

Section 2.01 *Number, Selection, Term*

The legislative power of the Village shall be vested in the Council, which shall be a continuing body consisting of six Members at-large.

Members of Council shall serve four (4) year, at-large, staggered terms, where three (3) members shall be elected biennially beginning with the Council election to be held in November of 2017.

The term of office of each Member of Council shall begin on the first day of January next following such person’s election. Council members shall serve such elected terms of four years or until the respective

successors are chosen and qualified. Any vacancy on Council, whether by resignation or disqualification, shall be filled under the provisions of Section 2.13 of this Charter.

Section 2.02 Vice Mayor

At Council's Organizational Meeting, which shall be held on January 1st or as soon as practicable thereafter each year, the Council shall proceed to elect a Vice Mayor from its own number. The Vice Mayor shall serve until the Organizational Meeting is held the next January.

When the Mayor is absent from the Village or is unable, for any cause, to perform his/her duties, the Vice Mayor shall be the Acting-Mayor, and shall have the same powers and perform the same duties as the Mayor.

Section 2.03 Vacancy When Vice Mayor Becomes Mayor

When the Vice Mayor of the Council becomes the Mayor, the vacancy thus created shall be filled as provided in the Charter, and the Council shall elect another Vice Mayor from its own number, who shall have the same rights, powers and duties as his/her predecessor.

Section 2.04 Qualifications

Each Member of the Council shall have resided in the Village one year preceding his/her election and be an elector of the Village and shall continue to be an elector of the Village throughout the term of office. No Member of the Council shall hold any other public office, have a vested interest in any contract with the Village, or hold employment with the Village, except that such a Member may be a notary public, a member of the state militia, or a volunteer firefighter of the Village, provided that such Member shall not receive any compensation for his/her services as a volunteer firefighter in addition to his/her regular compensation as a Member of the Council. Any Member who ceases to possess any such qualifications or who moves from the Village shall forfeit his/her office.

Section 2.05 Compensation of Council

Ordinances presently enforcing and establishing salaries shall remain in effect for the Council. The compensation of a Council Member shall not be changed during the term for which such Council Member is elected or appointed. Council salaries shall be established by a majority of Council, to be effective at the beginning of the term of office of the next newly elected Council Members, and Council Members whose terms shall continue beyond the beginning of such new terms shall be entitled to vote on such compensation issues.

Section 2.06 Procedures for Legislation

1. Generally. The following procedures shall apply to the passage of ordinances and resolutions of the Village:
 - (i) In order to vote, any Member must be present. A Member shall be considered present if he or she attends in person or, in the event a meeting is held by electronic, teleconference, web, or video means as provided in this Charter, if the Member attends through such means. Each ordinance and resolution shall be read by title only, provided the Council may require any reading to be in full by a majority vote of its Members.
 - (ii) The vote on the passage of each ordinance or resolution shall be taken by yeas and nays and entered upon the journal.
 - (iii) Each ordinance or resolution shall be passed, except as otherwise provided by law, by vote of at least a majority of all the Members of Council.
2. Ordinances.
 - (i) Each ordinance shall be read on three different days, provided the Council may dispense with this rule by a vote of at least three-fourths of its Members.
 - (ii) Unless the ordinance specifies a later date, the effective date of any ordinance shall be thirty (30) days after its adoption, except as otherwise provided in this Charter or by the Constitution of the State of Ohio. Ordinances providing for appropriations for the current expenses of the Village, or for street improvements petitioned for by the owners of the majority of the front frontage of the property benefitted to be assessed for the improvement shall go into effect immediately.
 - (iii) Emergency ordinances may be passed by the affirmative votes of two-thirds of Council for enactment, and shall become effective upon adoption, or the time indicated therein. If any emergency ordinance or resolution shall fail to receive the required majority affirmative votes, but receives the necessary majority for passage as non-emergency legislation, it shall become effective as non-emergency legislation. The Council, before enacting an emergency ordinance or resolution, shall determine the ordinance or resolution is necessary for the immediate preservation for the public peace, health, safety, or welfare of the citizens of the Village, and the ordinance or resolution shall contain a statement of the necessity of declaring the emergency.
3. Resolutions.
 - (i) Each resolution shall be read one time.
 - (ii) Each resolution shall become effective upon its adoption.
4. Motions. Action by Council, not required by law to be by ordinance or resolution, may be taken by motion approved by at least a majority vote of the Members present at the meeting when the action is taken.

Section 2.07 Subject and Amendment of Bylaws, Ordinances, and Resolutions

No ordinance, resolution, or bylaw shall contain more than one subject, which shall be clearly expressed in its title. No bylaw or ordinance, or section thereof, shall be revised or amended, unless the new bylaw or ordinance contains the entire bylaw, ordinance, or section revised or amended, and the bylaw, ordinance, or section so amended shall be repealed. For the purposes of this section, it is sufficient to attach a copy of the amended item to the bylaw, ordinance, or resolution. Each such bylaw, resolution, and ordinance shall be adopted or passed by a separate vote of the Council of the Village, and the yeas and nays shall be entered into the minutes.

Section 2.08 *Authentication and Recording*

Ordinances, resolutions, and bylaws shall be authenticated by the signature of the presiding officer and clerk of the Council of the Village.

Section 2.09 *Publication and Certification of Ordinances in Book Form*

Ordinances and Resolutions shall be published to inform the public of their passage and effect. Council shall pass legislation prescribing the method of publication of ordinances and resolutions in the Village. In the absence of any such legislation, ordinances and resolutions shall be published as required by state law.

When ordinances are revised, codified, rearranged, published in book form, and certified as correct by the Clerk of the Council and the Mayor, such publication shall be a sufficient publication, and the ordinances so published, under appropriate titles, chapters and sections, shall be held the same in law as though they had been published as required by Council's adopted method of timely publication. If such revision or codification is made by the Village and contains new matter, it shall be a sufficient publication of such codification, including the new matter, to publish, in the manner required by such Sections, a notice of the enactment of such codifying ordinance, containing the title of the ordinance and a summary of the new matters covered by it. Such revision or codification may be made under appropriate titles, chapters, and sections, and in one ordinance containing one or more subjects.

Section 2.10 *Adoption of Technical Ordinances and Codes by Incorporation by Reference*

The Council of the Village may adopt standard ordinances and codes, prepared and promulgated by the State, or any department, board, or other agency thereof, or any code prepared and promulgated by a public or private organization which publishes a model or standard code, including but not limited to codes and regulations pertaining to fire, fire hazards, fire prevention, plumbing code, electrical code, building code, property maintenance, refrigeration machinery code, piping code, boiler code, heating code, or air conditioning code by incorporation by reference, the publication required by Section 2.09, inclusive, of the Charter, shall clearly identify such code, shall state the purpose of the code, shall state that a complete copy of such code is on file with the Clerk of Council for inspection by the public, and also on file in the Law Library of the County in which the Village is located and that said Clerk has copies available for distribution to the public at cost. If the Village amends or deletes any provisions of such code, the publication shall contain a brief summary of such deletion or amendment.

If the agency which originally promulgated or published the code thereafter amends that code, the Village may adopt such amendment or change by incorporation, by reference and in amending ordinance by the same procedure as required for the adoption of the original code without the necessity of setting forth in full in the amending ordinance the provisions of the original ordinance or code.

Ordinances or codes adopted by the Village under the provisions of this Section shall be deemed to be in full and complete compliance with Section 2.09 of the Charter and no other publication is necessary.

Section 2.11 Certificate of Clerk as to Publication

Immediately after the expiration of the period of publication for ordinances or summaries of ordinances required by Section 2.09 of the Charter, the Clerk of the Council shall enter on the record of ordinances, in a section to be left for such purpose under the recorded ordinance, a certificate attesting to the completed publication and on what dates such publication was made and shall sign his/her name thereto officially. Such a certificate shall be *prima-facie* evidence that legal publication of the ordinance or summary of the ordinance was made.

Section 2.12 Effect of Not Making Publication

It is a sufficient defense to any suit or prosecution under an ordinance, to show that no publication or posting was made as required by Charter.

Section 2.13 Vacancy in Office of Council

When the office of a Member of the Council becomes vacant, the vacancy shall be filled by election by the Council for the unexpired term. If the Council fails within 30 days to fill such vacancy, the Mayor shall fill it by appointment.

Section 2.14 Judge of Election and Qualification of Members; Quorum and Special Meetings

The Council shall be the judge of the election and qualification of its Members. A majority of all the Members elected shall be a quorum, but a less number may adjourn from day to day and compel attendance of absent Members in such a manner and under such penalties as are prescribed by ordinance. The Council shall provide rules for the manner of calling special meetings.

Section 2.15 Rules; Journal; Expulsion of Members

The Council shall determine its own rules and keep a journal of its proceedings and may punish or expel any Member for conduct unbecoming of an elected official or violation of its rules and declare his/her seat vacant for absence without valid excuse where such absence has continued for two months. No expulsion shall take place without the concurrence of two-thirds of all the Members elected and until the delinquent Member has been notified of the charge against him/her and has had an opportunity to be heard.

Section 2.16 Meetings of Council

The Council shall not be required to hold more than one regular meeting in each week. The meetings may be held at such time and place as is prescribed by ordinance, and may be conducted by electronic, teleconference, web, or video means during a declared emergency, or as otherwise permitted by the Charter or under Ohio law. Council meetings shall at all times be open to the public, with the exception that Council may go into executive session for any reason permissible under Ohio law or as may be prescribed by ordinance. The Mayor or any three members of the Council may call special meetings upon at least 12 hours' notice to each member served personally, left at his/her usual place of residence, or other reasonable method that may be prescribed by ordinance or Council rule.

Section 2.17 *General Powers*

The Council shall have the management and control of the finances and property of the Village, except as otherwise provided.

Section 2.18 *Ethics*

Members of Council are expected at all times to adhere to the requirements of Ohio Ethics Laws, as they may be amended from time to time.

Section 2.19 *Property*

Council shall have the power, by ordinance, to control the development or use of land within the corporate limits of the municipality and to regulate construction thereon. Council shall not have the power to vacate public use of parks or other green areas municipally owned without the approval of a majority of the Electorate at a public vote. Council may acquire land for purposes of redevelopment and may dispose of such land at fair market value on the terms and conditions it deems in the best interest of the Municipality. Any real property having a value of less than \$25,000.00 as determined by a licensed appraiser who is not a resident of the Municipality may be disposed of by Council as it determines is in the best interest of the Municipality.

Article III

Mayor

Section 3.01 *Mayoral Power*

The Mayor shall be recognized as the official and ceremonial head of the Municipality and by the Governor for military purposes.

The Executive Power of the Village shall be vested in the Municipal Manager, Finance Director, Mayor and such other officers as may be determined by Council ordinance.

Section 3.02 *Mayor of Village; Election; Term; Qualifications; Power; Duties*

The Mayor of the Village shall be elected for a term of four years, commencing on the first day of January next after his/her election. He/She shall have resided in the Village for at least one-year preceding said election and be an elector of the Village and shall remain an elector throughout the term of office. Such Mayor shall be the chief conservator of the peace therein and shall have the powers and duties provided by law. He/She shall be the President of the Council and shall preside at all regular and special meetings thereof, but shall have no vote except in case of a tie.

Section 3.03 *Vacancy in Office of Mayor*

When the Mayor is absent from the Village or is unable for any cause to perform his/her duties, the Vice Mayor shall be Acting-Mayor. In case of the death, resignation or removal of the Mayor, the Vice Mayor shall become the Mayor and shall hold the office for the remainder of the unexpired term.

Section 3.04 *General Duties of the Mayor*

The Mayor shall perform all the duties prescribed by the bylaws and ordinances of the Village. He/She shall see that all ordinances, bylaws and resolutions of the Council are faithfully obeyed and enforced. The Mayor shall sign all commissions, licenses and permits granted by the Council or authorized by the Charter, and such other instruments as by law or ordinance is required by certificate.

Section 3.05 *Filling of Vacancies in Offices*

1. Unless otherwise provided by law, vacancies arising in appointive and elective offices of the Village shall be filled by appointment by the Mayor for the remainder of the unexpired term, provided that:
 - (i) Vacancies in the Office of Mayor shall be filled in the manner provided by Section 3.03 of the Charter;
 - (ii) Vacancies in a member of the Council shall be filled in the manner provided by Section 2.13 of the Charter.
 - (iii) Vacancies in the office of Vice Mayor of the Council shall be filled in the manner provided by Section 2.03 of the Charter.
 - (iv) In the event of a vacancy in the office of Finance Director or Municipal Manager, the Mayor with approval of Council may appoint a person to serve as an acting-officer to perform the duties of the office until a permanent officer is appointed to fill the vacancy.

Section 3.06 *Communications to the Council of Finances and General Conditions*

The Mayor shall communicate to Council as to the general condition of the affairs of the Village as he/she deems proper or as is required by the Council to assist Council in its decision-making role.

Section 3.07 *Protests Against Excessive Expenditures*

If, in the opinion of the Mayor, an expenditure authorized by the Council exceeds the revenues of the Village for the current year, he/she shall protest against such expenditure, and enter such protest, and the reason therefore, on the journal of the Council.

Section 3.08 *Supervision of Conduct of Officers*

The Mayor shall oversee the conduct of all elected officials of the Village. The Mayor shall inquire into and examine the grounds of all reasonable complaints against such officials, and cause their violations or neglect of duty to be promptly punished or reported to the proper authority for corrections.

Section 3.09 Annual Report to Council

At the regular meeting in March of each year, and at such other times as the Mayor deems expedient, the Mayor shall report to the Council concerning the affairs of the Village, and recommend such measures as seem proper to him/her.

Article IV

Municipal Manager

Section 4.01 Municipal Manager

The Municipal Manager shall be appointed by the Mayor, but that appointment does not become effective until it is approved by a majority vote of the Council. The Municipal Manager shall be appointed considering all relevant factors, including education and experience in the field of public administration. The Municipal Manager shall have those powers provided by this Charter and those of a Village Administrator under Ohio law. The Municipal Manager shall not be an elected official, nor hold any other public office, during his/her tenure in office. If he/she does hold such position at the time of his/her appointment he/she shall have 30 days to resign such position or office. The Municipal Manager shall serve at the pleasure of the Mayor and the Council and the Manager may be removed without cause by the Mayor with a consent of the majority of the members elected to the Council; or he/she may be removed without cause by the affirmative vote of three-fourths of the members elected to the Council, without the consent of the Mayor.

Section 4.02 Powers and Duties of Municipal Manager

Unless otherwise provided herein, the Municipal Manager shall appoint department heads, officers, employees, agents, clerks, and assistants, excluding the Finance Director, any personnel who report to the finance director, and the Clerk of Council, provided such positions are first authorized by the Council. Such appointments shall be subject to approval by the Mayor and shall be in writing and filed with the Finance Director.

The Municipal Manager shall be under the general supervision and control of the Mayor and shall have such other powers and duties as are prescribed by ordinance or by law and which are not inconsistent herewith. The Municipal Manger shall perform all duties and shall have all the powers of boards of public affairs and street commissioners as prescribed by law, except as otherwise provided by this Charter.

Section 4.03 Contracts by Municipal Manager; Central Purchasing

The Municipal Manager shall make contracts, purchase supplies and materials, and provide labor for any work under his/her supervision involving not more than the similar limitation prescribed for Village Administrators under state statute. The process for contracting including competitive bidding, or exceptions to the requirements for competitive bidding, shall be governed by Village ordinance, or, in the absence of such ordinance, by Ohio law. When an expenditure other than the compensation of persons employed by the Village exceeds the similar limitation prescribed for Village Administrators under state statute, such expenditure shall first be authorized and directed by Council.

Administrative Officials and Departments

Section 4.04 *Conflict of Interest*

The laws of the State of Ohio pertaining to interest of municipal officials, contracts, and the expenditure of money on behalf of the Village shall apply to the officials of the Village.

Section 4.05 *Law Director*

The Law Director shall be appointed by, and serves at the pleasure of, Council. The Law Director must be an attorney-at-law, admitted to practice in the State of Ohio. The Law Director's compensation shall be established by ordinance or contract. The Law Director shall be the legal counsel for the Village and for all officials and departments thereof; and shall, when requested by Council, give legal opinions in writing. The Law Director shall represent the Village unless council has approved additional legal counsel. Any additional legal counsel shall be appointed and serve at the pleasure of Council, and may be a party to and shall perform such other duties as may be assigned by Council as well as those imposed by this Charter. The Law Director shall, upon request, prepare all contracts, bonds, except when Council has approved additional counsel for bonds, and other instruments in writing in which the Village is concerned.

Section 4.06 *Appointment of Finance Director*

The Finance Director shall be appointed by the Mayor of the Village, but that appointment does not become effective until it is approved by a majority vote of the Council. The Finance Director shall be appointed considering all relevant factors, including education and experience in the field of governmental accounting, taxation, budgeting, and finance.

The Finance Director may be removed without cause either by the Mayor with the consent of a majority of the members of the Council, or by a three-fourths vote of the Council, with or without the consent of the Mayor.

If the position of Finance Director is filled on an acting basis, such appointment shall be limited to a period of six months.

Section 4.07 *Powers and Duties of the Finance Director*

The Finance Director shall have the powers that would otherwise rest in the offices of Clerk and Treasurer, or the combined office of Clerk-Treasurer under Ohio law, unless otherwise resting in the Clerk of Council, as described in this Charter or properly adopted ordinance.

The Finance Director shall appoint the Tax Administrator and employees of the finance department, provided such positions are first authorized by the Council. Such appointments shall be subject to approval by the Mayor and shall be in writing and filed with the Finance Director.

The Finance Director shall demand and receive, and deposit in the Village treasury from the County Treasurer, taxes levied and assessments made and certified to the County Auditor by the Council of the Village and placed on the tax list by such auditor for collection, monies, from persons authorized to collect or required to pay them, accruing to the Village from any judgments fines, penalties, forfeitures, licenses, and costs taxed in Mayor's Court and debts due to the Village. Such funds shall be disbursed by the Finance Director on the order of any person authorized by law or ordinance to issue orders therefore.

The Finance Director shall keep the books of the Village, exhibit accurate statements of all monies received and expended, of all the property owned by the Village and the income derived there-from, and of all taxes and assessments. He/She shall communicate to Council, on a monthly basis, a statement of the finances of the Village, and such other information relating thereto, or other reports as may be requested by Council.

Section 4.08 *Accounts of Finance Director*

The Finance Director of the Village shall keep an accurate account of:

1. All monies received by him/her, showing the amount thereof, the time received, from whom, and on what account received;
2. All disbursements made by him/her, showing the amount thereof, the time made, to whom, and on what account paid.

The Finance Director shall so arrange the Finance Director's books that the amount received and paid on accounts are separate funds or specified appropriations, shall be exhibited in separate accounts. In addition to the ordinary duties of such Finance Director, they shall have such powers and perform such duties as are required by any ordinance of the Village, not inconsistent with Title 7 of the Ohio Revised Code, and not incompatible with the nature of his/her office.

Section 4.09 *Quarterly Account; Annual Report*

The Finance Director shall settle an account with the Council, quarterly, and at any other time which it by resolution or ordinance requires. At the first regular meeting of such Council in January, each year, the Finance Director shall report to it the condition of the finances of the Village, the amount received by him/her, the sources of such receipts, the disbursements made by him/her, and on what account, during the year preceding. Such account shall exhibit the balance due on each fund which has come into the Finance Director's hands during the year.

Section 4.10 *Receipt and Disbursement of Funds*

The Finance Director shall receive and disburse all funds of the Village and such other funds as arise in or belong to any department or part of the Village.

Section 4.11 *Duty of Delivering Money and Property*

The Finance Director, at the expiration of his/her term of office, or on his/her resignation or removal, shall deliver to his/her successor, all monies, books, papers, and other property in his/her possession as Finance Director. In the case of the death or incapacity of such Finance Director, his/her legal representatives shall, in like manner, deliver the money and property which were in the Finance Director's hands to the person entitled thereto.

Section 4.12 *Clerk of Council*

The Clerk of Council shall be appointed by Council. Council shall establish the salary of the Clerk of Council by ordinance. The Clerk of Council may hold other office or position of employment in the municipality, subject to Council approval. The Clerk of Council who reports to and serves at the pleasure of Council shall have those powers, duties, and functions as are provided in this Charter, by the Rules of Council, by ordinance, resolution, or as required by law. Included in the duties of the Clerk of Council shall be the maintenance of a record of proceedings of the Council and a record of all ordinances and resolutions adopted by the Council. The Clerk of Council shall give notice of regular and special meetings of the Council to its members and to the public as may be provided by this Charter, by the Rules of Council, or by ordinance or resolution. The Mayor may appoint any person as an Acting Clerk of Council, subject

to the approval of Council, to serve in the event of a vacancy in the office or of temporary absence or disability of the Clerk of Council.

Section 4.13 Police Protection

Council shall provide for police protection adequate to meet the needs regarding health and safety of the Village with a sense of public service. The Police Chief must have a sense of public service, possess strong leadership skills which will enable him/her to establish and maintain discipline and efficiency as well as direct the activities of the police department. The minimum qualification for appointment as Chief of Police shall be established by the Municipal Manager, which shall be consistent with the requirements of Ohio law, and confirmed by Village Council.

The Police Department shall be under the direction of a Chief of Police, who shall be the Department Head and who shall report to the Municipal Manager for administrative purposes.

The Police Chief is responsible for the efficient operation of his/her department, which shall include hiring, promotion and discipline of employees; budget and control of supplies and equipment; in-service education of officers and employees and all other activities which will assure the department's ability to function at the highest level possible to serve and protect the people of Woodlawn.

1. Disciplinary action in the police department shall be taken as provided in the Village of Woodlawn employment policies, as they may be amended from time to time. The appointment, promotion and removal of the Police Chief shall be made by the Municipal Manager with the approval of Council. The appointment, promotion and removal of members of the Police Department shall be made by the Police Chief in accordance with rules provided for by the Council and this Charter.
2. A newly appointed Police Chief shall be on probation for one year and quarterly evaluations will be conducted during the first year and thereafter review shall be on an annual basis. These reviews shall be conducted by the Municipal Manager, Mayor and Council.
3. Before any employee is hired in the Police Department, a thorough background check and investigation shall be done utilizing accepted industry standards and best practices and the employee must be approved by the Mayor, Municipal Manager and Council prior to employment.
4. The Police Department shall uphold the laws of the State of Ohio and the Village of Woodlawn.
5. The Police Chief shall report to the Municipal Manager, except during any ongoing criminal or sensitive investigations regarding such matters.

Section 4.14 Fire Department

Council shall provide for fire protection adequate to meet the needs regarding health and safety of the Village, with a sense of public service. The Fire Chief must have a sense of public service, possess strong leadership skills which will enable him/her to establish and maintain discipline and efficiency as well as direct the activities of firefighters. The minimum qualification for appointment as Fire Chief shall be established from time to time by the Municipal Manager, which shall be consistent with the requirements of Ohio law, and confirmed by Village Council.

The Fire Department shall be under the direction of a Fire Chief, who shall be the Department Head and who shall report to the Municipal Manager for administrative purposes.

The Fire Chief is responsible for the efficient operation of his/her department, which shall include hiring, promotion and discipline of employees; budget and control of supplies and equipment; in-service education of firefighters and employees and all other activities which will assure the department's ability to function at the highest level possible to serve and protect the people of Woodlawn.

1. Disciplinary action in the fire department shall be taken as provided in the Village of Woodlawn employment policies, as they may be amended from time to time. The appointment, promotion and removal of the Fire Chief shall be made by the Municipal Manager with the approval of Council. The appointment, promotion and removal of members of the Fire Department shall be made by the Fire Chief in accordance with rules provided for by Council and this Charter, or upon achievement of city status, in accordance with the provisions of Article VIII hereof and rules promulgated thereunder. The Fire Chief shall be appointed by the Municipal Manager with the approval of Council.
2. A newly employed Fire Chief shall be on probation for one year and quarterly reviews will be conducted during the first year and thereafter reviewed on an annual basis. These reviews shall be done by the Municipal Manager, Mayor, and Council.
3. Before any employee is hired in the Fire Department, a thorough background check and investigation shall be done utilizing accepted industry standards and best practices. In the case of hiring a full-time employee, such employee must be approved by the Municipal Manager.
4. The Fire Department shall uphold the laws of the State of Ohio and the Village of Woodlawn.
5. The Fire Chief shall report to the Municipal Manager, except for during any ongoing criminal or sensitive investigation regarding such matters.

Should Council vote to have the Village join a joint fire district to provide for the fire protection needs of the Village, the provisions of this Section shall not apply.

Section 4.15 Public Works Director

The Public Works Director shall supervise the improvement and repair of streets, avenues, alleys, lands, lanes, squares, landings, market houses, bridges, viaducts, sidewalks, sewers, drains, ditches, culverts, ship channels, streams, and water courses, as well as the lighting, sprinkling, and cleaning and snow removal of all streets, alleys and public buildings in places throughout the Village of Woodlawn. The Public Works Director shall supervise public works employees and may perform other duties as assigned.

Section 4.16 Recreation Director

The Recreation Director shall supervise and is responsible for management oversight of all municipal programs and services offered for adults and children of all ages. This Director is the lead staff person for the Woodlawn Recreation Commission and acts as liaison with other institutions, entities, and community-based groups to enhance the quality and quantities of recreation services to the residents.

The Director plans and implements approved municipal-sponsored events utilizing the assistance of volunteers and staff as needed. The Recreation Director shall supervise recreation department employees and perform other duties as assigned.

Section 4.17 Building Commissioner/Inspector

The Municipal Manager shall provide for the appointment of a Building Commissioner/Inspector, or may contract for such services, to meet the needs of the Village after approval of Council.

Section 4.18 Engineer

The Municipal Manager shall provide for the appointment of a Contractual Engineer, or may contract for such services, to meet the needs of the Village after approval of Council.

Article V

Boards and Commissions

Section 5.01 Effect of Charter Action on Pre-existing Boards and Commissions

All official opinions, rulings, findings, decisions and other prior action of pre-existing Boards, commissions, and/or committees shall remain in effect, unimpaired and in full force until changed, modified, rescinded, or repealed according to this Charter's provision by any new Boards, commissions, and/or committees or until superseded by Council action.

Section 5.02 Planning Commission

A Planning Commission consisting of five (5) members shall be established. The members shall be the Mayor, one Council member appointed by the Mayor, and three (3) citizens of the Village appointed by the Mayor with the approval of Council. The Planning Commission shall have the powers conferred on it by the Ohio Revised Code, this Charter, and by ordinances of Council. The members, except for the member who also is a Council member whose term shall be for one year, shall have terms of six (6) years on a staggered basis. The Planning Commission shall be a continuing body and its past members may be reappointed. The Planning Commission shall be responsible for maintaining a Master Plan and the planning and advising of municipal development and redevelopment, and other duties assigned by Council. The Planning Commission shall adopt its own rules of procedure, to be made available to the public. The chairperson is selected by the Commission membership.

The Master Plan shall be reviewed on an annual basis. Notice of any amendment to the Zoning Code or the rezoning of any property within the Village shall be provided as required by ordinance, or in the absence of an ordinance as required by Ohio law.

Section 5.03 Board of Zoning Appeals

A Board of Appeals shall consist of seven (7) Village of Woodlawn residents. The composition of the Board shall be as follows:

1. Two (2) members of Council shall be selected annually by the Council.
2. One (1) member of the Planning Commission shall be selected annually by the Commission.
3. Four (4) citizens of the Village shall be selected by recommendation of the Mayor with the concurrence of Council. Citizens shall serve a four (4) year staggered terms

(i) Rules and Regulations

The Mayor, or in his/her absence the Vice-Mayor, shall preside at all meetings. He or she may not vote in a Board of Appeals meeting other than to break a tie by the members. No member may abstain from voting “yea” or “nay” unless there is a conflict of interest involved.

(ii) Meetings

Meetings of the Board shall be held at the call of the Mayor and at such times as the Board may determine. The Mayor, or in his/her absence the Vice-Mayor, may administer oaths and compel the attendance of witnesses. The Board shall keep minutes of all proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicate such fact.

Section 5.04 Recreation Commission

A Recreation Commission consisting of seven (7) members shall be established. At least five (5) members shall be residents of the Village, selected at large. It is recommended that two members be recruited from the Woodlawn business community and/or Woodlawn Chamber of Commerce. The Recreation Commission shall have the powers conferred upon it by general law and by Council ordinances. This Commission shall serve as an advisory board to Council regarding the recreation needs of the Village. The Recreation Commission shall be a continuing body. Recreation Commission members shall be appointed by Council and the Mayor, with six (6) members appointed by Council and one (1) member being appointed by the Mayor. Each member shall be appointed for two years on the basis of staggered terms. Former members may be reappointed.

Section 5.05 Charter Review Commission

The Mayor and each Council member shall each appoint a member to the Charter Review Commission in January in the year immediately following the election or re-election of the Mayor. The Commission shall consist of seven (7) members; all qualified electors.

The Commission shall appoint a Chairperson who shall preside at its meetings. The Commission shall complete minutes of its meetings. Actions shall be accomplished by a motion, a second and a vote of each member by “yea” or “nay”. All votes and motions shall be recorded in the minutes.

A quorum shall consist of four (4) members.

The Commission shall review the Charter of the municipality and submit a report/recommendation to Council at their last meeting in July of the year in which they were appointed.

Council shall consider and may then submit any recommended changes as amended by Council to the electors of the municipality in the manner provided by the Ohio Constitution at the next general election.

The terms of the members of the Charter Review Commission shall terminate upon their submission of the report/recommendations to Council.

Section 5.06 *General Provisions*

Members of all boards and commissions of the Village, whether established by this Charter or by ordinance, shall be comprised of a majority of qualified electors of the Village at the time of their appointment and during their respective terms of office. Members of all municipal boards and commissions shall serve without compensation; provided, however, that the Council may provide for the payment of mileage and for the reimbursement of expenses incurred by such members in the performance of their duties.

A majority of all the members of each of the municipal boards and commissions shall constitute a quorum for meetings of such boards and commissions. A majority vote by the members of a board or commission present at a meeting is required for approval of any action or matter brought before the board or commission.

All meetings of each board and commission shall comply with all rules for notification of meetings to the public. All meetings of any board or commission at which a majority of its members are present shall be open to the public, but any board or commission may go into executive session for any reason permissible under Ohio law or as may be prescribed by ordinance. Meetings of any board or commission may be conducted by electronic, teleconference, web, or video means during a declared emergency, or as otherwise permitted by the Charter or under Ohio law.

Except as otherwise provided herein, specifically Section 5.03 governing the Board of Zoning Appeals, at the first meeting in each calendar year of municipal boards and commissions, each board or commission shall elect a chairperson and a secretary by a majority vote of all the members appointed thereto. The chairperson shall be a member of the respective body; but the secretary need not be a member of the board or commission and may hold other office or employment with the Village. The chairperson shall be the presiding officer at all meetings of the board or commission; and the secretary shall keep an accurate record of the proceedings of such board or commission.

Section 5.07 *Vacancy in Boards or Commissions*

A vacancy during the term of any member of a municipal board or commission established by this Charter or by an ordinance passed by the Council, shall be filled in the manner as originally appointed and for the remainder of the unexpired term.

Article VI

Taxation and Borrowing

Section 6.01 *Power to Incur Indebtedness*

After a public hearing, in conformance with State law, the Village may incur indebtedness, upon authorization of the Council, by issuing its bonds and notes in anticipation of bonds, pursuant to this Article, to finance any necessary capital project which the Council may decide to construct or acquire.

Section 6.02 *Issuance of Bonds*

The Council shall authorize the issuance of bonds or notes by ordinance, passed by the affirmative votes of at least the majority of its members.

Section 6.03 Procedure in Bond Issue

In all respects not provided for otherwise in this Charter, the procedure followed in authorization of an issuing of bonds and notes and applying the proceeds shall be in accordance with the provisions of the Uniform Bond Law as established by the Ohio Revised Code and applicable provisions of the Constitution of the State of Ohio.

Section 6.04 Short-Term Borrowing

At any time in any budget year, when the Council shall determine that revenues will, for any reason, be insufficient to meet authorized expenditures, it may, by ordinance, borrow money and/or issue notes. These notes may be of three (3) different types:

1. Those issued to finance emergency appropriations, when available funds are insufficient for that purpose;
2. Those issued in anticipation of the collection of taxes upon real estate and income;
3. Those issued in anticipation of the collection of other types of revenue.

In the case of public emergency as authorized by the Ohio Revised Code, the Council of the Village may borrow money for any municipal purpose valid under the Constitution of Ohio or this Charter to the extent of the maximum debt limitations imposed by this Charter and the Constitution, and may create debt in any form and under any procedure not in conflict with any express prohibition of the Constitution and laws of Ohio and/or of this Charter.

Section 6.05 Municipal Earnings Tax Limitation

Council may not increase the Municipal Income Tax without submission of the question of levying such additional tax to the electors of the Village at a primary or general election.

Article VII

Initiative, Referendum, Recall

Section 7.01 Initiative, Referendum, Recall

1. **Initiative:** The electors of the Village shall have the power to propose ordinances and other measures by initiative petition in accordance with the provisions of the Constitution and the laws of the State of Ohio now or hereafter in effect.
2. **Referendum:** The electors of the Village shall have the power to approve or reject at the polls any ordinance or other measure enacted by Council in accordance with the provisions of the Constitution and laws of the State of Ohio now or hereafter in effect.
3. **Recall:** The electors of the Village shall have the power to remove from office by recall election any elected official of the Village. If an elected official shall have served six (6) months of the term, a petition demanding 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 therefore and attach a copy thereof to said petition. The 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. Such petition shall be signed by at least that number of electors which equals twenty (20) percent of the total number of electors voting at the last preceding regular municipal election.

Within ten (10) days after the day on which such petition shall have been filed, the Clerk of Council shall determine whether or not it meets the requirements hereof. If the said Clerk shall find the petition insufficient, the Clerk shall promptly certify the particulars in which the petition is defective, deliver a copy of the certificate to the person who filed the petition, and make a record of such delivery.

If such official shall not resign within five (5) days after the day on which delivery of a valid petition 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 official) be allowed to continue as (naming of office)?", with provision being made 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 official shall remain in office. If a majority of such votes cast shall be voted negatively, such official shall be considered as removed, the office shall be declared vacant, and such vacancy shall be filled as provided by this Charter. The official removed by such recall election shall not be eligible for appointment to the vacancy created thereby.

Article VIII

General Provisions

Section 8.01 *Separability*

In any provision, section, or part of a section of this Charter is held invalid by the court, the other provisions of this Charter, section, or part of a section shall not be invalidated thereby.

Section 8.02 *City Status*

The term "Village" as used in this Charter shall, upon achievement of City status, be construed as "City," and editorially altered in all new copies of this achievement.

Section 8.03 *Transitional Procedure*

The revisions of this 2016 Charter shall be submitted to the electors at the General Election of November, 2020. If approved, the revised Charter shall become effective on January 1, 2021. All elected officials shall hold office until the expiration of their terms, when the next elected officials shall serve as indicated in the separate sections of this Charter. All elected officials and employees of the Village, as of January 1, 2021, shall continue in such employment; and thereafter shall be subject, in all respects, to the provisions of this Charter, and ordinances, resolutions, rules or regulations enacted or promulgated thereunder.