

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 19-74

INTRODUCED BY: Kasaris, Marnecheck, Langshaw

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO ADMINISTRATION CODE, CHAPTER 220 COUNCIL, SECTION 220.06 RULES OF COUNCIL, RULE XI, AND DECLARING AN EMERGENCY

WHEREAS: Chapter 220 Council, Section 220.06 Rules of Council, Rule XI, states, in part, that a Council member must receive unanimous approval from the rest of the members of Council before being able to abstain from voting on any question; and

WHEREAS: This language has been determined to be archaic and that a Council member should be allowed to abstain from voting without consent of Council if a significant impediment exists, as in a conflict of interest; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part Two Administration Code, Chapter 220 Council, Section 220.06 Rules of Council, Rule XI to provide for this updated language; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part Two Administration Code, Chapter 220 Council, Section 220.06 Rules of Council, Rule XI of the Codified Ordinances of the City of North Royalton, is hereby amended to read as follows:

~~Rule XI - Voting. Every member present shall vote on any question on the call of either "yeas" and "nays" or "yes" and "no," such to be the option of Council members, unless excused by the unanimous consent of Council. Any member, not being excused, who refuses to vote on any question when the "yeas" and "nays" or "yes" and "no" are being taken, shall be deemed guilty of contempt of Council and may, for such contempt, be censured by a majority vote of Council. It is the duty of every member of Council to vote upon the call of the yeas and nays. Failure or refusal to vote without cause is failure to do one's duty. To abstain from voting is required when a significant impediment exists, as in a conflict of interest. In the event of the determination of an impediment that requires an abstention the Council member shall, upon the call of the yeas and nays, state generally the reason for the abstention, e.g. "I abstain based upon a conflict of interest". No member shall be required to answer any further questions as to the nature of the conflict.~~

Section 2. Section 220.06 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Chapter 220 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton, Part Two Administration Code, Chapter 220 Council, in order to provide for updated language regarding abstention from voting.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: September 3, 2019

DATE APPROVED: September 4, 2019

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading September 3, 2019

YEAS: Antoskiewicz, Nickell, Petrusky, Langshaw,
Marnecheck, Hannan, Kasaris

NAYS: none