

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 21-81

INTRODUCED BY: Dietrich, Weimer, Marnecheck

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON CERTAIN AMENDMENTS TO ARTICLE XVII, ELECTIONS, SUBSECTION (b), OF THE CHARTER OF THE CITY OF NORTH ROYALTON AND REPEALING ARTICLE XVII ELECTIONS, SUBSECTION (e) OF THE CHARTER OF THE CITY OF NORTH ROYALTON AND REPLACING SAME WITH A NEW SUBSECTION (e) ENTITLED NOMINATIONS, PRIMARY ELECTION, PERTAINING TO REMOVAL OF RUNOFF ELECTION AND CREATING A PRIMARY ELECTION, AND DECLARING AN EMERGENCY

WHEREAS: Council desires to provide a ballot issue to amend Article XVII, Subsection (b) and to repeal Article XVII, subsection (e) pertaining to the Runoff Election and replace said section with a new Subsection (e) requiring a primary election in the event that more than two candidates file for the offices of Mayor and/or President of Council; and

WHEREAS: To provide for the above, it is necessary to recommend the amendment of Article XVII Subsection (b) and the repeal of Article XVII, Subsection (e) and enactment of a new Subsection (e) Nominations, Primary Elections; 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. Pursuant to Article XVIII, Section 9 of the Ohio Constitution, and Article XVIII, Subsection (e) of the Charter of the City of North Royalton, this Council hereby authorizes and directs the submission to the electors of the City of North Royalton, at an election to be held in the usual places of voting in said City on November 2, 2021, an amendment to Article XVII Subsection (b) and a proposed repeal and replacement of Article XVII Elections, Subsection (e) Runoff Election, which currently provides as follows:

ARTICLE XVII ELECTIONS

(b) ELECTORS' QUALIFICATIONS; BALLOTS.

Every citizen of the United States who is of the age of eighteen (18) years and over and who has been a resident of the State thirty (30) days, of the County thirty (30) days and of the voting precinct thirty (30) days next preceding the election at which he or she offers to vote, has the qualifications of an elector and may vote at all elections, provided such citizen has registered as a voter with the election authorities in the manner and within the time prescribed by the laws of the State of Ohio. No primary election shall be held for the selection of candidates for any elective Municipal office. The ballots used in all elections provided for in or under this Charter shall be without party mark or designation of any sort. The names of all candidates shall be placed upon the same ballot and shall be rotated in the manner provided by the general laws of the State of Ohio. The form of ballot to be used on all questions submitted to the electors shall, if not specifically prescribed in this Charter, be prescribed by Council at the time the question is certified to the proper election officials for the calling of the election.

(e) RUN-OFF ELECTION.

In any election for the office of Mayor and/or President of Council, when more than two (2) candidates are eligible to be elected, that candidate who receives the most votes and at least forty (40%) percent of all ballots cast for that office shall be elected. If no candidate is elected thereby, a run-off election shall be held on the first Tuesday of December immediately following between the two (2) candidates who received the most votes for that office.

and which may be replaced with an amended Subsection (b) and a new Subsection (e) Nominations, Primary Election which will read as follows:

**ARTICLE XVII
ELECTIONS**

(b) ELECTORS' QUALIFICATIONS; BALLOTS.

Every citizen of the United States who is of the age of eighteen (18) years and over and who has been a resident of the State thirty (30) days, of the County thirty (30) days and of the voting precinct thirty (30) days next preceding the election at which he or she offers to vote, has the qualifications of an elector and may vote at all elections, provided such citizen has registered as a voter with the election authorities in the manner and within the time prescribed by the laws of the State of Ohio. The ballots used in all elections provided for in or under this Charter shall be without party mark or designation of any sort. The names of all candidates shall be placed upon the same ballot and shall be rotated in the manner provided by the general laws of the State of Ohio. The form of ballot to be used on all questions submitted to the electors shall, if not specifically prescribed in this Charter, be prescribed by Council at the time the question is certified to the proper election officials for the calling of the election.

(e) NOMINATIONS, PRIMARY ELECTION.

Candidates for the office of Mayor and President of Council shall be nominated at a non-partisan primary election to be held on the first Tuesday following the first Monday in May prior to the regular election in November. In the event that there not be more than two (2) persons that have filed petitions as provided for in this Charter, then said persons shall be the candidates at the regular Municipal election and the primary for the 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 regular election in November following and no other candidates shall be printed thereon.

Section 2. The ballot for said issue shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT
A majority affirmative vote is necessary for passage.

SHALL THE CHARTER OF THE CITY OF NORTH ROYALTON, ARTICLE XVII ELECTIONS, SUBSECTION (b) BE AMENDED AND SUBSECTION (e) RUNOFF ELECTION, BE REPEALED AND IN ITS PLACE A NEW SUBSECTION (e) NOMINATIONS AND PRIMARY ELECTION BE ENACTED REQUIRING A NON PARTISAN, PRIMARY ELECTION FOR MAYOR OR PRESIDENT OF COUNCIL TO BE HELD IN MAY PRIOR TO THE GENERAL ELECTION WHEN THREE OR MORE CANDIDATES FILE FOR EITHER ELECTED POSITION.

	YES
	NO

Section 3. The foregoing proposed amendment, if approved by a majority of the electors voting thereon at the aforesaid election to be held on November 2, 2021, shall become a part of the Charter of this City and shall be effective as of the date that said amendment has been certified by the Cuyahoga County Board of Elections as having been approved by a majority of the voters.

Section 4. The Director of Legislative Services be and hereby is authorized and directed to immediately deliver to the Board of Elections a certified copy of this Ordinance.

Section 5. The Director of Legislative Services be and hereby is authorized and directed, pursuant to the laws passed by the General Assembly, to give notice of this proposed Charter amendment by newspaper advertising.

Section 6. There shall be and hereby is appropriated from the General Fund a sufficient sum of money to pay the cost of printing and mailing copies of said proposed Charter amendment, for publishing an election notice, and for other costs incidental to carrying out the terms of this Ordinance.

Section 7. 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 8. 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 this Ordinance must be effective immediately in order to permit necessary arrangements to be made in sufficient time for said election.

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/ Paul F. Marnecheck
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz
MAYOR

DATE PASSED: May 18, 2021

DATE APPROVED: May 19, 2021

ATTEST: /s/ Dana A. Schroeder
DIRECTOR OF LEGISLATIVE SERVICES

First reading April 20, 2021
Second reading May 4, 2021
Third reading May 18, 2021

YEAS: Barath, Krejci
Dietrich, Weimer, Vos

NAYS: Marnecheck, Fenos