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CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. 45 - 2015

AN ORDINANCE PROVIDING AN AMENDMENT TO THE CHARTER OF THE CITY OF CUYAHOGA FALLS, OHIO, ORIGINALLY ADOPTED BY THE ELECTORATE ON NOVEMBER 3, 1959, AND AMENDED FROM TIME TO TIME, TO BE SUBMITTED AT THE NEXT GENERAL ELECTION ON NOVEMBER 3, 2015, WHICH AMENDMENT WILL REVISE ARTICLE III, SECTION 9, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit, and State of Ohio:

Section 1. That the question of the proposed amendment to the Charter of the City of Cuyahoga Falls, Ohio, as adopted by the electorate on November 3, 1959, and amended from time to time, such amendment being to Article III, "Departments and Divisions" Section 9, "Park and Recreation Board" in the form set forth in the ballot text appearing in Section 2 of this ordinance, is hereby directed to be submitted to the vote of the qualified electors of the City of Cuyahoga Falls, Ohio at the next general election to be held on November 3, 2015, at the regular places of voting in the City of Cuyahoga Falls, during hours provided by law.

Section 2. That the ballots for said election shall, at the top thereof, be entitled "City of Cuyahoga Falls Proposed Charter Amendment," and the question to be separately submitted on said ballots shall be as follows:

Charter Issue No. \_\_\_\_\_ Shall the amendment to the Charter of the City of Cuyahoga Falls amending Article III, Section 9, be adopted so that, as amended, the Article shall provide as follows:

Article III DEPARTMENTS AND DIVISIONS  
Section 9. Park and Recreation Board

There is hereby created a Park and Recreation Board which shall consist of five members who are electors of the City to serve for terms of six years, except as hereinafter provided. Commencing 2016, one member shall be appointed by the Cuyahoga Falls City School District Board of Education and one member shall be appointed by the Woodridge Local School District Board of Education, respectively, and three members appointed by the Mayor. The first appointees by the Board of Education shall serve for four and two year terms respectively, and the first appointees by the Mayor shall serve for six, four and two year terms respectively. The Board shall elect one of its own members as Chairman to serve a term of two years. Vacancies on the Board shall be filled in the same manner as original appointments were made. The Board shall have all of the powers and duties granted to Recreation Boards by the laws of the State of Ohio unless and until otherwise provided by ordinance.

Section 3. That the Clerk of Council is hereby directed to certify a copy of this ordinance to the Board of Elections of Summit County, Ohio, immediately upon the passage of this ordinance.

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Section 4. That the Board of Elections of Summit County, Ohio, shall cause an appropriate notice to be duly given of the election to be held on November 3, 2015, on the foregoing amendment to the Cuyahoga Falls Charter and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 5. That any ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 6. That it is found and determined 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 committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

Section 7. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: 7/13/2015

Mary Ellen Pyke  
President of Council

David Quinn  
Clerk of Council

Approved 7-14-15

[Signature]  
Mayor