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CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. 46 - 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 IV, SECTION 3, 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 IV, "City Council" Section 3, "Qualifications" 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 IV, Section 3, be adopted so that, as amended, the Article shall provide as follows:

Article IV CITY COUNCIL
Section 3. Qualifications

Candidates for City Council shall have maintained their primary residence within the City for a period of three (3) years immediately preceding the filing of their declarations of candidacy. In addition, each candidate for ward council shall have maintained his primary residence within that ward for a period of six (6) consecutive months immediately preceding the filing of his declaration of candidacy.

All councilmen shall maintain their primary residence within the City during their term of office. Ward councilmen shall not maintain their primary residence outside the ward in which they were elected for more than sixty (60) consecutive days in any twelve-month period. The sixty (60) consecutive days shall begin on the date of actual removal from the ward in which they were elected. For the purpose of this section, primary residence shall mean a person's usual or customary place of abode where the individual lives and regularly stays; it shall not mean a "legal", "voting" or other address where the person does not actually live. Councilmen who move their primary residence shall notify the Clerk of Council within seven (7) days of such move.

58 Councilmen shall not hold any other municipal employment during their term of
59 office. The qualifications for those appointed to Council shall be the same as for
60 those elected. If any council member shall cease to possess any of the qualifications
61 for such office, he shall forthwith forfeit his office.
62

63 Section 3. That the Clerk of Council is hereby directed to certify a copy of this
64 ordinance to the Board of Elections of Summit County, Ohio, immediately upon the passage
65 of this ordinance.
66

67 Section 4. That the Board of Elections of Summit County, Ohio, shall cause an
68 appropriate notice to be duly given of the election to be held on November 3, 2015, on the
69 foregoing amendment to the Cuyahoga Falls Charter and otherwise to provide for such
70 election in the manner provided by the general laws of the State of Ohio.
71

72 Section 5. That any ordinances or resolutions or portions of ordinances and resolutions
73 inconsistent herewith be and the same are hereby repealed, but any ordinances and
74 resolutions not inconsistent herewith and which have not previously been repealed are
75 hereby ratified and confirmed.
76

77 Section 6. That it is found and determined that all formal actions of this Council
78 concerning and relating to the passage of this ordinance were taken in an open meeting of
79 this Council and that all deliberations of this Council and of any committees that resulted in
80 those formal actions were in meetings open to the public, in compliance with all legal
81 requirements including Chapter 107 of the Codified Ordinances.
82

83 Section 7. That this ordinance is hereby declared to be an emergency measure
84 necessary for the preservation of the public peace, health, safety, convenience and welfare of
85 the City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
86 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take
87 effect and be in force immediately upon its passage and approval by the Mayor; otherwise it
88 shall take effect and be in force at the earliest period allowed by law.
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91 Passed: 7/13/2015

Mary Ellen Pyke
President of Council

David Cawin
Clerk of Council

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99 Approved: 7-14-15

[Signature]
Mayor