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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 56 - 2016

7
8 AN ORDINANCE AMENDING SECTION 107.07 OF THE
9 CODIFIED ORDINANCES, MEETINGS OPEN TO THE
10 PUBLIC, AND DECLARING AN EMERGENCY.
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13 WHEREAS, the Ohio Open Meetings Act requires public bodies to take official action
14 and to conduct all deliberations upon official business only in open meetings, unless a
15 specific exception enumerated in Ohio Revised Code Section 121.22(D) applies; and
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17 WHEREAS, based upon the plain language of the Ohio Revised Code, any meeting
18 about public business involving the majority of City Council or any of its committees or
19 sub-committees must be an open meeting; and
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21 WHEREAS, the Ohio Supreme Court has long blocked attempts to circumvent the
22 Open Meetings Act and has enforced laws strictly upon governing bodies, including the
23 recent case *White v. King* 2016-Ohio-2770 (May 3, 2016); and
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25 WHEREAS, one of the strengths of American government is the right of the public to
26 know and understand the actions of their elected officials, including the means by
27 which decisions are reached; and
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29 WHEREAS, Council finds that the change to Section 107.07 of the Codified
30 Ordinances of the City of Cuyahoga Falls promotes accessibility, accountability and
31 transparency in local government.
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33 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
34 County of Summit, and State of Ohio, that:

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36 Section 1. Section 107.07 of the Codified Ordinances of the City of Cuyahoga Falls
37 is hereby amended to read in full as follows (deleted text in ~~strike through~~):
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39 107.07 MEETINGS OPEN TO THE PUBLIC.
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41 With the exception of ~~political caucuses and~~ executive sessions of Municipal bodies
42 as defined in Section 107.01, all meetings and deliberations of any Municipal body
43 upon any official business or leading to official action shall be conducted in meetings
44 open to the public.
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46 Section 2. Any ordinances or resolutions or portions of ordinances and resolutions
47 inconsistent herewith are hereby repealed, but any ordinances and resolutions not
48 inconsistent herewith and which have not previously been repealed are hereby ratified
49 and confirmed.
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51 Section 3. It is found and determined that all formal actions of this Council
52 concerning and relating to the passage of this ordinance were taken in an open meeting
53 of this Council and that all deliberations of this Council and of any committees that
54 resulted in those formal actions were in meetings open to the public, in compliance with
55 all requirements including Chapter 107 of the Codified Ordinances.

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Section 4. 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: 9-12-16

Mary Ellen Pyke
President of Council

[Signature]
Clerk of Council

Approved 9-14-2016

[Signature]
Mayor

7/25/16
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