

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. 42 - 2025

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 4, 2025, WHICH AMENDMENT WILL REVISE ARTICLE IV, SECTION 5, "VACANCIES AND ABSENCES," AND DECLARING AN EMERGENCY.

WHEREAS, Article XI of the Charter of the City of Cuyahoga Falls provides that the Charter Review Commission may recommend to Council such amendments to the Charter, if any, as in its judgment are conducive to the public interest; and

WHEREAS, the Charter Review Commission recommends such a Charter amendment, the text of which is set forth in Section 2, to be submitted to the electorate at the next general election on November 4, 2025.

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 5, "Vacancies And Absences" 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 4, 2025, 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 an amendment to the Charter of the City of Cuyahoga Falls be adopted to provide for a revision in how council vacancies are filled as follows:

ARTICLE IV CITY COUNCIL
SECTION 5. VACANCIES AND ABSENCES.

If a vacancy occurs for a council seat with a term of two (2) years, the replacement shall be chosen within thirty (30) days of the vacancy by the precinct committee members in the ward of the same party as the person vacating the seat. If the precinct committee members fail to make the appointment, the remaining members of Council shall have thirty (30) days to make an appointment. If Council fails to make the appointment; the Mayor shall make the appointment. The successor to the councilmember shall serve until replaced in a regular municipal election.

If a vacancy occurs for a council seat with a term of four (4) years, the replacement shall be chosen within thirty (30) days of the vacancy by the precinct committee members within the City for an at-large seat, or the precinct committee members of the ward for a ward seat. The precinct committee members shall be of the same party as the person vacating the seat. If the precinct committee members fail to make the appointment, the remaining members of Council shall have thirty (30) days to make an appointment. If Council fails to make the appointment, the Mayor shall make the appointment. The successor to the councilmember shall serve until replaced in the next regularly scheduled municipal election. If the appointment occurs more than thirty (30) days prior to the filing deadline for the primary for the regular municipal election in the second year of the term, then the seat shall be filled at that next regular municipal election.

If a vacancy occurs in either a Ward or At-Large council seat and the person vacating the seat was not a member of a political party that elected precinct committee members, the replacement shall be chosen by the committee listed on the nominating petition by the candidate, within thirty (30) days. If the member of Council did not designate a committee, Council shall fill the vacancy within thirty (30) days. If council fails to make the appointment, the Mayor shall make the appointment.

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.

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 4, 2025, 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.

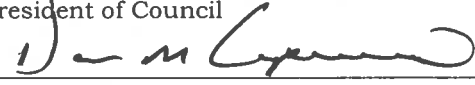
Section 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, to the extent applicable, 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: 7-14-2025



President of Council



Clerk of Council

Approved 7-14-2025

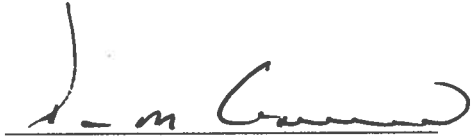


Mayor

6/23/25

CERTIFICATE

The undersigned Clerk of this Council hereby certifies that the foregoing is a true copy of Ordinance 42 duly adopted by the Council of the City of Cuyahoga Falls, Ohio on July 14, 2025.

A handwritten signature in black ink, appearing to read 'Dana M. Capriulo', written over a horizontal line.

Dana M. Capriulo
Clerk of Council