

RECORD OF ORDINANCES

ORDINANCE NO. #2015-03

PASSED:

April 7, 2015

Sponsored By: Administration

Referred to: General Gov't Services

Date: April 7, 2015

**AN ORDINANCE ENACTING CHAPTER 135, LAW DIRECTOR, IN THE MUNROE FALLS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Munroe Falls is a Charter City, having reserved to itself the power of local self-government under Ohio Constitution, Article XVIII, Section 3, and the Munroe Falls City Charter §2.01; and

**WHEREAS**, it is a fundamental tenet of local self-government that a home-rule city may determine the duties and powers of its officers, notwithstanding contrary provisions of state law: *Fitzgerald v. City of Cleveland* (1913), 88 Ohio St. 338, 366, 103 N.E. 512, 519; and

**WHEREAS**, the City of Munroe Falls has defined the duties of its Law Director in Munroe Falls City Charter §8.03; and

**WHEREAS**, Munroe Falls City Charter §8.03(c) permits the Munroe Falls City Council to further define the duties of the Law Director by ordinance;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MUNROE FALLS, COUNTY OF SUMMIT, AND STATE OF OHIO, UNDER THE AUTHORITY OF OHIO CONSTITUTION, ARTICLE XVIII, SECTION 3, MUNROE FALLS CITY CHARTER §2.01 AND §8.03, THAT:**

**Section 1.** Council hereby enacts Chapter 135, Law Director, of the City of Munroe Falls Codified Ordinances to read as follows:

135.01 SHORT TITLE

This Chapter shall be known and may be cited as the "Law Director Ordinance."

135.02 LAW DIRECTOR SERVES ONLY THE CITY OF MUNROE FALLS

The Law Director of the City of Munroe Falls serves only the City of Munroe Falls and no other political subdivision or governmental entity. Munroe Falls City Charter §8.03 and this Ordinance are the exclusive statement of the Law Director's duties. Any provision of the laws of the State of Ohio, including but not limited to Ohio Revised Code §3313.35, which seeks to impose duties upon the Law Director to perform services for the benefit of any other political subdivision or governmental entity are in conflict with the Munroe Falls Charter and this Ordinance and are of no force and effect.

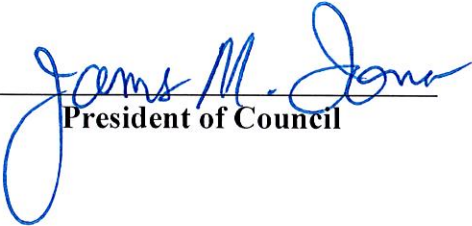
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**Section 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 3.** This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the City of Munroe Falls and to address the use of role of Law Director of the City, and provided that it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowable by law.

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Director of Finance

Reviewed as to form:

  
\_\_\_\_\_  
Director of Law

I, the duly appointed and qualified Clerk of Council of the City of Munroe Falls, County of Summit, and State of Ohio do hereby certify that this is a true copy of the original Ordinance adopted at a meeting of City Council duly held on the \_\_\_\_ day of \_\_\_\_\_, 2015. Dated this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Carissa J. Burns, Clerk of Council

First Reading: April 7, 2015  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_