CHARTER
OF THE MUNICIPALITY OF
NORTHFIELD, OHIO

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EDITOR'S NOTE: The Northfield Charter was approved by the voters on November 3, 1981. Dates appearing in parentheses following section headings in the Table of Contents, and following sections in the text, indicate that such sections were subsequently amended, enacted or repealed on the date given.

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CHARTER

OF THE MUNICIPALITY OF

NORTHFIELD, OHIO

PREAMBLE

We, the people of the Village of Northfield, in the County of Summit, State of Ohio, in order to secure for ourselves the benefit of municipal home rule and to exercise all the powers of local self-government under the Constitution and the laws of the State of Ohio, do hereby frame and adopt this Charter for the government of the Village of Northfield.

ARTICLE I
NAME AND BOUNDARIES OF THE MUNICIPALITY

SECTION 1.01 NAME.

The Municipality now existing in the County of Summit, State of Ohio, and known as the Village of Northfield, shall continue to be a body politic and corporate under the name of the Village of Northfield. If and when the municipality of Northfield shall, under the Constitution and the general laws of the State of Ohio, become a city, it shall be known as the City of Northfield, and wherever in this Charter the word " Village" appears it shall be construed to read "City", and the provisions of this Charter shall apply whether this Municipality is a Village or a City.
(Amended November 6, 2012)

SECTION 1.02 BOUNDARIES.

The Municipality shall have the same boundaries as now exist, with the power and authority to change its boundaries and annex other territory contiguous thereto in the manner authorized by the laws of the State of Ohio.

ARTICLE II
POWERS OF THE MUNICIPALITY

SECTION 2.01 GENERAL POWERS.

The Municipality shall have all the powers, general and special, governmental or proprietary, expressed or implied, which may be possessed or assumed by municipalities under the Constitution and laws of Ohio for local self-government. No enumeration of specific powers in this Charter shall be held to be exclusive. All such powers shall be exercised in the manner prescribed in this Charter, or, if not prescribed herein, in such manner as Council may determine, or, unless a contrary intent appears in this Charter or in the enactments of Council, in such manner as may be provided by the laws of Ohio.

ARTICLE III
MAYOR

SECTION 3.01 ELECTION AND TERM.

The Mayor shall be elected at each regular Municipal election for a term of four (4) years, which term shall commence on December 1 next following his or her election and terminate four (4) years hence.
(Amended November 2, 1982)

(EDITOR'S NOTE: Language relating to the transition period from the statutory to the Charter form of government, no longer relevant, was removed as part of the 1997 updating of this City Charter.)

SECTION 3.02 QUALIFICATIONS.

The Mayor shall have been, for at least two (2) years prior to the date of his or her election, and during his or her term of office shall be, a continuous resident and qualified elector of this Municipality, or territory annexed thereto. The Mayor shall hold no other elective public office except that he or she may be a member of any duly authorized Charter Commission. He or she shall not be otherwise employed by this Municipality, nor shall he or she hold any other office in this Municipality, except as otherwise provided in this Charter or by ordinance enacted hereunder, and that of Notary Public or membership in the Ohio National Guard or the Reserve Corps of the United States.
(Amended November 6, 2012)

SECTION 3.03 DUTIES AND POWERS.

(a) Executive Powers. The Mayor shall be the chief executive officer of the Municipality. He or she shall:

(1) Be the head of the Department of Public Safety;

(2) Supervise the administration of Village affairs;

(3) Exercise control over all departments and divisions thereof, except Council;

(4) Be the chief conservator of the peace and cause all laws to be enforced;

(5) Enforce performance under contracts;

(6) Recommend to Council measures expedient for the welfare of the Village and keep Council informed of the condition and future of the Village;

(7) Act as official and ceremonial head of the government;

(8) Execute all contracts, conveyances, evidences of indebtedness and all other instruments to which the Municipality is a party;

(9) Have custody of the Village seal and may affix it as deemed proper;

(10) Perform other duties as required by this Charter, the Council, the laws of the State of Ohio, and Federal laws;

(11) Subject to other provisions of this Charter and this State statute, have the power to discipline any employee or department head, but such disciplinary action shall not exceed three (3) working days without compensation.

Suspension of more than three (3) days, reduction in rank, or removal from the department may be appealed to the legislative authority of the Village within five (5) days from the date of the Mayor's judgment. The legislative authority shall hear the appeal at its next regularly scheduled meeting. The person against whom the judgment has been rendered may appear in person and by counsel at the hearing, examine all witnesses, and answer all charges against him or her.

At the conclusion of the hearing, the legislative authority may dismiss the charge, uphold the Mayor's judgment, or modify the judgment to one of suspension for not more than sixty (60) days, reduction in rank, or removal from the department.

Action of the legislative authority removing or suspending the accused from the department requires the affirmative vote of two-thirds of all members elected to it.

In the case of removal from the department, the person so removed may appeal on questions of law and fact the decision of the legislative authority to the Court of Common Pleas of the county in which the Village is situated. The appeal shall be taken within ten (10) days from the date of the finding of the legislative authority.

(12) Prepare an annual budget and submit the same to Council.

(b) Legislative Powers:

(1) The Mayor shall be given a voice in the deliberation of Council, but he or she shall have no vote except in the case of a tie vote.

(2) The heads of departments or their representatives shall be required to participate in deliberations of Council on legislation pertaining to their departments but shall have no vote.

(3) The Mayor shall have the right to recommend and introduce legislation to Council.

(c) Veto Powers. The Mayor shall have ten (10) days in which to approve or disapprove every ordinance or resolution adopted by the Council. If the Mayor disapproves said measure, he or she shall, within ten (10) days after its adoption, return the measure to the Clerk of Council with his or her written objections thereon, which objections shall be entered in full on the journal of the Council at the next scheduled meeting. If the Mayor does not sign or so return an ordinance or resolution within the ten (10)-day period, it shall take effect in the same manner as if he or she has signed it.

The Mayor may approve or disapprove the whole or any item of an ordinance or resolution appropriating money, but otherwise his or her approval or disapproval shall be addressed to the entire ordinance or resolution. When the Mayor has disapproved an ordinance or resolution, or a part or item thereof, as herein provided, the Council shall, not later than its next regular meeting, proceed to reconsider it, and if, upon reconsideration, the ordinance or resolution or part or item thereof disapproved by the Mayor be approved by the affirmative vote of at least three-fourths of the members elected to Council, it shall then take effect without the signature of the Mayor in the same manner as if he or she had signed it. In all such cases, the votes shall be taken by yeas and nays and entered upon the journal.

(d) Judicial Powers. The Mayor shall have all the judicial powers granted from time to time by the general laws of the State of Ohio to mayors of municipalities of the class of this Municipality.
(Amended November 2, 1982)

SECTION 3.04 ABSENCE AND VACANCY.

During such period when the Mayor is absent from the Municipality, or is otherwise not accessible, or is temporarily unable for any cause to perform his or her duties, the order of succession as Acting Mayor shall be the President Pro-tem of Council. In case of the death, resignation, recall or removal of the Mayor, the President Pro-tem of Council shall forthwith become Mayor for the unexpired term. Thereupon, the vacancy in Council shall be first filled in the manner provided in Section 4.13 of Article IV, and then a new Pro-tem of Council shall be chosen by Council. If the

Pro-tem of Council declines to serve as Mayor, Council shall then appoint by a two-thirds vote of those members elected to Council one of its members as Mayor for the unexpired term and this member shall qualify in accordance with Section 3.02 of this Article. If a Mayor-elect fails to qualify for office, a vacancy shall be deemed to exist and the Pro-tem of Council elected at the organizational meeting following the regular Municipal election shall become Mayor for the term as provided above.
(Amended November 6, 2012)

ARTICLE IV
COUNCIL

SECTION 4.01 LEGISLATIVE AUTHORITY.

All legislative power of the Municipality under this Charter, together with all such powers conferred upon municipalities by the Constitution and laws of Ohio shall be vested in the Council.
(Amended November 6, 2012)

SECTION 4.02 COMPOSITION AND TERM.

Council shall be composed of six (6) members. Two (2) Councilpersons shall be elected by the electors of the Municipality at large. Four (4) Councilpersons shall be elected by the electors, one from each of the four (4) wards herein provided. The term of the Councilpersons shall be four (4) years. Those elected at each election will take office on January 1 following their election and each shall hold office until his or her successor is elected and qualified.
(Amended November 6, 2012)

(EDITOR'S NOTE: Language relating to the transition period from the statutory to the Charter form of government, no longer relevant, was removed as part of the 1997 updating of this City Charter.)

SECTION 4.03 QUALIFICATIONS.

Each Councilperson elected or appointed at large shall have been for at least one (1) year prior to the date of his or her election, or appointment, and during his or her term of office shall be, a continuous resident and qualified elector of the Municipality or territory annexed thereto. Each Councilperson elected or appointed to represent a ward shall have been for at least one (1) year prior to the date of his or her election or appointment, and during his or her term of office shall be, a continuous resident and qualified elector of the ward he or she represents, or territory annexed thereto, in addition to being a resident and qualified elector of the Municipality. A Councilperson shall hold no other elective or appointed public office, except that he or she may be a member of any duly authorized Charter Commission. He or she shall not be otherwise employed by this Municipality nor hold any other office in this Municipality.
(Amended November 5, 1991; Amended November 6, 2012))

SECTION 4.04 PRESIDENT PRO-TEM OF COUNCIL.

At the first regular meeting of Council in January, of each year, Council shall, by a two-thirds vote, elect from its membership a President Pro-tem of Council to serve a term of one (1) year. The President Pro-tem of Council, neither by virtue of holding such office nor in performing the duties of Acting Mayor, as provided in Section 3.04 of Article III of this Charter, shall be deprived of his or her power and right or be relieved of any of his or her duties or obligations as a member of Council, including the right to vote on legislation.
(Amended November 6, 2012)

SECTION 4.05 CLERK OF COUNCIL.

The Clerk of Council shall keep accurate and complete minutes of all proceedings of Council, authenticated by his or her signature, have custody of all laws, ordinances and resolutions of Council, have custody of all official documents, reports, papers, communications and files of Council, and perform such other duties as the Council shall require. During the absence or disability of the Clerk of Council, Council shall appoint someone to perform all the duties of that office.
(Amended November 6, 2012)

(EDITOR'S NOTE: This section was edited as part of the 1997 updating of this City Charter to remove language relating to the transition period from the statutory to the Charter form of government and to change references to the Clerk-Treasurer to the Finance Director, pursuant to Article VI of this Charter.

SECTION 4.06 RULES AND MINUTES OF COUNCIL.

Council shall adopt its own rules, regulations or bylaws and shall keep minutes of all of its proceedings. The minutes shall be open for public inspection at all reasonable times. In the event that the voting upon any ordinance or resolution or motion is not unanimous among those members present at a meeting, the voting upon any ordinance or resolution or motion shall be by roll call, and the vote of each member of Council shall be entered in the minutes.
(Amended November 6, 2012)

SECTION 4.07 REGULAR MEETINGS.

Council shall meet at such times as may be prescribed by its rules, regulations or bylaws, or by ordinance or resolution, except that it shall hold at least twenty-four (24) regular meetings per year, as required by State statute. All regular meetings of Council called for the purpose of transacting public business, where a majority of the members elected are present, shall be open to the public unless a private executive session is called pursuant to the Ohio Revised Code. Said meetings shall be held at the Council Chambers. (Amended May 7, 1991; Amended November 6, 2012)

(EDITOR'S NOTE: Language relating to the transition period from the statutory to the Charter form of government, no longer relevant, was removed as part of the 1997 updating of this City Charter.)

SECTION 4.08 SPECIAL MEETINGS.

Special meetings of Council may be called as provided by its rules, regulations or bylaws, or by ordinance or resolution. In the absence of any such provisions, special meetings may be called by a vote of Council taken at any regular or special meeting thereof, or shall be called by the Clerk of Council upon the written request of the Mayor, or the President Pro-tem of Council, or any three (3) members of Council. Notice, in writing, of each such special meeting called at the request of the Mayor, the President Pro-tem of Council or any three (3) members of Council, shall state the date and time of the meeting and the subject or subjects to be considered, and no other subject or subjects shall be considered thereat. Such written notice shall be served by the Clerk of Council upon the Mayor and each member of Council, either personally or by leaving a copy thereof at his or her usual place of residence, not less than twelve (12) hours prior to the time for the meeting. In the event that a special meeting is called by a vote of Council taken at any regular or special meeting from which any member of Council is absent, written notice of such special meeting shall be given such absentee in the manner and form hereinbefore provided. Service of such notice may be waived by an instrument in writing signed prior to the hour of such meeting, and the Mayor and any Councilperson shall be deemed conclusively to have waived such notice by his or her attendance at any such meeting. All special meetings of Council shall be held at the Council Chambers. All special meetings of Council called for the purpose of transacting public business, where a majority of the members elected are present, shall be open to the public unless a private executive session is called pursuant to the Ohio Revised Code. (Amended May 7, 1991; Amended November 6, 2012))

SECTION 4.09 QUORUM.

Four (4) members of Council shall constitute a quorum to transact business, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance or resolution.

SECTION 4.10 POWERS AND DUTIES.

(a) The Council shall, by ordinance, make provision for:
   (1) The time and place of regular meetings of Council;
   (2) The method of giving public notice of the enactment of its ordinances and resolutions and of any other of its acts or proceedings which it deems proper to publish.

(b) The Council may, by ordinance, make provision for:
   (1) The form and method of enactment of its ordinances and resolutions, provided that no ordinance or resolution shall contain more than one subject, which shall be clearly expressed in its title, and provided, further, that no ordinance or resolution of a general or permanent

nature or granting a franchise, creating a right, involving the expenditure of money or the levying of a tax other than a resolution providing for an election on the question of issuing bonds or levying a tax, or for the purchase, lease, sale or transfer of property, shall be passed unless it has been read in full on three (3) different days, unless the requirement for such reading be dispensed with by the affirmative vote of two-thirds of those members elected to Council, in which event the ordinance or resolution shall be fully and distinctly read, by title only, at least once before passage.

(2) The procedure for making public improvements and levying assessments, including the procedure for combining two or more public improvements and the levying of assessments therefor, in one proceeding, if the Council finds that it will be economical and practical to undertake such improvements jointly;

(3) The advertising and awarding of contracts.

(c) Unless Council by rule or regulation expresses a contrary intention, its conduct of meetings and the form and method of enactment of legislation shall be in accordance with the general laws of the State of Ohio.
(Amended November 4, 2003)

SECTION 4.11 EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS; EMERGENCY LEGISLATION; REFERENDUM ON ZONING CHANGES.

Each ordinance or resolution providing for: (a) the appropriation of money, (b) an annual tax levy or (c) improvements petitioned for by the owners of a majority of the foot-frontage of the property benefited and to be specifically assessed therefor, and any emergency ordinance or resolution necessary for the immediate preservation of the public peace, health or safety, shall take effect, unless a later time be specified therein, upon its signature by the Mayor, or upon the expiration of the time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be. All other ordinances and resolutions shall take effect and be operative in the manner provided by the general laws of the State of Ohio. Each emergency measure shall contain a statement of the necessity for such emergency action and shall require the affirmative vote of two-thirds of those members elected to Council for its enactment. No ordinance or resolution: (a) relating to any changes in the boundaries of the Village, (b) providing for the surrender or joint exercise of any of Village powers,(c) granting any franchise or (d) contracting for the supply to the Municipality or its inhabitants of the products or service of any utility, whether Municipally owned or not, shall be enacted as an emergency measure. Any zoning or rezoning of lands within the Municipality must be put on the ballot for a majority vote of the people at either the next regular general or primary election.
(Amended November 8, 1983; Amended November 6, 2012)

SECTION 4.12 COMPENSATION; BONDS.

Council shall fix the compensation of the Mayor, members of Council, the Director of Finance, each officer and employee, and each member of any board or commission of the Municipality, whether elected or appointed, except as specifically provided in this Charter. Any changes in the compensation of the Mayor and each member of Council for the next term shall be made not less than one hundred-twenty (120) days immediately preceding the date of the next Municipal election and shall not thereafter be changed with respect to such term. The compensation of every other employee, and member of any board or commission, of this Municipality, shall be as fixed by Council.

The Mayor, the Director of Finance, the Superintendent of the Service Department, and such other officials or employees, or members of boards or commissions, as Council may by resolution or ordinance require, shall give bond in such amount and form and with such surety as may be approved by Council. The premium of such bonds shall be paid by the Municipality. (Amended November 6, 2012)

(EDITOR'S NOTE: This section was edited as part of the 1997 updating of this City Charter to change references to the Clerk-Treasurer to the Finance Director.)

SECTION 4.13 VACANCIES.

Any vacancy on the Council or an office thereof shall be filled by a two-thirds vote of all remaining members of Council. If the vacancy is in the office of a Councilperson representing a ward such vacancy must be filled from the ward. If the vacancy occurs in the office of a Councilperson at large, such vacancy can be filled from any ward within the Municipality. In the event Council should fail to fill a vacancy in the office of a Councilperson within thirty (30) days from the date such vacancy occurs, then the power of Council to do so shall lapse and the Mayor shall fill it by appointment. The person elected or appointed to fill a vacancy shall have the qualifications for the particular office specified in Section 4.03 of this Article and shall hold office until the next regular Municipal election. At that regular Municipal election, said office shall be considered open for the unexpired term.
(Amended November 4, 1986; Amended November 6, 2012))

SECTION 4.14 ADDITIONAL DEPARTMENTS, BOARDS AND COMMISSIONS.

Council may establish additional departments, boards and commissions as the needs of the Municipality may require, and, except for those established herein, may abolish or combine in any manner as it deems necessary.

Where organization, powers and duties of departments, boards and commissions are not expressly provided herein, they shall be as provided by resolution or ordinance of Council.

SECTION 4.15 CENSURE.

Members of Council may formally censure a colleague, the Mayor or the Law Director for the occurrence of any of the following while in office: conviction of a misdemeanor under the Ohio Revised Code, misfeasance, malfeasance or nonfeasance in office, abuse of authority or position, action contrary to a passed legislative decree of Council, the Summit County Council or the Ohio General Assembly, conduct unbecoming an elected official or being absent for twenty-five percent (25%) or more of the regularly scheduled meetings of Council in a twelve (12)-month period without just cause.

A censure motion must be brought during a regularly scheduled meeting of Council. The motion shall contain the specified allegations against the accused member. At that time, the President Pro-tem of Council, or the most senior member of Council should the President Pro-tem be the subject of the censure motion, shall schedule, within fifteen (15) days, a special meeting of Council, open to the public, to hear testimony supporting the motion. The accused official shall have the opportunity to cross examine all witnesses and present a defense. Council may then recess to executive session to consider the facts. However, a vote to censure must take place in open Council, either at a regularly scheduled meeting or during the special meeting called to hear the facts. A censure motion shall pass by a minimum of four (4) votes of non-accused members of Council. Abstentions shall be considered a "no" vote.

A censure must include a public reprimand of the offending official, to be delivered by the Law Director or the President Pro-tem of Council during the next regularly scheduled meeting of Council after the passage of the censure motion. In addition, a censured official may be subject to any or all of the following: loss of pay for up to four (4) months, loss of committee chairmanship, loss of committee membership and/or loss of seniority. Each sanction must pass by four (4) votes of non-censured members of Council. A censured Council member shall continue to have a seat on Council and vote on any and all other proceedings.

(Enacted November 5, 1996; Amended November 8, 2005)

SECTION 4.16 FORFEITURE OF OFFICE.

The Mayor or any member of Council shall forfeit their office upon conviction of any felony, or conviction of any offense stemming from any other jurisdiction in the United States that would be a felony pursuant to the Ohio Revised Code.

(Enacted November 5, 1996)

SECTION 4.17 WAGES, TERMS AND CONDITIONS OF EMPLOYMENT.

In providing for the wages, terms and conditions of employment for all full and part-time employees in the Police Department, for all full and part-time employees in the Department of Public Service, and for the Clerk of Court, Council shall adhere to the provisions set forth in Chapter 4117 of the Ohio Revised Code regarding collective bargaining.

(Enacted November 6, 2001; Amended November 6, 2012))

ARTICLE V
WARDS

SECTION 5.01 DIVISION OF MUNICIPALITY INTO WARDS.

Upon the adoption of this Charter by the electors of this Municipality, and at least sixty (60) days prior to the last date fixed by this Charter for filing nominating petitions for terms of office beginning January 2, 1982, Council shall enact an ordinance dividing the Municipality into four (4) wards. Council shall thereafter have the power to change the ward boundaries by ordinance, but shall not have the power to change the number of wards. Wards shall be as nearly equal in population as is practicable, each ward to be composed of contiguous and compact territory bounded by natural boundaries or street lines.

SECTION 5.02 REDISTRICTING OF WARDS.

Within one year of the issuance of the official federal census results for the Municipality, Council shall redistrict the wards, if necessary, so that the wards will be more evenly divided with respect to the population of each ward.
(Amended November 6, 2012)

SECTION 5.03 WARD DESCRIPTIONS.

Council shall adopt descriptions of the boundaries of each ward in its Codified Ordinances as set forth in Sections 5.01 and 5.02 of the Charter.
(Adopted November 6, 2012)

ARTICLE VI
DEPARTMENT OF FINANCE

SECTION 6.01 DIRECTOR OF FINANCE GENERALLY.

The Department of Finance shall be headed by the Director of Finance, which position shall be full-time.
(Amended November 7, 1995)

SECTION 6.02 APPOINTMENT AND REMOVAL OF DIRECTOR OF FINANCE.

The Director of Finance shall be appointed or removed by the Mayor subject to confirmation by the affirmative vote of two-thirds (2/3) of the members elected or appointed to Council.
(Amended November 7, 1995)

SECTION 6.03 QUALIFICATIONS OF DIRECTOR OF FINANCE.

The Director of Finance shall have knowledge and experience in accounting, taxation, budgets and financial control. He or she shall possess such other

qualifications as are established by Council and kept on file. He or she shall not be otherwise employed by, nor shall hold any other office in, this Municipality, except as otherwise provided in this Charter or by ordinance enacted thereunder.
(Amended November 7, 1995)

SECTION 6.04 DUTIES OF DIRECTOR OF FINANCE.

The Director of Finance, being the head of the Department of Finance and the fiscal officer of the Municipality, shall:

(a) Keep the financial records of the Municipality, exhibiting accurate statements of all taxes and assessments, receipts and disbursements, moneys due to and moneys owing to and of all property owned by the Municipality;

(b) Advise the Mayor and the Council concerning the financial condition of the Municipality and examine all payrolls, bills and other claims against the Municipality and issue no warrants unless he or she finds that the claim is in proper form and that an appropriation has been made therefor;

(c) Be the custodian of all public moneys of the Municipality and keep and preserve such moneys in the place or places authorized by ordinance and disburse the same as may be required by law or ordinance;

(d Examine and audit the accounts of all other officers, employees and departments and not allow the amount set aside for any appropriation to be overdrawn or drawn for any other purpose and require evidence that the amount of any claim presented to him is due;

(e) Be responsible for the preparation and submission of appropriation measures and assist the Mayor and Council in the preparation of estimates, budgets and other financial matters and at all times keep the Mayor and Council fully advised as to the financial condition and needs of the Municipality;

(f) Perform the duties now or hereafter imposed on City Auditors and Treasurers under the laws of the State of Ohio and perform such other duties, consistent with his office, as may be required by this Charter, ordinance or resolution of Council, or as directed by the Mayor.

(Enacted November 7, 1995; Amended November 6, 2012))

ARTICLE VII
DEPARTMENT OF PUBLIC SERVICE

SECTION 7.01 APPOINTMENT AND TERM OF SUPERINTENDENT OF SERVICE DEPARTMENT.

The Superintendent of the Service Department shall be the head of the Department of Public Service. He or she shall be appointed by the Mayor subject to the confirmation of a two-thirds vote of those members elected to Council and shall serve at the pleasure of the Mayor. (Amended November 2, 1982)

SECTION 7.02 QUALIFICATIONS OF SUPERINTENDENT OF SERVICE DEPARTMENT.

The Superintendent of the Service Department shall have general administrative and supervisory experience.

SECTION 7.03 DUTIES OF SUPERINTENDENT OF SERVICE DEPARTMENT.

The Superintendent of the Department of Public Service shall:

(a) Be the head of the Department of Public Service, and be appointed by the Mayor with the approval of Council. He or she shall manage and supervise the construction, improvement and maintenance of all public works, public construction, buildings, grounds, streets, lanes and other public places, and shall supervise and manage the cleaning, resurfacing, repairing and lighting of streets and all other public places and the preservation and maintenance of all Municipal property. He or she shall have charge of and supervise the maintenance of all Municipal equipment and the storage of all materials and supplies, and keep and submit to Council and the Mayor an inventory thereof or such other report with respect thereto as either of them may require;

(b) Make investigations and recommendations to the Mayor and Council concerning bids for public contracts;

(c) Assist the Mayor in the preparation of the annual estimate, perform such other duties as may be required of him or her by the Mayor, and have such other powers and duties as may be prescribed by ordinance of Council;

(d) Maintain the operating efficiency of the wastewater treatment plant and its sewage distribution system;

(e) Maintain the Municipal fire hydrants;

(f) Inspect all water connections;

(g) Implement any and all reasonable orders given to him or her by Council. (Amended November 5, 1996; Amended November 6, 2012))

SECTION 7.04 APPOINTMENT AND TERM OF SUPERINTENDENT OF SEWER DEPARTMENT. (REPEALED)

(EDITOR'S NOTE: Section 7.04 was repealed by the voters on November 5, 1996.)

SECTION 7.05 QUALIFICATIONS OF SUPERINTENDENT OF SEWER DEPARTMENT. (REPEALED)

(EDITOR'S NOTE: Section 7.05 was repealed by the voters on November 5, 1996.)

SECTION 7.06 DUTIES OF SUPERINTENDENT OF SEWER DEPARTMENT. (REPEALED)

(EDITOR'S NOTE: Section 7.06 was repealed by the voters on November 5, 1996.)

ARTICLE VIII
DEPARTMENT OF PUBLIC SAFETY

SECTION 8.01 MAYOR AS PUBLIC SAFETY DIRECTOR.

The Director of Public Safety shall be the head of the Department of Public Safety.

The Mayor, in addition to his or her other duties, shall be, and shall perform the duties of, the Director of Public Safety.
(Amended November 6, 2012)

SECTION 8.02 DUTIES OF PUBLIC SAFETY DIRECTOR.

The Director of Public Safety shall be the head of the Police and Fire Departments and shall be responsible for the enforcement of all police, fire, health, safety and sanitary regulations that may be prescribed by resolutions and ordinances of the Municipality or laws of Ohio.

SECTION 8.03 POLICE DEPARTMENT.

The Department of Police shall consist of a Chief of Police and such other officers, patrolmen and personnel as Council shall deem advisable. The Chief of Police shall be appointed from outside the ranks of the Police Department or from the qualified ranks of the Police Department of the Village of Northfield. The Chief of Police shall not have less than eight (8) years training and experience in law enforcement in a police organization of at least comparable size to that of this Municipality, three (3) of those years being above the rank of patrolman. Such individual shall not be required to live in the Nordonia School District, or be subject to the jurisdiction of the Civil Service Commission. The Chief of Police shall be appointed by the Director of Public Safety, subject to confirmation of a two-thirds vote of those members elected or appointed to Council. He or she may be removed for cause only, pursuant to the general laws of the State of Ohio.

All additional individuals shall be appointed by the Director of Public Safety with the approval of Council, after having successfully completed a background check by the Administration and a professional psychological profile has been conducted to assure that the individual is mentally equipped for the performance of police duties.
(Amended November 5, 1991; November 5, 2002)

SECTION 8.04 FIRE DEPARTMENT.

The Fire Department shall consist of a Fire Chief and such other officers, fire-fighters and personnel as Council shall deem advisable. The Fire Chief shall be

appointed by the Director of Public Safety, with the confirmation of a two-thirds vote of those members elected to Council. The Fire Chief may be removed from office by the Director of Public Safety, with the confirmation of a two-thirds vote of those members elected to Council. All other members of the Department and Department officers shall be appointed by the Director of Public Safety with the confirmation of a majority of vote of Council.
(Amended November 5, 2002; Amended November 6, 2012)

ARTICLE IX
DEPARTMENT OF LAW

SECTION 9.01 DIRECTOR OF LAW GENERALLY.

The Director of Law shall be the head of the Department of Law. He or she shall be appointed by the Mayor subject to confirmation by a two-thirds vote of those members elected to Council. He or she may be removed by the Mayor but such removal shall not take place without the concurrence of a two-thirds vote of those members elected to Council. He or she shall serve the Mayor, the Council, the administrative departments and the officers, boards and commissions of the Municipality as legal counsel in connection with Municipal affairs, and shall represent the Municipality in all proceedings in court or before any administrative board. He or she shall perform such other duties, consistent with his or her office, as may be required by this Charter, by ordinance of Council, or as directed by the Mayor.

SECTION 9.02 QUALIFICATIONS OF DIRECTOR OF LAW.

No person shall act as the Director of Law unless he or she is duly admitted to practice law in the State of Ohio. Neither the Director of Law nor his or her assistants nor any special counsel shall be required to reside in the Municipality.

SECTION 9.03 ASSISTANTS AND SPECIAL COUNSEL.

Council shall provide such assistants and special counsel to the Director of Law as shall, from time to time, be deemed by Council to be necessary.

ARTICLE X
PLANNING COMMISSION

SECTION 10.01 COMPOSITION AND TERM.

There is hereby created a Planning Commission which shall consist of the Mayor, one member of Council elected by the Council annually and three (3) electors of the Municipality, not holding other Municipal office or appointment, to be appointed for staggered terms of six (6) years by the Mayor, subject to confirmation by a two-thirds vote of those members elected to Council. A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment. The Commission shall choose from its members a Chairperson,

Secretary and such other officers as it shall deem necessary, shall make its own rules and regulations, and shall keep a journal of its proceedings. The Commission shall appoint or reappoint its officers at its first regular meeting in January of each year. Members of the Commission shall serve with compensation as provided by ordinance. The Commission shall meet as deemed necessary. A majority of the members of the Commission shall constitute a quorum for the transaction of business, and the affirmative vote of three members of the Commission shall be necessary for any official action.

(EDITOR'S NOTE: Language relating to the transition period from the statutory to the Charter form of government, no longer relevant, was removed as part of the 1997 updating of this City Charter.)

SECTION 10.02 POWERS.

(a) The Commission shall have such powers and perform such duties as may be prescribed by ordinance of Council or by the laws of the State of Ohio, to the extent that such laws are not inconsistent with this Charter or such ordinances, with the exceptions of zoning and rezoning of lands within the Municipality of Northfield.

(b) The Planning Commission shall hear appeals relative to exceptions to and variances from the application of ordinances, resolutions, regulations, measures and orders of administrative officials or agencies governing zoning and building in the Municipality under procedures established by Council. Such Commission shall have such other duties and functions as may be provided by ordinance of Council.

ARTICLE XI
CIVIL SERVICE COMMISSION

SECTION 11.01 CIVIL SERVICE COMMISSION.

At such time as the Municipality shall become a City, Council shall, by ordinance, provide for and establish a Civil Service Commission and a civil service system. The Commission shall consist of three electors of the Municipality not holding other Municipal office or employment and not being a member of the immediate family of any elected or appointed official of the Municipality, to be appointed by the Mayor, subject to confirmation by a majority vote of the members of Council, for terms of six years each, except that the three original members of the Commission shall be appointed for terms expiring on the last day of November of the second, fourth, and sixth years after their appointment. The Mayor shall at any time remove any member of the Commission for inefficiency, neglect of duty, malfeasance or nonfeasance in office, incompetency, provided, however, that such removal from office shall become final only after being confirmed by a two-thirds vote of Council. A vacancy occurring

during the term of any member of the Civil Service Commission shall be filled for the unexpired term in the manner authorized for an original appointment. The Commission shall designate one of its members as Chairman and may appoint a Secretary, who need not be a member of the Commission and may hold other Municipal office or appointment. There shall be no compensation for Commission members until such time as Council deems it necessary.
(Enacted November 5, 2002)

SECTION 11.02 CLASSIFICATION OF SERVICE. (REPEALED)
(EDITOR'S NOTE: Section 11.02 was repealed by the voters on November 5, 2002)

SECTION 11.03 DUTIES OF COMMISSION. (REPEALED)
(EDITOR'S NOTE: Section 11.03 was repealed by the voters on November 5, 2002)

SECTION 11.04 PROBATIONARY EMPLOYEES.
All original and promotional appointments of all employees of the Municipality shall be for a probationary period of one year, and no appointment or promotion of any employee is final until such employee has satisfactorily served his or her probationary period. If the service of a probationary employee is unsatisfactory, he or she may be removed or reduced at any time during such probationary period by the appointing authority.

SECTION 11.05 PROMOTIONS. (REPEALED)
(EDITOR'S NOTE: Section 11.05 was repealed by the voters on November 5, 2002)

ARTICLE XII
RECREATION BOARD

SECTION 12.01 CREATION; COMPOSITION; TERMS; COMPENSATION.
The Council shall create, by ordinance, a Recreation Board, upon the passage of this Charter, consisting of five (5) electors of the Municipality not holding other Municipal office. They shall be appointed by the Mayor and confirmed by a two-thirds vote of those members elected to Council. The term of the members of this Board shall be five (5) years. These members shall serve without any compensation until such time as Council deems it necessary.
(EDITOR'S NOTE: Language relating to the transition period from the statutory to the Charter form of government, no longer relevant, was removed as part of the 1997 updating of this City Charter.)

ARTICLE XIII
MUNICIPAL ENGINEER

SECTION 13.01 APPOINTMENT AND DUTIES.

The Council may by ordinance provide for the employment of a Municipal Engineer, who shall be appointed by the Mayor, subject to confirmation by a two-thirds vote of those members elected to Council, and who shall serve at the pleasure of the Mayor. The Municipal Engineer shall be a registered professional engineer in the State of Ohio and shall perform such duties as may be prescribed by the Mayor. He or she shall receive such compensation in the form of fees or salary, or both, as may be provided for by ordinance of Council.

ARTICLE XIV
FINANCES AND TAXATION

SECTION 14.01 IN GENERAL.

The laws of the State of Ohio relating generally to budgets, appropriations, deposits, expenditures, debts, bonds and other fiscal matters of the Municipality shall be applicable to this Municipality, except as modified by or necessarily inconsistent with the provisions of this Charter and except when provision therefor is made in the Constitution of the State of Ohio. Separate books of account shall be maintained for each Municipally-owned utility.

SECTION 14.02 LIMITATION ON RATE OF TAXATION.

The power of Council to levy taxes shall be subject to the limitations now or hereafter provided by the Constitution and the general laws of the State of Ohio, and nothing contained in this Charter shall be construed as authorizing the levy of any taxes in excess of such limitation without a vote of the people.
(Amended November 6, 2012)

ARTICLE XV
NOMINATIONS AND ELECTIONS

SECTION 15.01 TIME OF HOLDING ELECTIONS.

Regular Municipal elections shall be held on the first Tuesday after the first Monday of November in each odd-numbered year commencing with the year 1983. Such other elections shall be held as may be required by law or authorized by this Charter. Any matter which, by the terms of this Charter, may be submitted to the electors at any special election, may be submitted at the time of a primary or regular election. All elections shall be non-partisan.

SECTION 15.02 NOMINATIONS AND PROCEDURES.

Except as otherwise provided in this Charter, the general laws of the State of Ohio shall govern the procedure for the nomination and election of the elective officers of the Municipality and the method of holding and conducting elections.

ARTICLE XVI
INITIATIVE, REFERENDUM AND RECALL

SECTION 16.01 INITIATIVE AND REFERENDUM.

Ordinances and resolutions may be proposed by initiative petition and adopted by election, and ordinances and resolutions adopted by Council shall be subject to referendum, to the extent and in the manner now or hereafter provided by the Constitution or laws of the State of Ohio. Initiative and referendum petitions shall be filed with the Clerk of Council.

SECTION 16.02 RECALL.

The electors shall have the power to remove from office, by a recall election, any elected officer of the Municipality. If an elected officer shall have served six (6) months of his or her term, a petition demanding his or her removal may be filed with the Clerk of Council who shall note thereon the name and address of the person filing the petition and the date of such filing. Such petition shall be signed by qualified electors equal in number to at least thirty-five (35) percent of the total votes cast at the last preceding general Municipal election for the office of the officer sought to be recalled, if the officer was elected by the electors of the entire Municipality, which includes at-large Councilpersons and equal in number to at least fifty percent of the total valid ballots cast at the last preceding general Municipal election for the office of the officer sought to be recalled if the officer was elected by the electors of a particular ward. Within ten (10) days after the day on which such petition shall have been filed, the Clerk of Council shall determine whether or not it meets the requirements hereof. If the Clerk of Council shall find the petition insufficient, he or she shall promptly certify the particulars in which the petition is defective, deliver a copy of his or her certificate to the person who filed the petition with him or her, and make a record of such delivery. Such person shall be allowed a period of twenty (20) days after the day on which such delivery was made in which to make the petition sufficient. If the Clerk of Council shall find the petition sufficient, he or she shall promptly so certify to the Council, shall deliver a copy of such certificate to the officer whose removal is sought, and shall make a record of such delivery. If such officer shall not resign within five (5) days after the day on which such delivery shall have been made, the Council shall thereupon fix a day for holding a recall election. Any such election shall be held at the earliest opportunity permitted by State law after the date of such delivery, at the same time as any other general or special election held within such period, but if no such election is to be held within such period, the Council shall call a special recall election to be held within the time aforesaid. Such special recall election shall be submitted to the electors of the entire Municipality if such officer to be recalled was elected by the electors of the entire Municipality, and such special recall election shall be submitted to the electors of a single ward if the officer to be recalled was elected by the electors of a single ward. At such recall election this question shall be placed on the ballot: "Shall (Naming the Officer) be removed from office as (naming the office) of the Village/City of Northfield?" with provision on the ballot for voting affirmatively or negatively on such question. If a majority of the votes cast at such election shall be voted negatively, such officer shall remain in office. If the majority of the votes cast shall be voted affirmatively, such officer shall be considered as removed, his or her office shall be deemed vacant, and such vacancy shall be filled as provided in this Charter. The officer removed by such recall election shall not be eligible for appointment to the vacancy created thereby.

(Amended November 2, 1982; Amended November 6, 2012)

SECTION 16.03 PETITIONS.

Any initiative, referendum or recall petition may be circulated in separate parts, but the separate parts shall be bound together and filed as one instrument. Each part shall contain, in the case of the initiative or referendum, a full and correct copy of the title and text of the proposed or referred ordinance or resolution, and in the case of the recall, the name and office of the person whose removal is sought and a statement in not more than 200 words of the grounds for the proposed removal. The manner of signing, the method of circulating, the form and requirements as to the affidavit, and the other requirements of the general laws of the State of Ohio regulating initiative and referendum petitions, shall apply in the case of initiative, referendum and recall in this Municipality, except as otherwise provided in this Charter.

ARTICLE XVII
AMENDMENTS TO THE CHARTER

SECTION 17.01 PROCEDURE.

This Charter may be amended as provided by Article XVIII, Section 9, of the Constitution of Ohio, by the submission of the proposed amendments to the electors of the Municipality. If any such amendment is approved by majority of the electors voting thereon, it shall become a part of this Charter, except that if two or more inconsistent proposed amendments on the same subject shall be submitted at the same election, only the one of such amendments receiving the highest number of affirmative votes, not less than a majority, shall become a part of this Charter.

SECTION 17.02 CHARTER REVIEW COMMISSION.

Every four (4) years, the Mayor shall appoint, subject to confirmation by a two-thirds vote of those members elected to Council, five (5) electors of the Municipality, holding no other office, appointment or employment, in the government of the Municipality, as members of a Charter Review Commission. Such Commission shall review this Charter, and within five (5) calendar months after such election or appointment, recommend to Council such amendments, if any, to this Charter, as in its judgment are desirable. The Council may, by a majority vote of its members, submit to the electors, not later than the next succeeding general election, any such proposed amendments. The members appointed to said Commission shall serve without compensation until such time as Council deems it necessary. Meetings of the Charter Review Commission shall be open to the public.

(EDITOR'S NOTE: Language relating to the transition period from the statutory to the Charter form of government, no longer relevant, was removed as part of the 1997 updating of this City Charter.)

ARTICLE XVIII
GENERAL PROVISIONS

SECTION 18.01 EFFECTIVE DATE OF CHARTER.
The provisions of this Charter shall be in effect from and after December 1, 1981.

SECTION 18.02 CONTINUANCE OF PRESENT OFFICIALS.
All officers and members of boards and commissions of the Municipality holding office on December 1, 1981, shall continue in office and in the performance of their duties until provisions shall have been otherwise made in accordance with this Charter for the performance or the discontinuance of the duties of any such office. When such provisions shall have been made, the term of any such officer or member shall expire and his or her office shall be deemed abolished. The powers which are conferred and the duties which are imposed upon any officer, commission, board or department of the Municipality under the laws of the State of Ohio, or under any ordinance or contract of the Municipality in force on December 1, 1981, shall, if such officer, commission, board or department is abolished by this Charter, be thereafter exercised and discharged by the officer, commission, board or department upon whom or which are imposed corresponding functions, powers and duties by this Charter or by any ordinance or resolution of Council thereafter enacted.

SECTION 18.03 CONTINUANCE OF PRESENT EMPLOYEES.
Every employee of the Municipality employed on December 1, 1981, shall continue in such employment and thereafter shall be subject in all respects to the provisions of this Charter.

SECTION 18.04 EFFECT OF CHARTER ON EXISTING LAWS AND RIGHTS.
The adoption of this Charter shall not affect any pre-existing rights of the Municipality, nor any right, liability or pending suit or prosecution either on behalf of or against the Municipality or any officer thereof, or any franchise granted by the Municipality, nor pending proceedings for the authorization of public improvements or the levy of assessments therefor. Except as a contrary intent appears herein, all acts of the Council shall continue in effect until lawfully amended or repealed.

SECTION 18.05 COMPENSATION AND BONDS; INCREASES OR DECREASES DURING TERM; TRAVEL EXPENSES.
The Council shall have the power to fix the salaries of its members and of all other officers and employees of the Municipality, whether elected or appointed, and to establish such bonds as in the opinion of the Council are necessary, for the faithful discharge of their duties. All employees of this Municipality shall have the right, annually, to negotiate their wages and working conditions. The premium of any bond

required by the Council shall be paid by the Municipality. The salary of an elected officer shall not be increased during his or her term of office, nor decreased during such term except with the consent of the officer involved. If the office is elective, the salary shall be fixed at least one hundred and twenty (120) days prior to the date of the next Municipal election. The Council may authorize the payment or reimbursement to any officer or employee of reasonable expenses related to any Municipal purpose. (Amended November 6, 1984; Amended November 6, 2012)

SECTION 18.06 VACANCIES.

If any person is barred from holding any elective position by virtue of Ohio R.C. 3517.11, then such person is also barred from filling any vacancy, either elected or by appointment, in any public office, board, or commission in this Municipality.

SECTION 18.07 CONFLICTS OF INTEREST.

No member of Council or any officer, member of a board or a commission or employee of the Municipality shall have any financial interest, direct or indirect, in any contract with the Municipality or sale to the Municipality of any materials, supplies or services, or any land or interest in land. Any such person violating the provisions hereof shall forfeit his or her office and any such contract shall be voidable at the option of the Council.

SECTION 18.08 EFFECT OF PARTIAL INVALIDITY.

A determination that any part of this Charter is invalid shall not invalidate or impair the force or effect of any other part hereof, except to the extent that such other part is wholly dependent for its operation upon the part declared invalid.

SECTION 18.09 INTERPRETATION.

The article and section headings herein have been inserted for convenience in reference and are not intended to define or limit the scope of, or otherwise affect any provision of, this Charter.

Whenever the Charter requires the affirmative vote of a stated fraction of the Council, the multiplicand shall be six reduced by the number of vacancies then existing in Council.

The period of residence in the Municipality required by this Charter as a qualification for elective office shall include the period of residence in any territory which has been annexed to the Municipality.

ARTICLE XIX
PUBLIC UTILITIES

SECTION 19.01 MANAGEMENT AND DUTIES.

The Council of the Village of Northfield shall manage and control the water works and sewerage system of the Village and shall be responsible for collecting and charging all fees and rentals associated with the utilities.
(Enacted November 6, 1984)