

ORDINANCE NO. 2024-O-10

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AN AMENDMENT TO ARTICLE III, SECTION 3.06, OF THE MUNICIPAL CHARTER, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MENTOR-ON-THE-LAKE, COUNTY OF LAKE, AND STATE OF OHIO, that the Council of Mentor-on-the-Lake hereby submits to the Lake County Board of Elections and to the voters of the City of Mentor-on-the-Lake the following individual and separate proposed Charter Amendments as follows:

Section 1. Council hereby authorizes and directs that the following proposal to amend Article III, Section 3.06, of the Charter of the City of Mentor on the Lake, Ohio, be submitted to the electors of the City on Tuesday, November 5, 2024:

SECTION 3.06 VACANCY.

~~When a vacancy shall occur in the office of the Mayor, the President of Council shall serve as Mayor until the next Municipal election, providing the vacancy does not occur subsequent to one hundred days before said election. In that event, he or she shall serve the full unexpired term. In this event, the President of Council shall relinquish his or her duties as a councilman.~~

SECTION 3.06 VACANCY

A. When a vacancy occurs in the office of the Mayor (by death, disqualification, removal, or action of Council per sections 3.03) the President of Council shall serve as Mayor until the next general election. The successful Mayoral candidate will then fill the remainder of the unexpired term.

B. The President of Council shall relinquish his or her duties as a councilperson during the time they are serving as Mayor. The Vice-President of Council shall serve as President of Council for the remainder of the 1-year term as outlined in Charter Article IV, Section 4.09. The remaining Council vacancy shall be filled according to Charter Article IV, Section 4.03.

C. If the President of Council declines to serve as Mayor, the Vice President of Council shall serve as Mayor. If the Vice President of Council declines to serve as Mayor, the President of

Council shall perform the duties of Mayor until a qualified elector is appointed by Council to serve as Mayor until next general election to fill the unexpired term. The appointment must be made within thirty (30) days of the date in which the vacancy in the Mayor's office occurs. If Council does not appoint a Mayor within the thirty (30) day period, the President of Council shall appoint a qualified elector to serve as Mayor until the next general election to fill the unexpired term.

Section 2. That if such Charter Amendment is approved by a majority of the electors voting thereon at such election, said Amendment shall become effective from and after the time of its approval by the electors.

Section 3. That the Clerk of Council be and she hereby is directed to mail a copy of the above proposed Charter amendments, additions or revisions to each elector whose name appears upon the poll or registration books of the last regular or general election held in the City, or cause to be published the full text of the proposed Charter amendments, additions or revisions as set forth above, once a week for not less than two consecutive weeks in a newspaper of general circulation within the City, or as provided in section 7.16 of the Revised Code, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all, in accordance with Section 9 of Article XVIII of the Ohio Constitution, Section 731.211 of the Ohio Revised Code, and the Charter of the City of Mentor-on-the-Lake.

SECTION 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Lake County, 105 Main Street, P.O. Box 490, Painesville, OH 44077.

SECTION 5. That the Board of Elections of Lake County is hereby requested to cause appropriate notice of such election to be duly given in accordance with law.

SECTION 6. That the form of ballots to be cast at the election shall be as follows:

PROPOSED CHARTER AMENDMENT

(A majority affirmative vote is necessary for passage)

Shall Article III, Section 3.06, Vacancy in the Office of the Mayor

be amended in order to specify the process for appointing a successor to the Mayor if the Office of the Mayor becomes vacant and providing that the Council President shall become Mayor for the remainder of the term and if the President of Council declines the position then to have the Vice-President of Council become the Mayor and further succession provisions if both the President or Vice-President of Council decline to serve as the Mayor:

SECTION 3.06 VACANCY

A. When a vacancy occurs in the office of the Mayor (by death, disqualification, removal, or action of Council per sections 3.03) the President of Council shall serve as Mayor until the next general election. The successful Mayoral candidate will then fill the remainder of the unexpired term.

B. The President of Council shall relinquish his or her duties as a councilperson during the time they are serving as Mayor. The Vice-President of Council shall serve as President of Council for the remainder of the 1-year term as outlined in Charter Article IV, Section 4.09. The remaining Council vacancy shall be filled according to Charter Article IV, Section 4.03.

C. If the President of Council declines to serve as Mayor, the Vice President of Council shall serve as Mayor. If the Vice President of Council declines to serve as Mayor, the President of Council shall perform the duties of Mayor until a qualified elector is appointed by Council to serve as Mayor until next general election to fill the unexpired term. The appointment must be made within thirty (30) days of the date in which the vacancy in the Mayor's office occurs. If Council does not appoint a Mayor within the thirty (30) day period, the President of Council shall appoint a qualified elector to serve as Mayor until the next general election to fill the unexpired term.

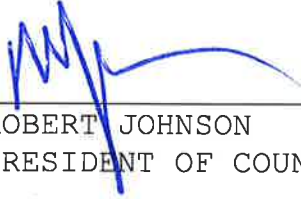
Section 7. That the proposed Charter amendment is being submitted pursuant to the submission of said amendments, additions and revisions by the Charter Review Commission of the City of Mentor-on-the-Lake, as provided in Section 11.05 of the Charter.

Section 8. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including


Section 123.22 of the Ohio Revised Code.

Section 9. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need to comply with the provisions of the Charter and to preserve order and peace, quiet and dignity in this City. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Mentor-on-the-Lake, Ohio.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.



ROBERT JOHNSON
PRESIDENT OF COUNCIL



DAVID R. EVA
MAYOR

Dated: 7/9/2024

ADOPTED: 7/9/2024

ATTEST: 

Clerk of Council