

VILLAGE COUNCIL OF WAKEMAN, OHIO  
ORDINANCE NO. 2020-O-2

AN ORDINANCE AMENDING SECTION 133.02 OF THE WAKEMAN CODIFIED MUNICIPAL CODE PROVIDING THE VILLAGE ADMINISTRATOR WITH THE POWERS, AND DUTIES OF THE VILLAGE ZONING INSPECTOR

WHEREAS, Village council deems it necessary to provide the Village Administrator with the powers, duties and responsibilities of the Village Zoning Inspector.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAKEMAN, STATE OF OHIO: (RC 731.18)

SECTION 1. That Section 133.02 of the Wakeman Codified Municipal Code is hereby amended as follows:

*133.02 POWERS AND DUTIES.*

*The Village Administrator shall have those powers, duties, and functions as set forth by the laws of the State of Ohio, including but not limited to:*

- (a) Management of the Municipality's public utilities, including the collection of the water rents.*
- (b) The Village Administrator may make rules and regulations regarding the public utilities to ensure the safe and efficient operation of the same, however, the rates are set by Council.*
- (c) The Village Administrator shall be responsible for the disposition of surplus water rents as set forth in Ohio R.C. 743.05 and be responsible for the weekly deposit of all water rents into a separate fund as set forth in Ohio R.C. 743.06.*
- (d) The Village Administrator shall be empowered to make certain contracts for the maintenance and enlargement of the water works and furnishing and maintaining lines and connections for fire hydrants for Fire Department purposes as set forth in Ohio R.C. 743.07.*
- (e) The Village Administrator shall be responsible for the protection and maintenance of the water lines or other utility and may make rules for such purpose pursuant to Ohio R.C. 743.10.*
- (f) The Village Administrator shall also ensure that prior to entering into any contracts for the installation or maintenance of the water lines or other utility owned by the Village, the requirements in Ohio R.C. 153.54 concerning bid guaranty and performance bonds have been met. In the event of an emergency, the Village Administrator shall obtain the approval of Council, by a two-thirds vote, to authorize him to enter into said contract without formal bidding or advertising as set forth in Ohio R.C. 743.11.*
- (g) The Village Administrator is also empowered to make contracts, with the approval of Council, to sell surplus water to other municipal corporations, to supply water or electricity pursuant to Ohio R.C. 743.18, and to make contracts with other political subdivisions to purchase water to supply the Village, with the consent of Council and the electors pursuant to Ohio R.C. 743.24 of the Ohio Revised Code.*
- (h) The Village Administrator shall also supervise the improvement and repair of streets, avenues, alleys, lands, lanes, squares, landings, market houses, bridges, viaducts, sidewalks, sewers, drains, ditches, culverts, ship channels, streams, and water courses as well as lighting, sprinkling, and cleaning of all streets, alleys, and public buildings and places as set forth in Ohio R.C. 735.27.3.*
- (i) The Village Administrator is empowered to hire those necessary assistants or employees to fill positions created by Council, with the approval of the Mayor. These appointments and their subsequent approval by the Mayor must be in writing and filed with the Village Fiscal Officer as permitted by Ohio R.C. 735.27.3.*
- (j) The Village Administrator shall be under the general supervision of the Mayor and shall have other such duties as prescribed by ordinance, not inconsistent with Ohio R.C. 735.27.3.*
- (k) The Village Administrator shall have all of the powers of the Board of Trustees of Public Affairs and Street Commissioner as prescribed by law as set forth in Ohio R.C. 735.27.3.*
- (l) The Village Administrator shall perform those other duties as assigned by the Mayor and/or Council.*
- (m) The Village Administrator shall serve at the pleasure of the Mayor and Council and may be removed without cause by the Mayor with the consent of the majority of Council, or the Village Administrator may be removed without cause by a three-fourths affirmative vote of Council, without the consent of the Mayor.*  
*(Ord. 1996-0-31. Passed 8-12-96.)*
- (n) The Village Administrator shall serve as Zoning Inspector and have all powers, duties and responsibilities of such as provided by the Ohio Revised Code and the Wakeman Codified Municipal Code.**

SECTION 2. DISPENSE WITH THREE READINGS. That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or

resolution shall be read on three different days. [R.C. 731.17(A)(2)]

**SECTION 4. PUBLIC MEETING.** That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

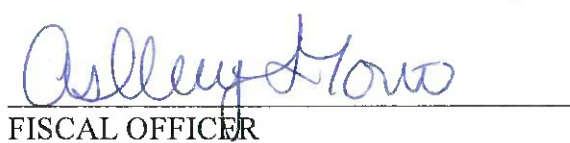
WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 13 day of April, 2020.

AUTHENTICATION and ATTESTATION  
(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.

  
MAYOR

  
FISCAL OFFICER

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 4 NAYS: 0 ABSTAIN: 1

First Reading: February 10, 2020  
Second Reading: March 9, 2020 (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))  
Third Reading: April 13, 2020 (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

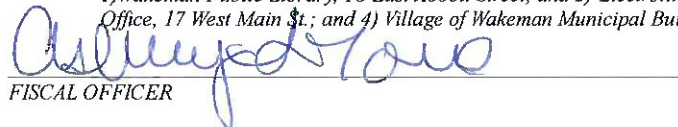
APPROVED AS TO FORM:

  
Steve Palmer, Village Solicitor

CERTIFICATE OF POSTING  
(RC 731.21 and 731.25)

In a municipal corporation in which no newspaper is generally circulated, I hereby certify pursuant to R.C. 731.24, that a summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority [see Wakeman Code 123.01] for a period of not less than fifteen days prior to the effective date at the following locations:

1) Wakeman Public Library, 18 East Abbott Street; and 2) Electronically online at official Village website.; and 3) Wakeman Post Office, 17 West Main St.; and 4) Village of Wakeman Municipal Building, 59 Hyde Street; and 5) Mickey Mart, 52 West Main Street.

  
FISCAL OFFICER