

VILLAGE COUNCIL OF WAKEMAN, OHIO
ORDINANCE NO. 2021-O-1

AN ORDINANCE AMENDING THE WAKEMAN CODIFIED MUNICIPAL CODE BY REPEALING AND REPLACING SECTION 105.05 AND DECLARING AN EMERGENCY

WHEREAS, Council wishes to establish its own rules pursuant to Section 731.45 of the Ohio Revised Code; and

WHEREAS, Council wishes to establish annual rules at the first meeting of January of each year; and

WHEREAS, Council wishes to REPEAL AND REPLACE Section 105.05 of the Wakeman Codified Municipal Code to be eliminate outdated and unused provisions and eliminate any inconsistencies with Rules.

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

SECTION 1. SECTION 1. That Section 105.05 of the Wakeman Codified Municipal Code is hereby rescinded and repealed.

SECTION 2. That Section 105.05 of the Wakeman Codified Municipal Code is hereby REPLACED with the following:

105.05 RULES OF COUNCIL

(a) Council shall determine its own rules and keep a journal of its proceedings.

[ORC 731.45]

(b) Council Rules need not be adopted by ordinance or resolution but upon motion. [1964 OAG No. 898]

(c) Council Rules shall be adopted annually at the first meeting in January of each year. [1964 OAG No. 898]

SECTION 3. CODIFICATION. That the Clerk is hereby instructed to submit this legislation to the village codification service.

SECTION 4. 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. 705.15 and 731.17(A)(2)]

SECTION 5. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance/Resolution is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s):

New council Rules will be effective at the first meeting of January 2021.

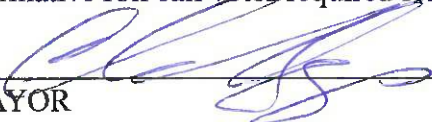
SECTION 6. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees 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 12 day of January, 2021.

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: 1 ABSTAIN: Ø

First Reading: January 12, 2021
Second Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))
Third Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))


APPROVED AS TO FORM:


VILLAGE SOLICITOR, Steve Palmer

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