

**ORDINANCE NO. 2014-6**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING CHAPTER 133 OF THE  
CODIFIED ORDINANCES OF THE CITY ENTITLED “LAW  
DEPARTMENT”**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST,  
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

**SECTION 1.** Chapter 133 of the Codified Ordinances of the City entitled “LAW DEPARTMENT” is hereby amended to read as follows: (new material appears like THIS; deleted material appears like ~~this~~)

**133.01 COMPOSITION.**

The law department shall consist of the Director of Law AND THE CITY PROSECUTOR, and such additional counsel as may hereafter be authorized by Council. The Director of Law shall have all the powers and perform all the duties provided by the laws of the State of Ohio for DIRECTORS OF LAW AND city solicitors. THE CITY PROSECUTOR SHALL HAVE ALL THE POWERS AND PERFORM ALL THE DUTIES PROVIDED BY THE STATE OF OHIO FOR CITY PROSECUTORS.

**133.02 DUTIES OF DIRECTOR OF LAW; COMPENSATION.**

(a) The services to be performed by the Director of Law, as a part-time employee of the City (effective March 1, 1999), subject to all benefits of part-time employees of the City and further subject to all normal deductions, including PERS, and included in the annual compensation shall be:

- (1) Attendance and advice at all regular and special Council meetings not to exceed twenty-four meetings per year;
  - (2) Attendance and advice at all regular and special Planning Commission meetings not to exceed twelve meetings per year;
  - (3) Attendance and advice at all regular and special Board of Zoning Appeals meetings not to exceed twelve meetings per year;
  - (4) All regular legislation necessary for the above meetings;
  - (5) All meetings of the Civil Service Commission and regular business;
- and
- (6) Up to twelve (12) hours of legal service per month.

(b) All other matters requiring attention by the Law Director not included in subsection (a) hereof shall, in addition to the base salary, be compensated for at an hourly rate to be determined annually by council. Such other matters include, but are not limited to, special preparation and services required beyond the scope of subsection (a) hereof, and litigation, court appearances, negotiations, preparations of covenants, zoning legislation and research, certificates, notes, bonds, assessments and other matters incidental to the foregoing special services.

(c) Should any special representation be required beyond the normal scope of the regular or special duties outlined above, upon recommendation of the Mayor, approval of such representation and compensation for such services shall be subject to formal approval by Council in advance.

(d) Upon the request of the Director of Finance, the Director of Law shall submit in writing a memo setting a value on the services performed in connection with any public project financed by special assessments. Such amount shall then be included in the cost of such project with a memo entry of credit to the General Fund in the same amount.

**133.03 DUTIES OF CITY PROSECUTOR; COMPENSATION.**

(A) THE SERVICES TO BE PERFORMED BY THE CITY PROSECUTOR AS A PART-TIME EMPLOYEE OF THE CITY, SUBJECT TO ALL BENEFITS OF PART-TIME EMPLOYEES OF THE CITY, AND FURTHER SUBJECT TO ALL NORMAL DEDUCTIONS, INCLUDING PERS, SHALL BE THE FOLLOWING:

- (1) PREPARATION OF ALL CASES IN THE LYNDHURST MUNICIPAL COURT;
- (2) MEETINGS WITH PERSONS HAVING COMPLAINTS WITH THE CITY, RESIDENTS, OR OTHERS AS ARE CUSTOMARILY HANDLED BY THE PROSECUTOR;
- (3) MEETINGS WITH POLICE OFFICERS OF THE CITY AS THE SAME ARE NECESSARY TO AID THE PROSECUTOR IN THE PREPARATION OF A CASE; AND
- (4) IN-HOUSE COUNSULTATION WITH THE CHIEF OF POLICE AND HIS DESIGNEES.

(B) THE ANNUAL COMPENSATION SHALL BE SET BY COUNCIL.

(C) ALL OTHER MATTERS REQUIRING ATTENTION BY THE CITY PROSECUTOR NOT INCLUDED IN SUBSECTION (A) HEREOF SHALL, IN ADDITION TO THE BASE SALARY, BE COMPENSATED FOR AT AN HOURLY RATE TO BE DETERMINED ANNUALLY BY COUNCIL. SUCH OTHER MATTERS INCLUDE, BUT ARE NOT LIMITED TO, SPECIAL PREPARATION AND SERVICES REQUIRED BEYOND THE SCOPE OF SUBSECTION (A) HEREOF, AND OTHER MATTERS INCIDENTAL TO THE FOREGOING SPECIAL SERVICES, INCLUDING APPEARANCES IN THE OHIO COURT OF APPEALS AND THE OHIO SUPREME COURT. SUCH ADDITIONAL SERVICES SHALL BE PERFORMED ONLY UPON RECOMMENDATION BY THE MAYOR AND APPROVAL BY COUNCIL.

**SECTION 2.** All provisions in Chapter 133 of the Codified Ordinances of the City inconsistent herewith are hereby repealed and all other provisions of Chapter 133 shall remain in full force and effect.

**SECTION 3.** The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 4.** This Ordinance shall take effect at the earliest time allowed by law.

PASSED March 3, 2014

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**MAYOR**

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**VICE-MAYOR**

ATTEST: \_\_\_\_\_  
**Clerk of Council**

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on March 13, 2014 and March 20, 2014.

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**Clerk of Council**

First Reading: February 3, 2014

Second Reading: February 17, 2014

Third Reading: March 3, 2014