

ORDINANCE NO. 2014-4
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE AMENDING CHAPTER 123 OF THE
CODIFIED ORDINANCES OF THE CITY ENTITLED
“ORDINANCES AND RESOLUTIONS”**

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

SECTION 1. Chapter 123 of the Codified Ordinances of the City entitled “ORDINANCES AND RESOLUTIONS” is hereby amended to read as follows (new material appears like THIS; deleted material appears like ~~this~~):

123.01 ADOPTION.

All actions of Council shall be by written ordinance or resolution, except actions authorized in this chapter, Chapter [121](#) or the City Charter or when it is acting in its capacity as a Board of Control, reviewing agency of the Board of Zoning Appeals and City Planning Commission or when otherwise authorized in these Codified Ordinances. In such latter instances, its action may be by oral resolution recorded in its Journal. Written ordinances and resolutions shall require, for their adoption, the affirmative votes of at least four members of Council unless a larger number is required by the provisions of the Charter or by the laws of Ohio, taken by a yea or nay vote of each Councilman, entered upon the Journal of the Proceedings of Council.

Each ordinance or resolution of a general or permanent nature shall be introduced in written or printed form, shall contain not more than one subject or group of related subjects, except as otherwise provided by the Charter, and shall, before its passage, be read in full on three separate days unless the requirement for such reading be dispensed with by the concurrence of at least five Councilmen. However, any emergency measure or any measure of a series necessary to provide for making or paying for a public improvement, except the first of such series, may be passed after one reading. An ordinance when sponsored by a member of Council shall indicate such sponsorship in the heading; otherwise it shall be considered a measure sponsored by the administration.

Measures not of a general or permanent nature may be adopted, except as otherwise provided in this chapter or by the Charter, on the motion of any Councilman, by the affirmative votes of at least four Councilmen and each such measure shall be deemed a resolution unless expressly designated as an ordinance. Each such measure shall be entered in full upon the Journal and the subsequent approval by Council of the minutes containing such entry shall be conclusive proof of the correctness of such entry.

An ordinance may be amended by reference to and providing the identifying number, alphabetical number or other designator of the section, subsection or part thereof being amended. It shall not be necessary to set forth the entire ordinance or section being amended.

ANY LEGISLATION NOT ADOPTED BY THE END OF A TERM OF COUNCIL SHALL FALL OFF THE AGENDA WITHOUT FUTURE ACTION BY COUNCIL, AND MUST BE REINTRODUCED AT THE NEXT TERM OF COUNCIL TO BE CONSIDERED.

SECTION 2. All provisions in Chapter 123 of the Codified Ordinances of the City inconsistent herewith are hereby repealed and all other provisions of Chapter 123 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 February 17, 2014

MAYOR

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 February 27, 2014 and March 6, 2014.

Clerk of Council

First Reading: January 20, 2014

Second Reading: February 3, 2014

Third Reading: February 17, 2014