

CITY OF OBERLIN, OHIO

ORDINANCE No. 19-77 AC CMS

AN ORDINANCE REPEALING CHAPTERS 105, 151, 531, 721, 771 AND AMENDING CHAPTERS 111, 113 AND 171 OF THE OBERLIN CODIFIED ORDINANCES TO ABOLISH PROVISIONS THAT ARE UNNECESSARY, OBSOLETE, SUPERCEDED OR OTHERWISE NOT ENFORCED

WHEREAS, certain provisions of the Codified Ordinances of the City of Oberlin are obsolete, superseded or are not enforced.

WHEREAS, Council desires to repeal those provisions to assure that the Codified Ordinances are up-to-date.

THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio that:

SECTION 1. That the operative provisions of Chapter 105 of the Codified Ordinances of the City of Oberlin relating to the division of the City into wards be and is hereby repealed and the Editor's Note be retained as is set forth on Exhibit A.

SECTION 2. That Chapter 151 of the Codified Ordinances of the City of Oberlin establishing an employee grievance procedure be and is hereby repealed.

SECTION 3: That Chapter 531 of the Codified Ordinances of the City of Oberlin prohibiting the sale or possession for consumption any beverage in a nonreturnable or disposable beverage container be and is hereby repealed.

SECTION 4. That Chapter 721 of the Codified Ordinances of the City of Oberlin providing for the regulation and licensing of persons who engage in the business of a debt pooling company be and is hereby repealed.

SECTION 5. That Chapter 771 of the Codified Ordinances of the City of Oberlin requiring the registration of taxicabs with the Chief of Police be and is hereby repealed.

SECTION 6. That Chapter 111 of the Oberlin Codified Ordinances be amended to abolish the adoption of Rules of Council and the prohibition of smoking at a public meeting as is set forth on Exhibit B.

SECTION 7. That Chapter 113 of the Oberlin Codified Ordinances be amended to incorporate the provisions of the Oberlin City Charter that designate places for the posting of ordinances as is set forth on Exhibit D.

SECTION 8. That Chapter 171 of the Oberlin Codified Ordinances be amended to abolish the establishment of the position of Public Defender as is set forth on Exhibit E.

SECTION 9. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 10. That this ordinance shall be in full force and effect at the earliest date permitted by law.

PASSED: 1st Reading: December 2, 2019
2nd Reading: December 16, 2019 (S)(Effective in 30 days)
3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 12/17/2019

EFFECTIVE DATE: 01/15/2020

EXHIBIT A

CHAPTER 105
Wards and Boundaries

EDITOR'S NOTE: By initiative petition approved by the voters on November 5, 1978, the City Charter was amended to provide that all members of Council shall be elected at large.

EXHIBIT B

CHAPTER 111

Council

111.01 Compensation schedule.

111.02 General pay provisions.

CROSS REFERENCES

Composition, terms and qualifications - see CHTR. Sec. III, A, B

Removal from office; vacancies - see CHTR. Sec. III, C, D

Salaries - see CHTR. Sec. III, E; ADM. 145.09

Meeting times; open to public - see CHTR. Sec III, F

President and Vice-President - see CHTR. Sec. III, G

Chairman as acting City Manager - see CHTR. Sec. V

Power to remove City Manager - see CHTR. Sec. VI

Powers as to creation or change of departments, offices, boards, etc. - see CHTR. Sec. VII

Interference with appointments or removals made by City Manager prohibited - see CHTR. Sec. VIII

Legislative procedure; rules and journal - see CHTR. Sec. IX

Power to provide independent audit - see CHTR. Sec. XI

Special meetings - see CHTR. Sec. XII

Quorum - see CHTR. Sec. XIII

Clerk - see CHTR. Sec. XV

To appoint members to all boards and commissions - see CHTR. Sec. XIX, A

Hospital - see CHTR. Sec. XX

Amendment of Charter - see CHTR. Sec. XXI

Power to grant franchises - see CHTR. Sec. XXIII

Initiative, referendum and recall - see CHTR. Secs. XXIV, XXV

Notification of meetings - see Ohio R.C. 121.22

Release of Treasurer's liability for loss of funds - see Ohio R.C. 131.18 et seq.

To establish sewerage rates - see Ohio R.C. 729.49

President's power to declare state of emergency - see GEN. OFF. 509.09

111.01 COMPENSATION SCHEDULE.

Pursuant to Section III, E. of the City Charter, the salary of the members of Oberlin City Council shall be paid in substantially equal installments due and payable with the first Municipal payroll of each month.

(Ord. 95-11AC CMS. Passed 1-17-95.)

111.02 GENERAL PAY PROVISIONS.

(a) Effective January 1, 2016 the salary of the President of Council shall be fourteen thousand dollars (\$14,000) per year, and the salary of the Vice President of Council shall be twelve thousand nine hundred twenty five dollars (\$12,925) per year.

(b) Effective January 1, 2016 the salary of all of the other members of Council shall be twelve thousand dollars (\$12,000) per year.

(Ord. 15-01AC CMS. Passed 1-20-15.)

EXHIBIT C
CHAPTER 113
Ordinances and Resolutions

113.01 Posting places.

113.02 Numbering system.

CROSS REFERENCES

Drafting and passage procedure - see CHTR. Sec. [IX](#)

Emergency ordinances - see CHTR. Secs. [IX](#), [X](#)

Initiative and referendum - see CHTR. Sec. [XXIV](#)

Adoption of technical codes - see Ohio R.C. 731.231

As evidence - see Ohio R.C. 731.42

113.01 POSTING PLACES.

The City Hall and such other places as may be designated by Ordinance of Council shall be public places for the posting of ordinances in those cases where the City Charter authorizes the posting in lieu of publication in newspapers.

(Ord. 15 AC. Passed 9-16-57.)

113.02 NUMBERING SYSTEM.

(a) There is hereby enacted a numbering system for all ordinances and resolutions introduced as legislation before Council, as follows:

(1) Ordinances. The first two digits of the number assigned to an ordinance shall set forth the last two digits of the year in which the ordinance was introduced. Those two digits shall be followed by a hyphen and then a number representing the numerical sequence of the ordinance that year. For instance, the first ordinance introduced in 1985 shall be designated 85-1; the second shall be designated 85-2.

(2) Resolutions. All resolutions shall be numbered in the same manner as ordinances except that the capital letter R shall precede the number. For example, the first resolution introduced in 1985 shall be designated R85-1; the second shall be designated R85-2.

(b) Such ordinance and resolution numbering system shall be utilized by the Clerk of Council from and after the first meeting of Council in January of 1985.

(Ord. 1831AC. Passed 12-17-84.)

EXHIBIT D

CHAPTER 171 Municipal Court

EDITOR'S NOTE: The provisions of Ohio R. C. 1901.01 established a Municipal Court for the City of Oberlin, which has jurisdiction within the corporate limits of the City of Oberlin and also has territorial jurisdiction within the corporate limits of the municipalities of Amherst, South Amherst, Rochester, Kipton and Wellington, and within the townships of Amherst, Henrietta, Russia, Camden, Pittsfield, Brighton, Wellington, Penfield, Rochester and Huntington in Lorain County. The powers and duties of the Municipal Court are as provided for in Ohio R.C. Chapter 1901. The Oberlin City Charter, in Section [III](#) G, authorizes Council to appoint a Police Justice for the City of Oberlin, however, this provision of the City Charter has been repealed by implication by Ohio R. C. 1901.04, which provides that upon the institution of a municipal court, the jurisdiction of a police justice in all civil and criminal causes terminates within the municipal corporation in which such municipal court is located.

CROSS REFERENCES

Law Director or assistants to serve as prosecutor - see CHTR. Sec. [XVIII](#)
Release of Court Clerk's liability for loss of funds - see Ohio R.C. 131.18 et seq.
Municipal Court - see Ohio R.C. Ch. 1901
Bond required for Court Clerk - see Ohio R.C. 1901.31(D)
Power to establish schedule of fees and costs - see Ohio R.C. 1901.26
Notification to Director of liquor law convictions - see Ohio R.C. 4301.991
Record of traffic violations - see Ohio R.C. 4513.37
Assistant Law Director and Prosecutor - see ADM. [129.03](#)
Police officers to be Deputy Clerks - see ADM. [141.05](#)