

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0005

Sponsored by: County Executive FitzGerald/Department of Law	An Ordinance amending Section 107.01 of the Cuyahoga County Code to streamline the process for oaths and affirmations, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, it is necessary to amend Section 107.01 of the Cuyahoga County Code to streamline the process for oaths of office and affirmations.

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of the County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Section 107.01(A) of the Cuyahoga County Code is hereby amended and replaced in its entirety to read as follows:

A. Persons Required to Take an Oath or Affirmation

- 1. County Officers/Directors/Members of Boards, Commissions, or other Authorities:** Each of the following County Officers, Directors, and Members of Boards, Commissions, or other Authorities of the County shall, before assuming their respective positions take and subscribe to an oath or affirmation, to be filed and kept in the Office of the Clerk of Council:
 - a. The Executive;
 - b. Council Members and Clerk of Council;
 - c. All County Officers under the County Charter;
 - d. All Directors of Departments established by the County Charter or pursuant to the Cuyahoga County Code;
 - e. Members of the Personnel Review Commission; Council Districting Commission; and Charter Review Commission;
 - f. The Internal Auditor;
 - g. The Inspector General; and
 - h. Any person serving in an interim or acting capacity in any of the positions listed in this subsection of the Cuyahoga County Code.

2. **County Employees:** All county employees under the jurisdiction of the County Executive and/or Council commencing their employment on or after April 1, 2014 shall sign a written oath or affirmation as part of their new employee paperwork signup, and shall within 60 days of assuming their employment, take the oath or affirmation before a duly authorized person. The written oath or affirmation shall be filed and kept in each employee's personnel file.
3. The Clerk of Council shall transfer to the Department of Human Resources all written oaths or affirmations taken before the effective date of this provision, other than those oaths and affirmations required to be kept by the Clerk of Council pursuant to Section 107.01(A)(1).

SECTION 2. Section 107.01(C) of the Cuyahoga County Code is hereby amended and replaced in its entirety to read as follows:

C. Persons Entitled to Administer the Oath or Affirmation

The oath or affirmation prescribed in Chapter 107 of the Cuyahoga County Code may be administered by the County Executive, a Council Member or the Clerk of Council, a County Officer under the County Charter, the Director of any Department, a Deputy Director of any Department, the Inspector General, a designee of the Director of Law, a designee of the Director of Human Resources, or by any notary public authorized to administer oaths in the State of Ohio.

SECTION 3. Section 107.01(D) of the Cuyahoga County Code is hereby repealed.

SECTION 4. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 5. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Schron, seconded by Mr. Greenspan, the foregoing Ordinance was duly enacted.

Yeas: Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Hairston, Simon and Connally

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 11, 2014

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Committee Report/Second Reading: March 25, 2014

Legislation Amended on the Floor: March 25, 2014

Legislation Substituted on the Floor: April 8, 2014

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