

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2015-0005

Sponsored by: <b>Councilmember Simon</b>	<b>An Ordinance</b> enacting Section 206.12 of the Cuyahoga County Code to specify the County’s representation on the Cuyahoga County Planning Commission, and declaring the necessity that this Ordinance become immediately effective.
Co-sponsored by: <b>Councilmember Miller</b>	

WHEREAS, the Cuyahoga County Planning Commission was originally established pursuant to Section 713.22 of the Ohio Revised Code by the board of county commissioners; and,

WHEREAS, Section 713.22 of the Ohio Revised Code provides that the County Planning Commission shall consist of the board of county commissioners and eight other members appointed by the board; and,

WHEREAS, pursuant to Section 2.03 of the Charter, the County Executive holds one seat on the County Planning Commission previously held by the board of county commissioners; and

WHEREAS, Section 1.62 (A) of the Ohio Revised Code provides that “[i]f any section of the Revised Code requires county representation on a board, commission, or authority by more than one county officer, and the charter vests the powers, duties, or functions of each county officer representing the county on the board, commission, or authority in fewer officers or in only a single county officer, the county officers or officer shall succeed to the representation of only one of the county officers on the board commission or authority. If any vacancy in the representation of the county on the board, commission or authority remains, the taxing authority of the county shall adopt a resolution to fill the vacancy;” and,

WHEREAS, Section 3.01 of the County Charter provides that “the Council shall be the legislative and taxing authority of the County...” and,

WHEREAS, Council now seeks to specify the County’s representation on the County Planning Commission; and,

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 206.12 of the Cuyahoga County Code is hereby enacted to read as follows:

**Section 206.12 Cuyahoga County Planning Commission**

- A. The Cuyahoga County Planning Commission, established pursuant to section 713.22 of the Revised Code, shall be composed of the following members:
1. Eight members appointed by the County Executive and confirmed by Council in accordance with section 713.22 of the Revised Code and the County Charter;
  2. The County Executive; and
  3. Two members of the County Council appointed by the President of Council.
- B. Alternates to the County Planning Commission appointed to serve on behalf of the County Executive or members of County Council shall be residents of the county and shall be designated in the same manner as the designation of alternates by members of boards of county commissioners, as provided in section 713.22 of the Revised Code.
- C. Paragraphs (A) and (B) shall not terminate or otherwise affect the term of those members serving on the County Planning Commission as of the effective date of this section.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional 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 3.** 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 action 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 Ms. Simon, seconded by Mr. Miller, the foregoing Ordinance was duly enacted.

Yeas: Simon, Greenspan, Miller, Germana, Jones, Brown, Hairston and Brady

Nays: None

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County Council President                      Date

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County Executive                                      Date

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Clerk of Council                                      Date

First Reading/Referred to Committee: February 10, 2015

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Change in Primary Sponsorship Requested: February 17, 2015

Additional Sponsorship Requested: March 31, 2015

Committee Report/Second Reading: April 14, 2015

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April 28, 2015