

CHARTER
OF THE
CITY OF ASHLAND, OHIO

PREAMBLE

We, the people of the City of Ashland, in order that we may have the benefits of municipal home rule and exercise all the powers of local self government do frame and adopt this Charter for the government of the aforesaid City of Ashland.

SECTION 1. POWERS OF THE CITY.

The inhabitants of the City of Ashland, as its limits now are, or hereafter may be, shall be a body politic and corporate by name the City of Ashland, and as such shall have perpetual succession; shall succeed to all the rights and liabilities, shall acquire all benefits and shall assume and pay all bonds, obligations and indebtedness of said City of Ashland; may use a corporate seal; may sue and be sued; may acquire property in fee simple or lesser interest or estate by purchase, gift, devise, appropriation, lease or lease with privilege to purchase, for any Municipal purpose; may purchase options on property for any Municipal purpose; may sell, convey, lease, hold, manage, and control such property; and may make any and all rules and regulations by ordinance or resolution which may be required to carry out fully all the provisions of any conveyance, deed, or will, in relation to any gift or bequest, or the provision of any lease by which it may acquire property; may acquire, construct, own, lease, operate and regulate public utilities; may provide for and maintain public entertainments and amusements; may assess, levy and collect taxes for general and special purposes on all the subjects or objects which the City may lawfully tax; may borrow money on the faith and credit of the City by the issue or sale of bonds, certificates of indebtedness or notes of the City; may appropriate the money of the City for all lawful purposes; may create, provide for, construct, regulate and maintain all things of the nature of public works and improvements; may levy and collect assessments for local improvements; may license vehicles; may license and regulate the business, occupation, profession or trade of all persons, corporations and associations engaged therein, whether local or transient; may define, prohibit, abate, suppress and prevent all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City, and all nuisances and causes thereof; may regulate the construction and height of, and the material used in, all buildings, and the maintenance and

occupancy thereof; may regulate and control the use, for whatever purpose, of the streets and other public places; may create, establish, abolish and organize offices and fix the salaries and compensation of all officers and employees; may make and enforce local police, sanitary and other regulations; and may pass such ordinances as may be expedient for maintaining and promoting the peace, good government and welfare of the City, and for the performance of the functions thereof. The City shall have all powers that now are, or hereafter may be granted to municipalities by the constitution or laws of Ohio; and all such powers, whether expressed or implied, shall be exercised and enforced in the manner prescribed by this Charter, or when not prescribed herein, in such manner as shall be provided by ordinance or resolution of the Council.

SECTION 2. POWERS NOT EXCLUSIVE.

The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive, but, in addition to the powers enumerated herein, implied thereby or appropriate to the exercise thereof, the City shall have and may exercise all other powers which, under the constitution and laws of Ohio, it would be competent for this Charter specifically to enumerate.

SECTION 3. THE ELECTIVE OFFICERS OF THE CITY.

The Mayor, one Councilman, Director of Law, and Director of Finance and Public Record shall be elected at large, to be voted for by the electors of the entire City. One Councilman shall be elected from each of the four wards, to be nominated by petition of the electors of each respective ward, and to be voted for only by the electors of that ward. Each of such officials shall be elected at a regular municipal election as hereinafter defined, for a term of four years, shall serve until his successor is chosen and qualified, and he shall assume office on the first day of January, at 12:00 noon, following his election; provided, however, that as to the Mayor and the Councilmen elected from each of the Wards Two, Three and Four, the first four-year term shall begin January 1st, 1966, and the term beginning January 1st, 1964, shall be for a period of two years; and, provided, further, that as to the Director of Law, the Director of Finance and Public Record, the Councilman elected at large, and the Councilman elected from Ward One, the first four-year term shall begin January 1st, 1968, and until such time such officers shall be elected for a term of two years, the first such term beginning January 1st, 1964, and the next such term beginning January 1st, 1966. For the purposes of this Charter, regular municipal elections shall be held in odd-numbered years and such elections shall be held on the date in each such year specified by the laws of the State of Ohio for the regular November election.

(Amended November 7, 1989)

THE COUNCIL

SECTION 4. TERM.

The legislative powers of the City, except as limited by this Charter, shall be vested in a Council of five members, elected as is hereinbefore provided. Vacancies in the Council shall be filled

by the Council for the unexpired term. The vacancy filled by Council shall be filled by an elector of the ward in which the vacancy occurred.

(Amended November 7, 1989)

SECTION 5. RESIDENT OF CITY.

All members of the Council shall be resident electors of the City, and each Ward Councilman shall be a resident of the ward which he represents. Any member who ceases to possess any one or more of these qualifications shall forthwith forfeit his office.

(Approved by Voters 5-7-74)

SECTION 6. SALARIES ESTABLISHED.

The salaries of the Councilman first elected under this Charter shall be fixed by the outgoing Council. Thereafter the Council may by ordinance, passed in an even numbered year, change the salary of the next incoming Council.

SECTION 7. MEETINGS; REGULAR AND SPECIAL.

At seven o'clock p.m. on the first Tuesday in January, following a regular Municipal election, the Council shall meet at the usual place for holding such meetings, at which time the newly elected Council shall assume the duties of their office. Thereafter the Council shall meet at such times as may be prescribed by ordinance or resolution.

The Mayor, the President of the Council or any three members thereof may call special meetings of the Council upon written notices served personally upon each member or at his usual place of residence, at least six hours previous to time fixed for such meeting. Any such request for special meeting shall state the subjects to be considered at the meeting and no other subjects shall be then considered.

(Amended November 7, 1989)

SECTION 8. ELECTION PROCEDURE.

The Council shall be the judge of the election and qualification of its members. A majority of all the members elected shall be a quorum to do business but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The affirmative vote of a majority of the members of the Council shall be necessary to adopt any ordinance or resolution and on the passage thereof a vote shall be taken by yeas and nays and entered upon the Journal. The Council shall determine its own rules and order of business and shall keep a Journal of its proceedings. All meetings of the Council or committees thereof shall be conducted in accordance with State law regarding meetings of public bodies and any citizen shall have access to the minutes and records thereof at all reasonable times.

(Amended November 7, 2000)

SECTION 9. ELECTION OF COUNCIL PRESIDENT.

At the first meeting in January, following a regular Municipal election, or as soon thereafter as may be, the Council shall elect one of its members President. The Council President shall preside at the meetings of the Council and perform such duties as presiding

officer as may be imposed upon him by the Council, by ordinance or by law. If the President of Council is absent from the City or unable to perform his duties for reasons other than death, resignation or removal of his residence from the City, the remaining Councilmen will elect, from their own body an acting President during such absence.

(Amended November 7, 1989)

SECTION 10. OFFICERS AND EMPLOYEES.

The Council shall choose such officers and employees of its own body as are necessary provided that the Director of Finance and Public Record shall be its Clerk without additional compensation therefor. (EDITOR'S NOTE: The Director of Finance and Public Record is no longer the Clerk of Council. By Charter amendment enacted November 7, 1989, the separate position of Clerk of Council was created.)

The Clerk shall keep the records of the Council and perform such other duties as may be required by ordinance or resolution.

All officers and employees chosen by the Council shall serve during the pleasure thereof.

SECTION 11. PROPOSED ORDINANCES AND RESOLUTIONS.

Each proposed ordinance or resolution shall be introduced in written or printed form, and shall not contain more than one subject which shall be clearly stated in the title; but general appropriation ordinances may contain the various subjects and accounts for which moneys are appropriated.

The enacting clause of all ordinances passed by the Council shall be, "Be it ordained by the Council of the City of Ashland."

The enacting clause of all ordinances submitted to the initiative shall be, "Be it ordained by the people of the City of Ashland."

No ordinance or resolution or section thereof shall be revised or amended, unless the new ordinance or resolution contains the entire ordinance or resolution or section revised or amended, and the ordinance, resolution, section or sections so amended shall be repealed.

SECTION 12. PASSAGE AND ADOPTION PROCEDURE.

Any ordinance or resolution passed by the Council shall be signed by the President and presented to the Mayor by the Clerk. If the Mayor approves such ordinance or resolution he shall sign it within ten (10) days after its passage or adoption by the Council; but if he does not approve it, he shall return it to the Council with his objections within said ten (10) days, or if the Council be not then in session, at the next regular meeting thereof, which objections the Council shall cause to be entered in full on its Journal. If the Mayor does not sign or veto an ordinance or resolution after its passage or adoption within the time specified, it shall take effect in the same manner as if he had signed it. The Mayor may approve or disapprove the whole or any item or part of any ordinance or resolution appropriating money. When the Mayor refuses to sign an ordinance or resolution or part thereof and returns it to the Council with his objections, the Council shall, not later than the next regular meeting, proceed to reconsider it, and, if upon such consideration, the resolution or ordinance or

part or item thereof disapproved by the Mayor is approved by the vote of two-thirds of all the members elected to the Council it shall then take effect as if it had received the signature of the Mayor. In all such cases the votes shall be taken by "yeas" and "nays" and entered upon the Journal.
(Amended November 7, 1989)

SECTION 13. ITEMIZED EXPENSE ESTIMATE.

The fixed year of the City shall begin the first day of January. On or before the fifteenth day of November in each year the Mayor, the Director of Law and the Director of Finance and Public Record shall prepare an estimate of the expense of conducting the affairs of the City for the following year, save and except however that on or before the first Tuesday in January, 1916, the Mayor, Director of Law, and Director of Finance and Public Record shall prepare an estimate of the expenses of conducting the affairs of the City for the year 1916, as is hereinafter provided, which shall at once prepare an appropriation ordinance, and pass the same on or before the first Tuesday in January, 1916. This estimate shall be compiled from detailed information obtained from the various departments on uniform blanks prepared by the Director of Finance and Public Record, and shall set forth:

- (a) An itemized estimate of the expense of conducting each department;
- (b) Comparisons of such estimates with the corresponding items of expenditure for the last two complete fiscal years and with the expenditures of the current fiscal year plus an estimate of expenditures necessary to complete the current fiscal year;
- (c) Reasons for proposed increases or decreases in such items of expenditure compared with the current fiscal year;
- (d) A separate schedule for each department showing the things necessary for the department to do during the year and which of any desirable things it ought to do if possible;
- (e) Items of payroll increases as either additional pay to present employees, or pay for more employees;
- (f) An itemization of all anticipated revenue from sources other than the tax levy;
- (g) The amounts required for interest on the City's debt, and for sinking funds as required by law;
- (h) The total amount of the outstanding City debt with a schedule of maturities of bond issues;
- (i) A statement from the Director of Finance and Public Record of the total probable income of the City from taxes for the period covered by the Mayor's estimate;
- (j) Such other information as may be required by the Council.

SECTION 14. APPROPRIATION ORDINANCE.

Upon the receipt of the estimate the Council shall at once prepare an appropriation ordinance, in such manner as may be provided by ordinance or resolution, using the estimate as a basis. Provision shall be made for public hearings upon the appropriation ordinance before a committee of the Council or before the entire Council sitting as a committee of the whole.