

SECTION 15. ACCRUED REVENUES.

Any accruing revenue of the City, not appropriated as hereinbefore provided, and any balance at any time remaining after the purposes of the appropriation shall have been satisfied or abandoned may from time to time be appropriated or transferred by ordinance by the Council to such uses or other fund or funds as will not conflict with any uses for which specifically such revenues accrued.

SECTION 16. DESIGNATED APPROPRIATIONS.

No money shall be drawn from the Treasury of the City, nor shall any obligation for the expenditure of money be incurred, except pursuant to appropriations made by the Council. At the end of each year all unexpended balances of appropriations if any shall revert to the respective funds from which the same were appropriated and shall then be subject to future appropriations, but appropriations may be made in furtherance of improvements or other objects or work of the City which will not be complete within the current year.

Money appropriated as hereinbefore provided shall not be used for purposes other than those designated in the appropriation ordinance; provided however that the Council may from time to time appropriate or transfer such moneys so appropriated by the appropriation ordinance, by ordinance to such uses, or other fund or funds as will not conflict with any uses for which specifically such revenues accrued.

SECTION 17. RECORD OF ORDINANCES; PUBLICATION.

Every ordinance or resolution upon its final passage shall be recorded in a book kept for that purpose, and shall be authenticated by the signature of the President and Clerk of Council or in the absence or disability of either by such substitute for either as may be designated by Council. A copy of every ordinance or resolution shall be made available to the public upon demand or be published once in one newspaper of general circulation in the City.

(Amended November 7, 1989)

SECTION 18. BONDS.

The Council shall fix by ordinance the amount of bond to be given by each officer, clerk and employee in each department of the City government, if any be required; which bond shall be given by such officer, clerk or employee with surety to the approval of the Mayor and Council.

SECTION 19. POSITIONS CREATED; COMPENSATION.

The Council shall create by ordinance such officers, clerks and employees in each department of the City government as are necessary for the transaction of the City's business. Such positions as are in the department of the Director of Law shall be filled by appointment by him; such positions as are in the department of the Director of Finance and Public Record shall be filled by appointment by him; all other such positions shall be filled by the Mayor. Further, the Council shall fix the compensation of each officer, clerk and employee so created. All

fees pertaining to any office shall be paid into the City Treasury by the incumbent thereof.

(Approved by Voters 11-5-63)

SECTION 20. DEPOSIT OF MONEYS.

The Council shall provide by ordinance for the deposit by the Director of Finance and Public Record of all moneys coming into his hands as City Treasurer in such bank or banks situated within the City of Ashland as are named in said ordinance except for such funds as are required to be trusted or deposited to comply with bond funding requirements. To secure such deposits such bank or banks shall be required to give good and sufficient bond or bonds, subject to the approval of the Mayor. The total moneys on deposit in any bank shall not exceed its paid-up capital stock and surplus.

(Approved by Voters 11-5-63)

SECTION 21. EMERGENCY ORDINANCES.

The Council may, by a two-thirds vote of the members elected thereto, pass emergency measures to take effect at the time indicated therein. An emergency measure is an ordinance or resolution for the immediate preservation of the public peace, property, health or safety, or providing for the usual daily operation of a Municipal department, in which the emergency is set forth and defined in a preamble thereto. Ordinances appropriating money may be passed as emergency measures, but no measure making a grant, renewal or extension of a franchise or other special privilege, or regulating the rate to be charged for its services by any public utility, and no measure levying a tax on or measured by income, payroll, earnings or profits, shall ever be so passed. (Approved by Voters 11-5-63)

SECTION 22. POWERS OF COUNCIL.

Any power or function now or hereafter committed to the City of Ashland, which is not in this Charter specifically provided for shall be vested in the Council and it shall be the duty of the Council by appropriate legislation to make provision for the exercise thereof.

SECTION 23. ADMINISTRATIVE POWERS OF THE CITY.

The executive and administrative powers of the City shall be vested in the Mayor, Director of Law, Director of Finance and Public Record, and such other executive and administrative officers as are provided for in this Charter or may be fixed by ordinance of Council.

THE MAYOR

SECTION 24. TERM AND QUALIFICATIONS.

The executive and administrative powers of the City of Ashland, except as herein otherwise provided for, shall be vested in a Mayor, who shall be a resident elector of the City. He shall not hold any other public office or public employment, except that of notary public or member of the State militia, and shall not be interested in the profits or emoluments of any contract, job, work or service for the Municipality.

(Approved by Voters 11-5-63)

SECTION 25. SALARY.

The salary of the Mayor shall be fixed by the Council and it shall not be increased or diminished during the term for which he was chosen nor at any other time except in an even numbered year. The salary of the Mayor first elected under this charter shall be fixed by the outgoing Council; and shall not be more than \$1,500.00 and not less than \$1,000.00 per annum.

SECTION 26. SUCCESSION OF MAYOR.

If the Mayor shall die, resign or move his residence from the City during the term of his office, Council shall, within thirty (30) days, appoint a successor to serve as Mayor for the unexpired term. If the President of Council succeeds to the office of Mayor, the Council shall promptly elect one of its members as President. If the Mayor shall be absent from the City or unable to perform his duties for reasons other than death, resignation or removal of his residence from the City, then the Director of Law shall become the acting Mayor and during such periods shall have the same powers and perform the same duties as the Mayor. If the Director of Law shall be absent from the City or unable to perform the duties of acting Mayor, then the Director of Finance and Public Record shall become the acting Mayor for the period during which the Director of Law is absent from the City or unable to perform said duties or until the Mayor shall resume his duties, whichever shall first occur, and the said Director of Finance and Public Record shall have the same powers and perform the same duties as the Mayor. Performance of the duties as acting Mayor shall not cause either the Director of Law or Director of Finance and Public Record to vacate his respective office.

(Amended November 7, 1989)

SECTION 27. POWERS AND DUTIES.

The Mayor shall be the chief executive officer of the City, the chief conservator of the peace therein, and the Director of Public Safety and the Director of Public Service as hereinafter prescribed. It shall be his duty to see that the laws of the State of Ohio and the ordinances of the City are faithfully obeyed and enforced within the City, and to appoint all officers and employees of the City whose election or appointment is not otherwise expressly provided for by law by this Charter, or by ordinance, and he shall have such other powers and duties, not in conflict with the provisions of this Charter, as are provided by law for mayors of cities.

(Amended November 7, 1989)

SECTION 28. DIRECTOR OF PUBLIC SAFETY; DIRECTOR OF PUBLIC SERVICE.

The Mayor shall be ex-officio the Director of Public Safety and the Director of Public Service and as such shall exercise all powers and perform all duties as have heretofore been delegated to and conferred upon the Director of Public Safety and the Director of Public Service by the laws of the State of Ohio.

SECTION 29. RECOMMENDATIONS TO COUNCIL.

It shall be the duty of the Mayor to recommend to the Council for adoption such measures as he may deem necessary or expedient;

to keep the Council advised of the financial condition and future needs of the City; to prepare and submit to the Council such reports as may be required by that body, and to exercise such powers and perform such duties as are conferred or required by this Charter or by the laws of the State.

SECTION 30. VACANCIES FILLED BY MAYOR.

Should the Director of Law or the Director of Finance and Public Record die, resign, or be disqualified for any cause from performing the duties of their respective offices during the term for which they were elected, the Mayor shall fill said vacancy so created by appointment for the unexpired terms with the advice and consent of Council.

(Amended November 7, 1989)

DIRECTOR OF LAW

SECTION 31. ELECTION AND TERM.

The Director of Law shall be an elector of the City and shall be an attorney at law admitted to practice in the State of Ohio. He shall be the legal adviser of and attorney and counsel for the City, and for all officers and departments thereof in matters relating to their official duties. He shall prepare all contracts, bonds and other instruments in writing in which the City is concerned and shall endorse on each his approval of the form and correctness thereof.

(Amended November 7, 1989)

SECTION 32. PROSECUTING ATTORNEY.

The Director of Law shall be the prosecuting attorney of the Municipal Court. He may designate such number of assistant prosecutors as the Council by ordinance may authorize. He shall prosecute all cases brought before such Court and perform the same duties so far as they are applicable thereto, as are required of the prosecuting attorney of the County.

SECTION 33. CITY CONTROVERSIES.

When required to do so by resolution of the Council, the Director of Law shall prosecute or defend for and in behalf of the City, all complaints, suits and controversies in which the City is a party, and such other suits, matters and controversies as he shall by resolution or ordinance, be directed to prosecute or defend.

SECTION 34. DUTIES.

In addition to the duties imposed upon the Director of Law by this Charter or required of him by ordinance in accordance therewith, he shall perform the duties which are imposed upon city solicitors by the general laws of the State, beyond the competence of this Charter to alter or require.

SECTION 35. SALARY.

The salary of the Director of Law shall be fixed by the Council and it shall not be increased or diminished during the term for which he was chosen, nor at any other time except in an even numbered year. The salary of the Director of Law first elected under this Charter shall be fixed by the outgoing Council.