

DIRECTOR OF FINANCE AND PUBLIC RECORD**SECTION 36. QUALIFICATION AND SALARY.**

The Director of Finance and Public Record shall be an elector of the City of Ashland, his salary 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 Finance and Public Record first elected under this Charter shall be fixed by the outgoing Council.

(Approved by Voters 11-5-63)

SECTION 37. DUTIES.

The duties of the Director of Finance and Public Record shall include the keeping and supervision of all accounts, and the custody and collection of all public moneys, rents and property belonging to or due the City; the making and collecting of special assessments; the issuance of licenses upon the order of the Mayor; the collection of license fees; the control, funding and payment of the public debt of the City; and such other duties as the Council may require.

(EDITOR'S NOTE: Former Section 38 was repealed and Sections 39 through 47 renumbered as Sections 38 through 46 by the voters on November 7, 1989.)

SECTION 38. ACCOUNTING PROCEDURE.

Accounting procedures shall be devised and maintained for the City adequate to record in detail all transactions affecting the acquisition, custodianship and disposition of values, including cash receipts and disbursements; and the recorded facts shall be presented periodically to officials and to the public in such summaries and analytical schedules in detailed support thereof, as shall be necessary to show the full effect of such transactions for each fiscal year upon the finances of the City and in relation to each department of the City government, including distinct summaries and schedules for each public utility or building owned or operated.

SECTION 39. ACCOUNTS.

The Director of Finance and Public Record shall be the chief accounting officer of the City. He shall install and maintain accounting procedures in conformity with the next preceding section of this Charter, and prescribe the methods of keeping accounts by all departments and the form of report to be rendered to the Department of Finance and Public Record. He shall require that reports be made to him by each department, showing the receipts of all moneys by such department and disposition thereof. He shall keep an account of all appropriations made by the Council and all expenditures made or contracted to be made under such appropriations.

SECTION 40. EXAMINATION OF ACCOUNT.

The Director of Finance and Public Record shall, upon the death, resignation, removal or expiration of the term of any

officer, examine the accounts of such officer and if such officer be found indebted to the City, he shall immediately give notice thereof to the Council and the Director of Law, and the latter shall forthwith proceed to collect the same.

SECTION 41. PAYMENT OF CLAIMS.

No warrant for the payment of any claim shall be issued by the Director of Finance and Public Record until such claim shall have been approved by the Mayor, and the Mayor and his sureties shall be liable to the City for all loss or damage sustained by the City by reason of the negligent or corrupt approval of any claim against the City by him. Whenever any claim shall be presented to the Director of Finance and Public Record he shall have power to require evidence that the amount claimed is justly due and that such claim is in conformity to law and ordinance. For that purpose the Director of Finance and Public Record may summon before him any officer, agent, or employee of any department, or any other person, and examine him upon oath or affirmation relative thereto, which oath or affirmation he may administer.

If the Director of Finance and Public Record shall draw a warrant for any claim contrary to law or ordinance he and his sureties shall be individually liable for the amount thereof.

SECTION 42. TREASURER.

The Director of Finance and Public Record shall be ex-officio the City Treasurer and as such Treasurer shall receive no additional compensation therefor. He shall keep and preserve all moneys of the City in the place or places determined by the Council as provided herein. Such place or places of keeping shall be known as the City depository. All moneys of the City shall be disbursed by the Treasurer, with the exception of petty cash, which shall be disbursed as set forth in the City purchasing system manual.

(Amended November 7, 1989)

SECTION 43. BANK STATEMENT; REPORT.

The bank or banks in which the moneys of the City are deposited shall, on the tenth day of each month, render to the Council and file with the Finance Director a statement showing the daily balances to the credit of the City during the preceding month, together with such other information as the Council may require.

The Director of Finance and Public Record shall also, at the first regular Council meeting of each month, render to Council and the Mayor a monthly statement of cash position. A detailed statement of all receipts and expenditures shall be rendered to the Finance Committee Chairman at the end of each quarter.

Such report may be required by the Council at any time, without notice, and shall be examined and compared by, or under the direction of Council, and shall remain on file for at least one year. (Amended November 7, 1989)

SECTION 44. SPECIAL ASSESSMENTS.

The Director of Finance and Public Record shall have charge of the preparation and certification of all special assessments for public improvements; the serving of notices of such assessments to property owners, and all other duties connected therewith; the collection of such assessments as are payable directly to the City and the preparation and certification of all unpaid assessments to the County Auditor for collection.

SECTION 45. CONTRACTS CERTIFIED.

No contract, agreement or other obligation involving the expenditure of money, shall be entered into, nor shall any ordinance, resolution, or order for the expenditure of money be passed by the Council or by any officer of the City, unless the Director of Finance and Public Record, shall first certify to the Council or to the proper officer, as the case may be, that the money required for such contract, agreement, obligation, or expenditure, is in the Treasury, to the credit of the fund from which it is to be drawn, and not appropriated for any other purpose, which certificate shall be filed and recorded in the records of the Council. The sum so certified shall not thereafter be considered unappropriated until the City is discharged from the contract, agreement or obligation.

All moneys actually in the Treasury to the credit of the fund from which they are to be drawn, and all moneys applicable to the payment of the obligation or appropriation involved, that are anticipated to come into the Treasury before the maturity of such contract, agreement or obligation, from taxes or assessments, or from sales of services, products or byproducts, or from any City undertakings, fees, charges, accounts and bills receivable or other credits in process of collection; and all moneys applicable to the payment of such obligation or appropriation, which are to be paid into the Treasury prior to the maturity thereof, arising from the sale or lease of lands or other property, and moneys to be derived from lawfully authorized bonds, or notes sold and in process of delivery, shall, for the purpose of such certificate, be deemed in the Treasury to the credit of the appropriate fund and subject to such certification. No contract shall be let which exceeds by ten percent the estimate for the improvement contemplated.

(Amended November 7, 2000)

SECTION 46. CONTRACTS - WHEN VOID.

All contracts, agreements, or other obligations, and all ordinances, resolutions and orders entered into or passed contrary to the provisions of the preceding sections, shall be void, and no person whatever shall have any claim or demand against the City thereunder, nor shall the Council or any officer of the City waive or qualify the limits fixed by such ordinance, resolution, or order, or fasten upon the City any liability whatever in excess of such limits, or release any party from an exact compliance with his contract under such ordinance, resolution or order.

CLERK OF COUNCIL**SECTION 47. DUTIES.**

The Clerk of Council shall perform all clerical duties incident to the operation of Council, shall record every ordinance or resolution upon its final passage, shall post notice of same as prescribed by Charter, shall present to the President for signature all ordinances or resolutions, shall prepare agendas, research issues, handle correspondence and perform other such tasks as instructed by Council or mandated by Charter. The Clerk of Council shall report directly to the President of Council and shall receive a salary fixed by Council. The Clerk of Council shall work for no other City department nor hold any other employment which can be construed as a conflict of interest.

During the absence or disability of the Clerk of Council, Council shall appoint a replacement, other than a Councilman or City employee, to temporarily perform all the duties of that office. (Added November 7, 1989)

MUNICIPAL COURT**SECTION 48-49 ESTABLISHMENT OF A MUNICIPAL COURT AND A MUNICIPAL JUDGE.**

(EDITOR'S NOTE: A Municipal Court and Judge were established for the City of Ashland and the Police Court and Police Judge of the City provided for in former Sections 48 and 49 of the Charter were abolished. Former Sections 48 and 49 were repealed.)

DEPARTMENT OF HEALTH**SECTION 50. ORGANIZATION AND POWERS.**

The head of the Department of Health of the Ashland City Health District shall be the Board of Health, composed of five members to be appointed by the Mayor and confirmed by Council, to serve without compensation, and a majority of whom shall be a quorum. The Mayor shall be the President by virtue of his office.

The term of office of the members of the Board shall be five years from the date of appointment, and until their successors are appointed and qualified. The Board shall have all the powers granted to and perform all duties imposed upon boards of health of health districts by the general laws of Ohio, including the power to make and enforce orders and regulations. Such regulations shall have the force and effect of ordinances, and shall be published in the same manner.

The Board shall administer and enforce all laws, ordinances and regulations relating to the preservation and promotion of the public health, including the prevention and restriction of disease, and the prevention, abatement and suppression of nuisances.

(Amended November 7, 2000)

CHARTER REVIEW COMMITTEE**SECTION 51. CHARTER REVIEW COMMITTEE.**

A Charter Review Committee shall be convened by Council at least once every seven (7) years, from the adoption of this