

ARTICLE X
GENERAL PROVISIONS

SECTION 10.01. OATH OF OFFICE.

Every officer and employee of the municipality shall, before entering upon his or her duties, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the Clerk of Council:

“I solemnly swear (or affirm) that I will support the Constitution of the United States and that of the State of Ohio and will obey the laws thereof, and that I will, in all respects, uphold and enforce the provisions of the Charter and ordinances of this municipality, and will faithfully discharge the duties of _____ upon which I am about to enter.”

(Amended 11-6-01; 11-8-11)

SECTION 10.02. OFFICIAL BONDS.

(EDITOR’S NOTE: The provisions of Section 10.02 were repealed on November 2, 2021.)

SECTION 10.03. REMOVAL FROM OFFICE.

Whenever in this Charter certain acts by municipal officials or employees are described as constituting malfeasance or misfeasance in office, the procedure for complaint, trial and judgment thereon shall be that prescribed in Sections 733.72 to 733.77 of the Ohio Revised Code.

SECTION 10.04. FAIR EMPLOYMENT PRACTICES.

No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any municipal office or employment because of race; color; sex or gender; sexual orientation; age; disability status; marital status; ethnic, national, or Appalachian regional origin; or religious opinions or affiliations. (Amended 11-6-01)

SECTION 10.05. POLITICAL NEUTRALITY.

No person who holds any compensated appointive municipal office or employment shall solicit or receive any contribution to the campaign funds of any political party or any candidate for public office or take part in the management, affairs or political campaign of any political party, but he may exercise his rights as a citizen to express his opinions and to cast his vote. Whoever shall violate this section shall be guilty of misfeasance in office. (Amended 11-5-91)

SECTION 10.06. SOLICITING CONTRIBUTIONS FOR POLITICAL PURPOSES.

No person shall solicit or assist in soliciting any assessment, subscription, donation or contribution for any party or political purpose whatsoever from any person holding any compensated appointive municipal office or employment. Whoever shall violate this section shall be guilty of a misdemeanor, the penalty for which shall be a fine of not less than fifty nor more than five hundred dollars or imprisonment for not less than ten days nor more than six months or both.

SECTION 10.07. ENFORCEMENT OF SUBPOENAS.

Whenever in this Charter or in the ordinances passed there under, the Council or any other agency of the municipal government is given authority to issue subpoenas or to require the attendance of witnesses or the production of books and papers, the same shall be issued and enforced in the manner provided in Section 705.21 of the Ohio Revised Code.

SECTION 10.08. INCORPORATION OF GENERAL LAW.

Whenever reference is made in this Charter to sections of the Ohio Revised Code as

governing organization or procedure of municipal agencies or officials, it is declared to be the intention of the voters in approving this Charter that if such sections should be amended in the future by the Ohio General Assembly, such amendments shall be incorporated into this Charter also, unless the people amend the Charter to provide a different organization or procedure from that established by State law. If a code section referred to in this Charter is repealed, the Council may, by ordinance, establish the rule to be followed in the matter to which such code section referred.

SECTION 10.09. SEVERABILITY CLAUSE.

If any section or part of a section of this Charter shall be held invalid by any court of competent jurisdiction, such holding shall not affect the remainder of this Charter, which would have been adopted without the invalid portion if its invalidity had been known at the time of its adoption.

SECTION 10.10. AMENDMENTS TO THE CHARTER.

Any provision of this Charter may be amended as provided in Article XVIII, Section 9, of the Ohio Constitution, by submission of a proposed amendment to the voters of the municipality and approval by a majority of those voting on the question of its adoption. Such amendment may be initiated either by a two-thirds vote of the Council or by petition to the Council signed by ten per cent of the electors.

SECTION 10.11. CHARTER REVIEW COMMISSION.

In December of each year ending in zero (0), the Council shall appoint a commission of seven (7) qualified electors of the municipality, holding no other public office or employment, as members of a Charter Review Commission. The Commission shall examine this Charter, hold hearings to secure suggestions thereon and, not later than July 1 of the year following their appointment, report to Council their recommendations for amendments, if any, to this Charter, which in their judgment, are conducive to the public interest. The Commission shall serve without compensation. The Council shall vote on those amendments suggested by the Commission. With a two-thirds majority approval by Council, the amendments will then be submitted to a public vote at the next November election. The Council may appoint a commission to examine specific questions, concerns, and issues related to this Charter requiring urgent attention in years not ending in zero (0) in accordance with this section of the Charter. A commission appointed in a year not ending in zero (0) shall report to Council their recommendations for amendments not later than six (6) months following their appointment. (Amended 11-6-01; 11-8-11; 11-02-21)