

ORDINANCE NO.: 2023-56

FIRST READING AUGUST 14, 2023

INTRODUCED BY: CHRIS BERGER

SECOND READING SEPTEMBER 11, 2023

THIRD READING SEPTEMBER 25, 2023

**AN ORDINANCE AMENDING SECTION 220.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SOUTH RUSSELL AND DECLARING AN EMERGENCY.**

**WHEREAS**, Council desires to amend Section 220.01 of the Codified Ordinances of the Village of South Russell to reflect, consistent with newly enacted Ohio law, the three allowable methods to satisfy the required publication of summaries of ordinances and resolutions of the Village.

**NOW, THEREFORE**, be it ordained by the Council of the Village of South Russell that:

**SECTION 1.** Section 220.01 of the Codified Ordinances of the Village of South Russell currently reads as follows:

**“220.01 PUBLICATION.**

“(a) A succinct summary of each ordinance or resolution and all statements, orders, proclamations, notices, and reports required by law or ordinance to be published shall be published in a newspaper of general circulation in the Village of South Russell once a week for two consecutive weeks or as provided in section 7.16 of the Ohio Revised Code. Proof of the publication and required circulation of any newspaper used as a medium of publication as provided by this section shall be made by affidavit of the proprietor of the newspaper and shall be filed with the Fiscal Officer.

“(b) The publication shall contain notice that the complete text of each such ordinance or resolution may be obtained or viewed at the office of the Fiscal Officer, online on the Village’s website, or at any other location designated by Council. The Village Solicitor shall review the summary of an ordinance or resolution published under this section prior to forwarding it to the Fiscal Officer for publication, to ensure that the summary is legally accurate and sufficient.

“(c) Upon publication of a summary of an ordinance or resolution in accordance with this section, the Fiscal Officer shall supply a copy of the complete text of each such ordinance or resolution to any person, upon request, and may charge a reasonable fee, set by Council, for each copy supplied. The Fiscal Officer shall post a copy of the text at the office of the Fiscal Officer, online on the Village’s website, and at every other location designated by Council.”

**SECTION 2.** Section 220.01 of the Codified Ordinances of the Village of South Russell is hereby deleted and amended to read in its entirety as follows:

**“220.01 PUBLICATION.**

“(a) A succinct summary of each ordinance or resolution and all statements, orders, proclamations, notices, and reports required by law or ordinance to be published shall be published using at least one of the following methods:

- (1) In a newspaper of general circulation in the Village;
- (2) On the official public notice web site established under Section 125.182 of the Ohio Revised Code;
- (3) On the web site and social media account of the Village.

Summaries of ordinances or resolutions, and proclamations of election shall be published once a week for two consecutive weeks, notices shall be published not less than two nor more than four consecutive weeks, and all other matters shall be published once. Proof of the publication shall be made by affidavit of the proprietor of the newspaper or operator of the official public notice web site, as applicable, and shall be filed with the Fiscal Officer of the Village.

“(b) The publication shall contain notice that the complete text of each such ordinance or resolution may be obtained or viewed at the office of the Fiscal Officer, online on the Village’s web site, or at any other location designated by Council. The Village Solicitor shall review the summary of an ordinance or resolution published under this section before forwarding it to the Fiscal Officer for publication, to ensure that the summary is legally accurate and sufficient.

“(c) Upon publication of a summary of an ordinance or resolution in accordance with this section, the Fiscal Officer shall supply a copy of the complete text of each such ordinance or resolution to any person, upon request, and may charge a reasonable fee, set by Council, for each copy supplied. The Fiscal Officer shall post a copy of the text at the office of the Fiscal Officer, online on the Village’s web site, and at every other location designated by the Council.”

**SECTION 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees on or after December 2, 1975, that resulted in formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

**SECTION 4.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare and for the further reason that this Ordinance must be immediately effective to ensure consistency with Ohio law; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect immediately upon its passage.

*William J. Koms*

Mayor - President of Council

ATTEST:

Fiscal Officer

I certify that Ordinance No. 2023 - 56 was duly enacted on the 25<sup>th</sup> day of SEPTEMBER, 2023, by the Council of the Village of South Russell, and published in accordance with the Codified Ordinances of the Village.

*Danille Romanowski*

Fiscal Officer