

TEMPORARY ORDINANCE NO. 51-23

PERMANENT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO REPEAL LANCASTER CODIFIED ORDINANCE PART ONE – ADMINISTRATIVE CODE, TITLE THREE – LEGISLATIVE, CHAPTER 111 – RULES OF COUNCIL, SECTION 113 – CLERK OF COUNCIL OF THE CODIFIED ORDINANCES OF THE CITY OF LANCASTER, AND TO DECLARE AN EMERGENCY

WHEREAS, biennially, in even numbered years, Lancaster City Council begins a new term; and

WHEREAS, pursuant to Lancaster Codified Ordinance (“LCO”) 111.06, City Council City Council shall hold an Organizational Meeting for the purpose of appointing a Clerk of Council for each new term; and

WHEREAS, Chapter 113 of the LCO, Section 113.01, which was passed in 1971, requires that the Clerk of Council pay and then be partially reimbursed for, in addition to the prescribed salary, \$1.22 for each notice served for public improvements and an additional \$1.22 if the notice is made by certified or registered mail; and

WHEREAS, Law Committee, after reviewing LCO 113.01, has determined that the current Clerk has never borne the expenses of public notices and mailings, which is now significantly higher, and future Clerks should not be required to either, which annuls the need for LCO 113.01; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO,

SECTION 1. That Part One – Administrative Code, Title Three – Legislative, Chapter 111 – Rules of Council, Section 113 Clerk of Council of the Codified Ordinances of the City of Lancaster, be repealed in its entirety.

SECTION 2. That City Council hereby finds that this Ordinance was deliberated upon and passed in an open meeting in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Municipality and its inhabitants and for the further reason that this ordinance is necessary to clarify the incoming 2024 Clerk of Council’s financial responsibility; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Clerk: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Offered by: \_\_\_\_\_

Second by: \_\_\_\_\_

Requested by Law Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on \_\_\_\_\_, 2023 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

\_\_\_\_\_  
Clerk of Council

**CHAPTER 113**  
**Clerk of Council**

~~113.01 Fees for serving notices.~~

~~CROSS REFERENCES~~

- ~~\_\_\_\_\_ Selection and duties of Clerk - see Ohio R. C. 731.04~~
  - ~~\_\_\_\_\_ Clerk to call roll at Council meetings - see ADM. 111.03~~
  - ~~\_\_\_\_\_ Clerk to record voting - see ADM. 111.20~~
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~~113.01 FEES FOR SERVING NOTICES.~~

~~The Clerk of Council shall be paid, in addition to his salary, an allowance of one dollar and twenty-two cents (\$1.22) for each notice served for all public improvements within the City. If service of notice is made by certified or registered mail, the Clerk shall pay the costs thereof out of the one dollar and twenty-two cents (\$1.22) allowance for postage fees; however, the Auditor and Treasurer shall advance fifty percent of such postage costs in order that the Clerk does not have to expend large sums of money himself. Any compensation paid to the Clerk under this section shall be added to the cost of the proposed improvement and assessed against the property as part of the cost of such improvement.  
(Ord. 37-71. Passed 7-12-71.)~~