

CHARTER
OF
THE CITY OF STEUBENVILLE, OHIO

EDITOR'S NOTE: The Steubenville Charter was approved by the voters on May 8, 1984. Dates appearing in parentheses following a section heading indicate that the section was subsequently amended, enacted or repealed on the date given.

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CHARTER OF THE CITY OF STEUBENVILLE

PREAMBLE

We, the citizens/people of the municipality of Steubenville, Ohio, in order to secure the benefits of local self government under the Ohio Constitution and gain oversight of local matters do adopt and establish this charter as the governance for the City of Steubenville.

~~In order to achieve increased independence for city government and more power over local matters, the citizens of Steubenville adopt this home rule Charter as an instrument of progress and hope.~~

~~It has been created in a long labor, open to all citizens and participated in by many.~~

The purpose of this Charter is to create a form of governance which a responsible city. A responsible city is one which seeks to ensure that all of its citizens' needs are ~~met~~addressed, whether from through public, ~~or~~ private, city, county, state or national sources.

The city administration envisions a welcoming inclusive community which provides equal protection of the law for all citizens, where no one is denied the enjoyment of civil, economic or political rights and provides adherence to non-discrimination practices as defined by state and national laws.

Let it be further known that the citizens of the City of Steubenville respect and support the laws protecting the sovereignty of the United States. Therefore, the citizens of the City of Steubenville do not deem our city to be a sanctuary city, i.e. a city whose municipal laws tend to protect undocumented immigrants from deportation or prosecution despite Federal Immigration Laws.

Further, the City of Steubenville shall not become a sanctuary city by enactment of any ordinance, resolution, motion or decree, without formal amendment of this charter by the electors of the City of Steubenville.

~~A responsible city is one which expects aggressive action from its officials toward the achievement of dignified housing, useful employment, pure air and water, efficient transportation, excellent education, health, safety, recreation and culture, and all other conditions conducive to human growth.~~

~~It is one which provides equal protection of the law for all citizens, with no one denied the enjoyment of civil, economic or political rights, or discriminated against in the exercise thereof because of race, color, creed, national origin, age, handicap or sex.~~

The achievement of the purpose of this home rule Charter depends upon the constant

~~interest and concern of its citizens.~~

ARTICLE I- NAMES, BOUNDARIES, AND FORM OF GOVERNMENT

SECTION 1. NAMES AND BOUNDARIES.

The municipality now existing and known as the City of Steubenville, in the County of Jefferson and State of Ohio, shall continue to be a body politic and corporate under the said name of the City of Steubenville, and with the same boundaries as now exist, with power and authority to change its boundaries and annex other territory thereto in the manner authorized by the laws of the State of Ohio.

SECTION 2. FORM OF GOVERNMENT.

The form of government established under this Charter shall be known as the "Council-Manager" form of government. The powers and functions of the municipal government shall be distributed among the Municipality, its citizens, the various Officers, Boards, and Commissions as provided under the provisions of this Charter.

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SECTION 3. HOME RULE POWERS; POWERS GRANTED.

A. Powers of the City:

The City shall have all powers of local self-governance and home rule and shall have all powers possible for a city to have under the constitution and laws of this State as fully and completely as though they were specifically enumerated in this Charter.

B. Construction:

The powers of the City under this Charter shall be construed liberally in favor of the City, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power stated in this article.

C. Intergovernmental Relations:

The City may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states or civil divisions or agencies thereof, or the United States or any agency thereof.

ARTICLE II- COUNCIL AND MAYOR

SECTION 1. COMPOSITION OF COUNCIL.

There shall be a City Council composed of seven members, one of whom will be elected by the qualified electors of the City at large, and six who will be known as Ward council members. Each Council member shall be nominated and elected by the qualified voters and shall serve not more than two (2) consecutive four (4) year terms. The term of office presently being served by any member of Council does not count toward the limitation of two (2) consecutive terms, nor does this prohibition apply to any member of Council serving an unexpired term. Council members serving two (2) consecutive elected terms may not fill any Council vacancy for four (4) years.
(Amended 11-4-14)

SECTION 2. QUALIFICATIONS.

All Council members and the Mayor shall have been qualified electors of the City of Steubenville for at least six (6) continuous months prior to the time of filing as candidates, and shall continue to be qualified electors of the City during their respective terms of office. In addition, candidates for the office of Ward Council member shall be residents and qualified electors of the ward they wish to represent. (Amended 11-3-87.)

SECTION 3. PROHIBITIONS.

Members of Council shall not:

A. Be a proprietor, partner, or executive officer of any business holding or applying for franchise from the City.

B. Have a personal or private interest in any legislation proposed or pending before Council, unless they:

1. Annually disclose the fact in a written conflict of interest statement delivered to Council; and

2. Refrain from voting or participating in a discussion of the matter.

C. Hold any other office, position, or employment for the City of Steubenville.

A.D. Members of Council shall review and sign a Disclosure Form annually, in order to disclose conflicts of interest or the holding of an incompatible office.

SECTION 4. REMOVAL AND FILLING OF VACANCIES.**A. Removal:**

1. After unexcused absences from his or her official duties for four (4) consecutive regular meetings for reasons other than health, or for misfeasance, malfeasance, or nonfeasance in office, the Mayor or any Council member may be removed from his or her office by a majority vote of Four (4) members of Council and the office be declared vacant. (Amended 11-4-14)
2. Neither the Mayor nor members of Council shall be allowed to vote upon the question of their own removal.
3. The decision of Council to remove an elective officer shall be made only upon concurrence of a majority of all members of Council after public hearing upon the charge(s) brought; and provided further, that the accused elective officer shall have been notified, in writing by certified mail, of the charge(s) against him or her at least fifteen (15) days in advance of such public hearing; and provided further, that the accused or his or her counsel shall have been given an opportunity to be heard, to present evidence, and to examine witnesses appearing in support of such charge(s).
- 2.4. Council shall have the power to subpoena witnesses and require the production of records, but the decision of the Council in such case shall be subject to review by the proper court of law.

B. Filling of Vacancies:

1. In the event the office of a Council member becomes vacant, City Council, within thirty (30) days of the vacancy occurring, shall appoint an individual from the same ward from which the vacancy occurred to fill the vacancy until it is permanently filled by the election laws of the State of Ohio.
2. If a vacancy occurs after the general election and someone has been elected for that position, the electee shall fill the position within five (5) days after the Jefferson County Board of Elections has certified the election results.
- 2.3. If a seat of Council remains unfilled as a result of a person not running and being elected to such seat, Council shall fill said seat by an individual from the same ward from which the vacancy occurred at the first meeting of Council following the vacancy occurring. (Amended 11-4-14)

SECTION 5. MAYOR.**A. Term:**

The term of Mayor shall be for a period of four (4) years and he or she shall be elected by the qualified electors of the City at large and shall serve not more than two (2) consecutive terms. The term of office presently being served by the Mayor does not count toward the limitation of two (2) consecutive terms, nor does this prohibition apply to the Mayor if he/she is serving an unexpired term. He or she, after serving two (2) consecutive elected terms, may not fill any vacancy in the office of Mayor for four (4) years. The Mayor is subject to the qualifications as set forth in Section 2 of this Article, and shall be subject to removal as enumerated in Sections 4 of this Article. (Amended 11-4-14)

B. _____ Duties:

The Mayor shall preside at all meetings of the Council but shall not vote therein, except in the case of a tie, in which case the said Mayor may cast the vote to break the tie. The Mayor, however, may take part in all discussions coming before the Council.

Upon Council approving any legislation, the Mayor, if he or she disapproves of such shall file a veto of said legislation in writing within five days with the Clerk of Council. The veto shall be entered in full on the journal of Council.

Council may override said veto by a vote of at least five (5) members at its next regular meeting; and said legislation will take effect notwithstanding the disapproval of the Mayor.

The Mayor shall be recognized as the official head of the Municipality for all ceremonial purposes and by the Governor for all purposes of military law, and shall receive all legal documents.

The duties of the Mayor do not include administrative ones and are limited to those set forth above.

C. _____ Absence:

When the Mayor is absent temporarily or is inaccessible or is unable for any cause or reason to perform his ~~or her~~ other duties, the ~~Councilman~~Councilperson-at-large shall serve as Mayor and perform all duties of the Mayor in addition to his or her own, except that he or she shall only have the Mayor's tie breaking vote in Council.

D. _____ Vacancy:

In the event the office of the Mayor become vacant, the ~~Councilman~~Councilperson at Large shall become the Acting Mayor and remain in that position until filled in accordance with the election laws of the State of Ohio.
(Amended 11-3-87; 11-3-92; 11-4-14)

SECTION 6. CLERK OF COUNCIL.

The Council shall appoint an elector of the City who shall have the title of Clerk of Council and shall serve at the pleasure of Council. The said Clerk shall attend all meetings of Council, keep an accurate and complete journal of its proceedings, and perform such other duties as required by this Charter, ordinances of Council, or by the laws of the State of Ohio. The Clerk shall be required to maintain a complete copy of the Codified Ordinances of the City of Steubenville in the Public ~~Library~~Libraries located in Steubenville along with keeping a copy in his or her office.

SECTION 7. POWERS OF COUNCIL.

A. All powers of the City shall be vested in the Council, except as otherwise provided by law or this Charter, and the Council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the City by law.

B. The power to confirm the members of all Boards and Commissions as appointed by the Mayor, or other appointing officials.

C. Whenever a vacancy occurs in the office of the City Manager, City Council shall hire a City Manager within 120 days of the vacancy. Thereafter, once the applicant is chosen, the said applicant must be on the job within thirty (30) days from the date he or she is hired. (Amended 11-3-87.)

D. Council shall have the power to establish, by ordinance, additional departments, boards and commissions, and also the power to combine, change, or eliminate any department, board, commission, or division. (Amended 11-4-14)

SECTION 8. MEETINGS, REGULAR AND SPECIAL.

A. The Council shall meet regularly at least twice in every month at such times and places as the Council may prescribe by rule.

B. Special meetings of Council may be called in accordance with and as provided for by its rules. In the absence of such provisions, special meetings may be called by motion of the Council taken at any regular or special meeting thereof, or shall be called by the written request of three (3) members of Council. Any such request shall state the time, place and date thereof and the subject or subjects to be considered at the meeting. No other subject or subjects shall be considered. Notice in writing of each such special meeting shall be given to each member of the Council by serving the same on each of them personally or by leaving a copy thereof at his or her usual place of residence not less than twenty-four (24) hours preceding the date and hour of such meeting. All meetings of Council shall be public; any citizen shall have access to the minutes and records of Council at all business hours. In adopting its own rules and regulations, Council shall provide that prior to voting on any ordinance or resolution, any citizen shall be granted an opportunity to comment on such ordinance or resolution. Any resident addressing Council at this time shall be limited to ten (10) minutes, and copies of all pending legislation shall be available at all Council meetings. In addition, Council shall provide any person or group at least five (5) minutes before adjournment to speak on any matter pertinent to City affairs.
(Amended 11-4-14)

SECTION 9. MEETINGS OPEN TO THE PUBLIC.

All meetings shall be open to the public in accordance with all Sunshine Laws of the State of Ohio. Council may go into executive session for the purposes as set forth in Section 121.22 of the Ohio Revised Code, provided that the general subject matter for consideration is expressed in the motion calling for said session. Formal action or voting by Council must be done only in public meetings.
(Amended 11-3-87.)

SECTION 10. JOURNAL.

Council shall adopt its own rules, regulations and bylaws and shall keep a Journal of its proceedings. The Journal shall be open for public inspection during business hours.

SECTION 11. QUORUM.

A majority of the members of Council shall constitute a quorum for the transaction of business at any meeting of Council, but a number less than a quorum may adjourn the meeting from time to time and compel the attendance of absent members in such manner and under penalties as may be prescribed by ordinance, resolution, or rules of the Council. At any meeting at which a quorum is present, any action may be taken by the affirmative vote of a majority of ~~all members of Council~~ Four (4) members of Council, unless a larger number is required by the provisions of this Charter.

SECTION 12. SALARIES.

A. Council members: The salary of each member of Council shall be ~~\$100-250.00~~ per stated meeting as long as said Council member is in attendance except as hereinafter provided. No other compensation of any kind, whether salary or benefits, shall be provided other than reimbursement of mileage when on city business more than twenty-five (25) miles out of the city at the State of Ohio rate for mileage. The maximum compensation for a Council member shall be ~~\$5,200~~ \$12,500.00 per year. Council members may be paid for up to two excused absences annually.

B. Mayor: The salary of the Mayor shall be ~~\$120-300.00~~ per stated meeting as long as said Mayor is in attendance except as hereinafter provided. No other compensation of any kind, whether salary or benefits, shall be provided other than reimbursement of mileage when on city business more than twenty-five (25) miles out of the city at the State of Ohio rate for mileage. The maximum compensation for the Mayor shall be ~~\$6,240~~ \$15,000.00 per year. The Mayor may be paid for up to two excused absences annually.

C. Changes in salary and benefits shall begin ~~at the start of a new term of Council or Mayor~~ Thirty (30) days after the election or approval of such by the electors of the City of Steubenville.
(Amended 11-4-14)

SECTION 13. COUNCIL RELATIONS WITH MANAGER.

Neither the Council nor any of its committees or members shall interfere in any way with the appointment or removal of any of the officers and employees of the administrative service. Neither the Council nor any member or committee, thereof, shall give orders to any subordinate of the Manager, either directly or privately. Except for the purpose of inquiry, the Council and its members shall deal with that part of the administrative service for which the City Manager is responsible, solely through the said City Manager. (Amended 11-3-87.)

SECTION 14. ADMINISTRATIVE CODE.

Subject to the provisions of this Charter, and after consultation with the Manager, the Council shall adopt an administrative code which shall provide in detail the organization of the City government, define the powers and duties of each organizational unit and determine the administrative procedures to be followed. The Council shall have authority to delegate to the Manager, and he to the heads of departments, power to make rules and regulations consistent with the administrative code to govern management practices. Amendments to and revisions of the administrative code shall be made after consultation with the Manager.

ARTICLE III - ORDINANCES AND RESOLUTIONS

SECTION 1. ACTION TO BE TAKEN BY ORDINANCES AND RESOLUTIONS.

The legislative action of the Council shall be by ordinance, resolution, or motion. Every action of a general and permanent nature, or granting a franchise, or requesting a tax levy, or appropriating money, or contracting an indebtedness, to be evidenced by the issuance of bonds or notes, or for the purchase, lease or transfer of public property or establishing an offense and fixing the penalty thereof shall be taken by ordinance. All other action may be taken by resolution or motion.

SECTION 2. INTRODUCTION OF ORDINANCES AND RESOLUTIONS.

A. Procedure:

An ordinance shall be introduced by two (2) or more members of Council at any regular or special meeting of the Council. Prior to official submission at a Council meeting, each member of Council and the Mayor shall receive a copy of said legislation at least seventy-two (72) hours prior to the meeting that it is to be introduced and read. Council may suspend this provision if there are five (5) affirmative votes to so suspend.

There shall also be a reasonable number of copies on file in the office of Clerk of Council.

B. Form:

Each ordinance shall be introduced in written or printed form, and shall contain no more than one subject which shall be clearly expressed in its title in the form required for final adoption. Ordinances involving general appropriations, however, may contain the various subjects and accounts for which monies are to be appropriated. Every ordinance or resolution introduced into Council shall bear the name or names of the person or persons sponsoring said ordinance or resolution amended thereto.

C. Style:

Each ordinance shall contain an enacting clause as follows: "Be it Ordained by the Council of the City of Steubenville, State of Ohio, "and each resolution shall contain an enacting clause as follows: "Be it Resolved By The Council of the City of Steubenville, State of Ohio." (Amended 11-3-87.)

SECTION 3. READING OF ORDINANCES AND RESOLUTIONS.

A. Ordinances and resolutions of a general nature shall be read by title only, provided Council may require any ordinance or resolution of a general nature to be read in full by a majority vote of its members.

B. Each ordinance or resolution of a general nature shall be read on three (3) separate days provided Council may dispense of this rule by a vote of at least ~~3/4~~Five (5) of ~~its~~the members of Council.

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C. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all members of Council.
(Amended 11-4-14)

SECTION 4. VOTE REQUIRED FOR PASSAGE OF ORDINANCES AND RESOLUTIONS.

The vote on the question of passage of all ordinances, resolutions, or motions shall be taken by roll call of each member; votes shall be entered on the journal along with the ordinance, resolution, or motion, itself. All ordinances, resolutions, or motions with the exception of those dealing with the purchase, sale, or leasing of real estate, shall be passed with the affirmative vote of a majority of all members of Council, unless a larger number is required by the provisions of this Charter. If the ordinance, resolution, or motion pertains to the purchase, sale or leasing of real estate, then it shall take at least five (5) votes to pass the said legislation. (Amended 11-3-87)

SECTION 5. EMERGENCY ORDINANCES.

An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be designated plainly as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms, and necessary for the preservation of the public health, safety, and welfare. An emergency ordinance shall require an affirmative vote of at least five (5) members of Council for adoption and it becomes effective immediately upon adoption and approval by the Mayor. After adoption, the ordinance shall be published as provided by the laws of the State of Ohio.

In the event that a proposed emergency ordinance shall fail to receive the affirmative vote for passage as prescribed, the emergency clause shall be deleted from said legislation and such legislation shall be deemed to have received its first reading, and its passage shall be controlled by Article m, Section 4 above. Nothing contained in this Section or Sections above shall permit the amendment of any ordinance at any time so as to become an emergency measure hereunder.
(Amended 11-4-14)

SECTION 6. EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS.

Every ordinance, other than emergency ordinances, shall become effective thirty (30) days after passage and approval by the Mayor, and every resolution, shall become effective immediately upon passage and approval by the Mayor. (Amended 11-4-14)

SECTION 7. AUTHENTICATION AND RECORDING OF ORDINANCES AND RESOLUTIONS.

A. Authentication:

The Clerk of Council and Mayor authenticate by their signature and record in full, in a properly indexed book kept for this purpose, all ordinances and resolutions adopted by the Council. Failure or refusal of such officers to sign such ordinances or resolutions shall not invalidate an otherwise properly enacted ordinance or resolution.

B. Recording:

Each ordinance or resolution shall be recorded in a book as referred to in Sub-section (A), or other record prescribed by the Council established and maintained for that purpose.

The Clerk of Council, or a duly authorized deputy to said Clerk, shall, upon the request of any person and upon the payment of a fee as established by the Council, certify true copies of any ordinance or resolution, said certified copies shall be admissible as evidence in any court.

SECTION 8. AMENDMENT OF ORDINANCES AND RESOLUTIONS.

Ordinances and resolutions that have been introduced and have received their first reading, or both their first and second reading, but have not been voted upon as to passage, may be amended or revised upon approval of a majority vote of the members of Council, and such amended or revised ordinance or resolution need not receive readings in addition to those required by Article m, Section 2 and 4, because of such amendment or revision.

However, in the event of any material changes going to the substance of the ordinance or the purpose of the ordinance, then in that event, there must be a new ordinance prepared and the ordinance in question becomes null and void. If an ordinance has a material change it is a matter to be determined by the Law Director. (Amended 11-3-87.)

SECTION 9. ADOPTION OF TECHNICAL CODES BY REFERENCES.

Council may, by ordinance, adopt standard ordinances and codes prepared by the Federal Government or any agency thereof, the State of Ohio or any department, board or other agency or political subdivision of the State.

SECTION 10. CODIFICATION OF ORDINANCES AND RESOLUTIONS.

By a majority vote of the members of Council, the Council may cause the ordinances and resolutions of the City to be revised, codified, recodified or rearranged for publication in book form. Such revisions, codification, recodification, rearrangement or publication of ordinances and resolutions in book form shall be immediately effective upon approval of a majority vote of the members of the Council, and may contain new matter therein. The Clerk of Council shall cause a notice of such proposed revision, codification, recodification, rearrangement or publication of ordinances in book form to be published one (1) time in a newspaper determined to be of general circulation at least seven (7) days prior to the final approval by the Council. A current service supplementing such revision, codification, recodification, rearrangement or publication of ordinances and resolutions in book form shall be maintained in the manner prescribed by the Council. (Amended 11-3-87.)

SECTION 11. PUBLICATION OF ORDINANCES AND RESOLUTIONS.

Each proposed ordinance or resolution, after being introduced in the Council, shall be published in the manner herein provided:

- A. All ordinances and resolutions, after their first reading, shall be required to be published, by title, on the City's website and in a newspaper determined by Council to be of general circulation in the City of Steubenville.

- B. The Clerk of Council shall cause such publications to be made and shall post a copy of the proposed ordinances and resolutions. The Clerk shall also have them available for public inspection for at least five consecutive weekdays during regular business hours.

- B.C. No proposed legislation, except those being considered as emergency measures as described in Article III, Section 5, above, shall be given final passage by Council unless they have been published, by title, and posted in the manner provided in Sub-sections A and B of this section.

ARTICLE IV - THE CITY MANAGER

SECTION 1. APPOINTMENT AND COMPENSATION.

The City Council shall by a ~~majority~~ vote of at least Five (5) of all of its members appoint a City Manager and shall determine his or her salary, pursuant to a contract in writing the term of which shall not exceed Four (4) years.

SECTION 2. QUALIFICATIONS.

A. The City Manager need not be a resident of the City of Steubenville at the time of his/her appointment, but shall, within thirty (30) days of his/her appointment, establish and maintain a residence in Steubenville unless otherwise provided by Council.

B. No person shall be hired as City Manager unless meeting the following:

1. Must have an undergraduate bachelor's degree in public administration, business administration, accounting, or related fields.

2. ~~AND~~ **OR** at least one of the following:

- a. Two (2) years experience as a Manager/Administrator or Assistant Manager/Administrator for any municipality or county.
- b. Two (2) years comparable experience as a Manager/Administrator or Assistant Manager/Administrator for any municipality or county.
- c. At least five (5) years experience as a mid-level or senior-level manager ~~an Executive Officer or Chief Fiscal Officer~~ of any business or governmental entity.
(Amended 11-4-14)

SECTION 3. POWERS AND DUTIES.

The City Manager shall be the Chief Executive Officer and Head of the Administrative Agencies of the City. He or she shall be responsible to the Council for the proper administration of all the affairs of the City within the scope of his or her powers and duties and for the enforcement of all laws and ordinances. The City Manager shall have the power and be requested to:

A. Appoint and suspend or remove or otherwise discipline all City employees and Administrative Officers, except as otherwise provided in this Charter.

B. Institute proceedings, when necessary for the removal of officers and employees within Civil Service, in the manner provided by the rules adopted by the Council or Civil Service Commission pursuant to this Charter.

The City Manager shall not have the power or authority to appoint or remove, suspend or discipline, any elected official or any board or commission established under this Charter.

- C. Attend all meetings of Council with the right to participate in discussion and bring matters to the attention of Council, but with no right to vote.
- D. Recommend legislation for adoption by Council, including the repeal of legislation.
- E. Submit to Council a monthly summary showing the condition of all funds.
- F. Prepare and submit annually to Council, a complete report of the financial and administrative activities of the City of Steubenville for the preceding year. Said filing must be made within ninety (90) days following the end of the year.
- G. Shall make such other reports as the Council may require concerning the operation of City departments, offices, and agencies subject to his or her direction and supervision.
- H. Prepare and submit to the Council, after receiving estimates made by the Directors of the departments, the Annual Budget, and prepare the Annual Budget to be adopted by Council as required by law and represent the City at all hearings on the Budget adopted by Council.
- I. Supervise purchasing for all departments of the City.
- J. Shall be a liaison and responsible for the public relations between the City and other political units and other organizations interested in the welfare and growth of the City.
- K. Supervise the issuance of all licenses and permits pursuant to ordinances and resolutions, except as provided within this Charter.
- A.L. Perform all other duties prescribed for him or her in this Charter or by Council and in the performance thereof may delegate to subordinate officers and employees of the Municipality any of these duties, but he or she shall be responsible for the faithful performance of such duties.
(Amended 11-3-87.)

SECTION 4. ACTING CITY MANAGER.

A. Whenever the City Manager is temporarily absent from the City or is unable to perform his/her duties due to a temporary disability, the City Manager shall designate a qualified city employee or official to act as City Manager in his/her absence or during his/her disability. During the time of service as an Acting City Manager, the designated person shall receive no additional compensation other than his/her regular salary.

B. If the City Manager is unable to designate an Acting City Manager or unable to perform his/her duties for more than thirty (30) days, Council shall designate at its first regular meeting after said thirty (30) day period a qualified city employee or official as Acting

City Manager until said position can be permanently filled. Said appointee shall be paid the salary of City Manager while serving as Acting City Manager.

C. No member of Council may be appointed Acting City Manager. (Amended 11-4-14)

SECTION 5. REMOVAL OF THE CITY MANAGER.

Except in the event he or she has committed acts of malfeasance, nonfeasance, or criminal acts, in which event the City Manager shall be discharged immediately, the Council may remove the City Manager from office at any time, after he or she has served six (6) months.

The above shall apply to an Acting City Manager with the exception that there is no six (6) month probationary period.

The following procedures will apply:

- A. Council shall adopt by a majority vote of all of its members a preliminary resolution which must state the reasons for removal and may suspend the City Manager from duty for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered promptly to the City Manager.
- B. Within five (5) days after a copy of the resolution is delivered to the City Manager, he may file with the Clerk of Council a written request for a public hearing. This hearing shall be held at a regular or special meeting of Council not earlier than fifteen (15) days nor later than thirty (30) days after the request is filed. The City Manager may file with the Council a written reply no later than five (5) days before the hearing.
- C. The Council may adopt a final resolution of removal which may be made effective immediately by affirmative vote of five (5) members of Council after five (5) days from the date when a copy of the preliminary resolution was delivered to the City Manager, if he or she has not requested a public hearing, or at any time after the public hearing, if he or she has requested one.
- D. The City Manager shall not receive any salary during the time of his suspension. The decision of the Council to suspend or remove the City Manager shall not be subject to review by any court or agency. (Amended 11-3-87.)

ARTICLE V - ADMINISTRATIVE DEPARTMENTS

SECTION 1. CREATION OF DEPARTMENTS.

The following departments are hereby established by this Charter.

1. Department of Finance.
2. Department of Law.
3. Department of Public Works.
4. Department of Public Safety.

SECTION 2. DEPARTMENT OF FINANCE; FINANCE DIRECTOR.

There shall be a Department of Finance, the head of which shall be the Finance Director. The Finance Director shall be appointed by the City Manager with the approval of the majority of members of City Council. The Finance Director shall serve at the pleasure of the City Manager. (Amended 11-3-92.)

- A. In such case where there is a vacancy in the office of the Finance Director, the City Manager shall occupy the position until such time as someone is appointed to fill such vacancy, but will receive no additional compensation.
- B. No person shall be appointed as Finance Director without a minimum of a Bachelor's degree in Accounting or Business and a minimum of two (2) years experience in an accounting field. (Amended 11-4-14)

- C. The Finance Director shall be the chief fiscal officer of the City of Steubenville. He or she shall have authority over and shall be required to keep the financial records of the City, exhibiting accurate statements of all monies received, expended, and encumbered, of all property owned by the City and of all taxes and assessments. He shall advise the City Manager concerning the financial condition of the City and shall examine all payrolls, bills, and other claims against the City and shall issue no warrant unless he or she finds that the claim is in proper form, correctly computed, duly approved and that an appropriation has been made thereof. He or she shall collect all monies due and payable to the City and shall be the custodian of all public money of the City and shall disburse the same as may be required by law or ordinance. He shall examine and audit the accounts of all other officers, employees, departments, boards, and commissions, and shall assist the City Manager in the preparation and submission of appropriation measures, estimates, budgets and other financial matters. He or she shall perform all other duties now or hereafter imposed on City Auditors, Treasurers and City Tax Commissioners under the laws of the State of Ohio. He or she shall also perform such other duties consistent with his or her office as may be required by this Charter, by State statute, or ordinance or resolution of Council, or as directed by the City Manager.

SECTION 3. DEPARTMENT OF LAW; LAW DIRECTOR.

There shall be a Department of Law, the head of which shall be the Law Director. The Law Director shall be appointed by the City Manager with the approval of the majority of members of City Council. The Law Director shall serve at the pleasure of the City Manager. (Amended 11-3-92)

- A. Qualifications: The Law Director shall be a qualified elector of the City of Steubenville for at least one (1) year prior to his or her appointment and continue to be a qualified elector while serving as Law Director. Additionally, the Law Director must be admitted to the practice of law in the State of Ohio and have been actively engaged on a full time basis in the practice of law therein for a period of four years or more prior to his or her appointment. The Law Director must also be admitted to the practice of law in the United States District Court, Southern District of Ohio. The Law Director may not engage in any activity which would be in

- conflict with his or her duties as Law Director.
- B. Duties: The Law Director shall prosecute or defend all suits for or against the City, and shall prepare all contracts, bonds, and other instruments in writing in which the City is concerned and endorse on each his or her approval of the form and correctness thereof. Further, the Law Director shall prepare all ordinances and resolutions. He or she shall give written opinions when requested and file a copy with the City Manager. The Law Director shall be the Prosecuting Attorney for the City. He or she may appoint additional Assistant Law Directors as positions are created by Council. With the authorization of Council, the Law Director may retain the services of Special Council to represent the City of Steubenville as necessary. He or she shall perform all other duties now or hereinafter imposed upon Law Directors by the General Laws of Ohio and such other duties as may be required by this Charter and/or as Council or the City Manager may impose upon him or her consistent with the office.

- C. Compensation: The Council shall determine the salary of the Law Director and also of any such assistants as they may choose to provide for him or her.
(Amended 11-4-14)

SECTION 4. DEPARTMENT OF PUBLIC WORKS.

- A. Divisions Established:

There shall be a Department of Public Works consisting of Divisions of Streets, Refuse, Water, Waste Water, Engineering, Planning & Zoning, and such other divisions as Council may deem necessary. (Amended 11-4-14)

- B. Duties of Director:

This department shall be under the direction of the City Manager and he or she shall have all the powers and duties now or hereafter given to the Director of Public Service in municipalities by law and shall include having charge of construction, operation and maintenance of all public works, properties, and improvements.

- C. Superintendent:

Each division shall be headed by a superintendent. He or she shall be selected solely on the basis of his or her qualifications as determined by the Civil Service Commission, unless a special expertise is necessary as set forth under the general laws of Ohio.

Supervisors of any employee within any Public Works Division shall have the right to recommend the suspension of an employee to the City Manager, but in the event of action deemed detrimental to other employees or to the public, immediate suspension may be ordered by the supervisor who shall immediately file a report with the City Manager.

- D. City Engineer:

The engineer shall possess a Bachelors Degree in Civil Engineering or related field and five (5) years of experience in the management of a municipal public works program, three (3) years of which is a supervisory or management position. Additionally, the engineer must possess a valid Ohio

Drivers License and Ohio Certificate of Registration as a professional engineer.

E. Building Inspector:

The building inspector shall have at least five (5) years experience in the construction of homes and/or retail establishments including a knowledge of electrical hook-ups, heating, venting, and air conditioning. Additionally, the building inspector shall possess a working knowledge of city and state electrical and building codes applicable to residential and commercial establishments and shall also be licensed by the Ohio Board of Building Standards as a Certified Building Official. (Amended 11-3-87; 11-3-92; 11-4-14)

SECTION 5. DEPARTMENT OF PUBLIC SAFETY.

A. Division Established:

There shall be a Department of Public Safety consisting of the following divisions:

1. Division of Fire:

The Division of Fire shall be made up of personnel having the qualifications of a fire fighter and EMT's as provided in Section 124.42 of the Ohio Revised Code as the same now is or may from time to time be amended and in such numbers as may be determined by City Council.

2. Division of Police:

The Division of Police shall be made up of personnel having the qualifications of a police officer as provided in Section 124.41 of the Ohio Revised Code as the same now is or may from time to time be amended and in such numbers as may be determined by City Council.

B. Supervision:

The Department of Public Safety shall be under the supervision of the City Manager who shall be charged with seeing to the enforcement of all fire, police, and safety laws and regulations as may be established by Charter, ordinances of the City, Administrative regulations of the City, state statutes, or provisions of the Administrative Code of the State of Ohio not in conflict with City ordinances or regulations.

C. Fire Chief:

1. Qualifications: No person shall be appointed to position of Fire Chief without having met the following qualifications:

- a. Bachelor's Degree from an accredited College or University in Public Safety Administration or fire/rescue related field and five years experience in the position of Assistant Fire Chief or Captain/Inspector within any fire department,

OR

- Associate's Degree in Public Safety Administration or fire/rescue related field from an accredited College or University and ~~ten~~ Seven (7) years experience in the position of Assistant Fire Chief or Captain/Inspector within any fire department.
- b. All licenses required for a fire fighter by the State of Ohio.
 - c. All requirements for eligibility as a Firefighter as required by the City Civil Service Commission.
 - d. Successful interview by City Manager to ascertain Executive and Administrative qualifications.
2. Duties:
- The Fire Chief, under the supervision of the City Manager, shall be the commanding officer of the Fire Department with final authority on scheduling, number of officers per shift and per firehouse, and discipline with the right to suspend any member of the Department for a period of not to exceed three (3), twenty-four (24) hour shifts.
3. Vacancy:
- A vacancy in the position of Fire Chief shall be filled from those applicants meeting the qualifications set forth in C.1. above. Absent language to the contrary in a Collective Bargaining Agreement, applicants need not be a member of the Department to be considered for appointment to the position of Chief nor shall it be necessary to take a competitive examination to be considered for said position.

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4. Appointment:

The Fire Chief shall be appointed by the City Manager with the advice and consent of Council and shall become a resident of the City within thirty (30) days of confirmation.

C.D. Police Chief:

- 1. No person shall be appointed to position of Police Chief without having met the following qualifications:
 - a. Bachelor's Degree in Public Safety Administration, Criminal Justice, or related field from an accredited College or University and ~~five~~ Three (3) years experience as a Captain or higher within any law enforcement agency.

OR

Associate's Degree in Public Safety Administration, Criminal Justice, or related field from an accredited College or University and ~~ten~~ Five (5) years experience as a Captain or higher within any law enforcement agency; and,-

- b. All licenses required for a police officer by the State of Ohio; and,-

- c. All requirements for eligibility as a Patrolman as required by the City Civil Service Commission; and,-
 - d. Successful interview by City Manager to ascertain Executive and Administrative qualifications.
2. Duties:
- The Police Chief, under the supervision of the City Manager, shall be the commanding officer of the Police Department with final authority on scheduling, number of officers per shift, areas of patrol, and discipline with the right to suspend any member of the Department for a period of not to exceed seven (7), eight (8) hour shifts.
3. Vacancy:
- A vacancy in the position of Police Chief shall be filled from those applicants meeting the Qualifications set forth in D.1. above. Absent language to the contrary in a Collective Bargaining Agreement, applicants need not be a member of the Department to be considered for appointment to the position of Chief nor shall it be necessary to take a competitive examination to be considered for said position.
4. Appointment:
- The Police Chief shall be appointed by the City Manager with the advice and consent of Council and shall become a resident of the City within thirty (30) days of confirmation.
(Amended 11-4-14)

SECTION 6. APPOINTMENTS SUBJECT TO EXECUTIVE SUB-COMMITTEE APPROVAL.

The City Manager is responsible for appointing administrative department heads and divisions of public works, after obtaining approval from the executive sub-committee. The executive sub-committee consists of two members of the city council, the mayor, the city manager designee, and the city manager. Approval from the majority of the City Council members is also required for these appointments.

ARTICLE VI - BOARDS AND COMMISSIONS**SECTION 1. CIVIL SERVICE COMMISSION.****A. Organization.**

There shall be a Civil Service Commission composed of three electors of the City of Steubenville, none of whom may hold either employment by the City or be an office holder of the City. Each member shall be appointed by the Mayor with the approval of City Council. The term of each member shall be for a period of six (6) years, except that in the first year the Charter goes into effect, the appointments shall be as follows: one (1) member for two (2) years; one (1) member for four (4) years; one (1) member for six (6) years. Thereafter, the term of each successor to all appointments above shall be for the full six (6) year term. Any vacancy occurring during the term shall be filled for the unexpired term in the same manner the original appointment was made.

All members shall be electors of the City and be residents of the City for at least one (1) year before his or her appointment.

B. Duties:

The Civil Service Commission shall provide by rule for the determination of merit and fitness as the basis for appointment and promotion in the civil service of the City as required by the Ohio Revised Code; and provide by such laws and rules for appeal from the action of the City Manager or other officer in case of transfer, reduction or removal. The Civil Service Commission shall administer and enforce the civil service laws of the State of Ohio, relative to the civil service in the City of Steubenville, the Steubenville City Health District, and the Steubenville City School District.

C. Examinations.

The Civil Service Commission shall make arrangements with a testing service or college to compile, execute and grade all examinations. The testing service or college shall provide the results of such examination to the Civil Service Commission for certification.

D. Classification of Service.

All positions of employment of the Municipality are hereby divided into classified and unclassified service.

1. Classified Service:

- a. Members, including officers, of the Division of Fire and Division of Police.
- b. Employees of any utility operated by the City requiring an operator's license in the performance of their duties.
- c. Inspectors, such as plumbing, heating, electrical, health, sanitary, sewer, or other inspectors required in municipal operations.
- d. Office personnel, mechanics and all positions not specifically included by this Charter in the unclassified service.
- e. All employees who are members of the collective bargaining units.
- f. Superintendents of Streets and Sanitation, and Water and Waste Water.

The general law applying to civil service shall remain in full force and effect unless otherwise provided by this Charter.

2. Unclassified Service:
 - a. All officers elected by the people.
 - b. All directors or superintendents of departments and their assistants, with the exception of those designated as classified in D.1. f.
 - c. The City Manager.
 - d. Clerk of Council.
 - e. A secretary serving in a fiduciary or confidential capacity to the City Manager, each department head, Mayor and boards and commissions.
 - f. Any officer or employee who serves in a fiduciary or confidential capacity to the Council, Mayor, or City Manager.
 - g. Persons appointed to fill vacancies in elective offices.
 - h. The members of all boards and commissions appointed by the Mayor.

(Amended 11-3-87; 11-3-92)

SECTION 2. BOARD OF APPEALS. (REPEALED)

EDITOR'S NOTE: Former Section 2 was repealed by the voters on November 4, 2014.

SECTION 3. PLANNING AND ZONING COMMISSION.

A. Organization:

The Planning and Zoning Commission shall consist of the City Manager as ex-officio member without voting power, and five electors appointed by the Mayor and approved by City Council to serve without compensation for non-concurrent terms of five years.

The five (5) original members shall be appointed as follows: one (1) for a one (1) year term; one (1) for a two (2) year term; one (1) for a three (3) year term; one (1) for a four (4) year term; and one (1) for a five (5) year term. Thereafter, all members shall serve for a full term.

A vacancy shall be filled in the same manner as the original appointment.

B. Qualifications:

All appointees shall be familiar with building and construction outlays, either by direct work experience or by educational background. Appointees shall hold no other elected or appointed office within the City nor have any other dealing with the City that may be conflicting and not in the best interests of the City.

C. Powers and Duties:

The Planning and Zoning Commission shall conduct studies and surveys, prepare plans, reports, and maps relative to the overall planning of the growth, development, redevelopment, rehabilitation and renewal of the City, and make such recommendations relative thereto to the Council as it feels are in the best interest of the City.

Other powers and duties of this Commission shall include those established by this Charter

and by the City Council by ordinance, but until such ordinance shall be passed, it shall possess such other powers and duties as are provided by the General Laws of Ohio to the extent that such general laws do not conflict with the provisions of this Charter.

D. Referral:

All ordinances and resolutions of Council, or acts or orders of any administrative official which affect the development of a plan of the Planning Commission shall be submitted to the Planning Commission for report and recommendation. Any matter so referred to the Planning Commission shall be acted upon by it within sixty (60) days from the date of referral unless a different period of time be provided by Council. If the Planning Commission shall fail to act within the time allotted, it shall be deemed to have approved such matter. Any resolution, ordinance or order disapproved by formal action of the Planning Commission shall require an affirmative vote of five (5) members of Council for adoption or authorization.

E. Public Notice:

Upon submission of a duly completed zone change request application, the Planning Commission shall hold a public hearing by giving at least thirty (30) days notice of the time and place, thereof, in a newspaper of general circulation and the City's website.

If the request for rezoning involves ten (10) or fewer parcels of property as listed on the tax duplicate, the Clerk of Council shall give written notice of the public hearing by certified mail, return receipt requested, to the owners of property within a radius of two hundred fifty (250) feet measured from the approximate center of such parcel or parcels individually requested to be rezoned. Multiple owners of properties which fall in the appropriate distance for receipt of proper notification shall receive only one notice if residing at the same address. In any event, contiguous property owners and those owners whose properties are directly across the street from such parcel or parcels, must be notified of the public hearing. Such notices are to be mailed to such owners and addresses appearing on the County Treasurer's tax rolls, and to such other list or lists that may be specified by City Council.

During such thirty (30) days, the application for the requested zone change or copy thereof, together with maps or plans or copies thereof, forming part of, or referring to in such application and the maps, plans, and reports submitted by the Planning Commission shall be on file for public examination in the office of the Clerk of Council, or in such other office as is designated by the Council.

No ordinance, measure, or regulation which violates, differs from or departs from the plan or report submitted by the Commission shall take effect unless passed or approved by not less than five (5) affirmative votes of the membership of Council.

No ordinance, measure, or regulation which is in accordance with the recommendation, plan, or report submitted by the Planning Commission shall be deemed to pass or take effect without the concurrence of at least the majority of the members of City Council.
(Amended 11-3-87.)

SECTION 4. BOARD OF ZONING APPEAL.

A. Organization:

There shall be a Board of Zoning Appeals composed of five electors appointed by the Mayor and approved by City Council to serve without compensation for nonconcurrent terms of five (5) years. The Mayor shall make the original determination as to the term of each appointment.

It shall be the duty of the said appointed members of the Board to hear and determine appeals made for exceptions to and variations in the application of the provisions of the zoning ordinance in harmony with the intent and purposes thereof, and from any ordinances, regulations, rules, restrictions or limitations or order of any administrative official or agency in connection with such matter.

B. Appeals from Board of Zoning Appeals to Council:

Any person, firm or corporation, or any officer, department, board or agency of the City, or any interested elector of the City who has been aggrieved or affected by any decision of the Board of Zoning Appeals may appeal from such decision to the Council by filing notice of intent to appeal within five (5) days and filing a petition with the Clerk of Council within fifteen (15) days from the date of decision and setting forth the facts of the case.

Council shall hold a public hearing on such appeal not later than thirty (30) days after such appeal has been filed with its Clerk. Council, by an affirmative vote of a majority of its members, shall decide the matter and its decisions shall be final. (Amended 11-3-87; 11-3-92)

SECTION 5. CITY BOARD OF ENGINEERING AND BUILDING APPEALS.

Said City Board shall consist of five (5) electors who are residents of the City of Steubenville. The Board shall be appointed by the Mayor and approved by City Council to serve without compensation for nonconcurrent terms of three (3) years. The Mayor shall make the original determination as to the term of each appointee. Said appointed members shall be familiar with engineering and light construction. No member shall act on any matter in which he or she has a financial interest.

In the event of a vacancy on the Board, the Mayor, with the approval of Council, shall within thirty (30) days appoint a new member who shall have the same qualifications as the member whom he or she shall replace and who shall serve the balance of the unexpired term of said member.

A. Organization of the Board:

The Board shall organize by electing a Chairman, Vice-Chairman, and a Secretary, who shall serve for a period of one (1) year. The City Engineer and the City Building Inspector, or his or her representative, shall attend all meetings of the Board and shall provide such information, services, and assistance as it may require.

A quorum shall consist of three (3) members, and no official meeting shall be held unless a quorum is present at roll call. The affirmative vote of the majority of the members present at a meeting shall be necessary to pass any resolution, or make any decision.

B. Rules and Procedure:

The Board shall adopt rules and regulations of procedure, which it may, from time to time, change at its discretion, provided, however, that no rule or regulation shall be in conflict with any provision of this Charter.

Said rules and regulations shall fix time and place of regular meetings and shall provide for special meetings, for appeal procedure, and for such other matters as are pertinent to the operation of the Board. Complete minutes shall be kept of every meeting setting forth all business transacted and decisions made. In case an appeal is adverse to the appellant, the minutes shall contain the reason therefore. All minutes shall be signed by the Secretary and countersigned by the Chairman or Vice-Chairman. A copy of the minutes shall be sent to the City Building Inspector, and to every appellant who has an interest herein.

C. Powers and Duties of the Board:

1. The Board shall hear any appeal filed by any person or company adversely affected by a decision of the City Engineer or City Building Inspector with respect to the enforcement of this Code. Notice of the date, time and place of hearing said appeal shall be given the person or company appearing as well as the proper city representative. After hearing said appeal, the board may deny said appeal, modify the decision of the City Engineer or City Building Inspector, or reverse the decision of the City Engineer or City Building Inspector. Decisions of the Board are final but subject to appeal to the Jefferson County Common Pleas Court.
2. The Board shall formulate and report to City Council, from time to time, recommendations for action by them upon such amendments to the Code as the public health, safety and welfare may require.
3. The Board shall determine by rule or regulations, on application to it, whether any new-type material, method of construction or equipment is equal to that required by the Code, and to recommend the use of new material to be incorporated in the Code.
(Amended 11-3-87; 11-3-92; 11-4-14)

SECTION 6. PARKS AND RECREATION BOARD.

A. Organization:

There shall be a Parks and Recreation Board composed of five (5) electors appointed by the Mayor and approved by a majority of City Council to serve without compensation for non-concurrent terms of five (5) years.

The five original members shall be appointed as follows: one (1) for a one (1) year term; one (1) for a two (2) year term; one (1) for a three (3) year term; one (1) for a four (4) year term; and one (1) for a five (5) year term. Thereafter all members shall serve for a full term.

B. Powers and Duties:

1. This Board shall promulgate rules, regulations and policies regarding the use of parks and recreation areas.
2. This Board shall accept financial and land donations designated for parks and recreation use.

3. This Board shall have such other powers and duties relative to the use and maintenance of parks and recreation areas as conferred upon it by the Ohio Revised Code.

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C. Employees:

Employees necessary to maintain the parks and other recreational facilities of the City shall be hired in accordance with positions created by Council as part of the table of organization of the City. A Recreation Director may be appointed by the Recreation Board subject to approval by the City Manager. Should a Recreation Director be appointed, those employees assigned to parks and recreation facilities shall be under the direction and supervision of the Director, otherwise under the direction and supervision of whomever is designated by the City Manager and if no designated Director, the City Manager.

D. Appeals:

Any citizen may petition any action of the Parks and Recreation Board by obtaining no less than two hundred (200) valid signatures of qualified electors of the City of Steubenville and presenting the said petition with the signatures, thereon, to the Steubenville City Council no later than twenty-one (21) days after the action by the Parks and Recreation Board. City Council by a vote of at least five (5) members of the Council shall override the action of the Parks and Recreation Board and shall make that action by the Parks and Recreation Board null and void. (Amended 11-3-87; 11-3-92; 11-4-14)

SECTION 7. BOARD OF HEALTH.

A. Establishment:

~~The Mayor, subject to confirmation by Council, shall appoint a Board of Health of the Steubenville Health District composed of five (5) electors of the City of Steubenville. The members of the Board shall serve without compensation. The Mayor shall be the President of the Board, but shall not have a vote. A majority of those appointed shall constitute a quorum.~~

B. Term of Office of Members:

~~The term of office of the members shall be five (5) years from the date of appointment, except of those first appointed: one (1) shall serve for five (5) years; one (1) for four (4) years; one (1) for three (3) years; one (1) for two (2) years; and one (1) for one (1) year; and thereafter, one (1) shall be appointed each year. The Mayor shall make the determination as to who shall serve the five (5) year term, who shall serve the four (4) year term, who shall serve the three (3) year term, who shall serve the two (2) year term and who shall serve the one (1) year term.~~

C. Powers and Duties:

~~The Board of Health shall have all powers and perform all the duties provided by the laws of the State of Ohio, and shall carry out and enforce all lawful ordinances and regulations of the City with reference to public health.~~

~~The Board of Health shall further have the power to hire in accordance with Paragraph E of this Section; and also, shall have the power to fire or suspend or discharge any employee.~~

D. Meetings:

~~The Board of Health shall elect one (1) of its number President Pro Tempore. The Board shall meet for the transaction of business at least once in each calendar month, and additionally, as often as is~~

~~necessary for the prompt and thorough transaction of its business. Special meetings of the board shall be called by the President or by any three members thereof.~~

E. Employees:

All of the employees of the Health Board shall be appointed by the Board, shall be under the direction and supervision of the Health Commissioner and shall take their orders and instructions from him or her. The number and salaries of such employee shall be determined by Council.

F. Health Commissioner:

The Health Commissioner shall be selected by the Board under non-competitive provisions of civil service.

The said Health Commissioner shall have the right to suspend any employee for a period not to exceed three (3) days. (Amended 11-3-87.)

SECTION 8. REMOVAL OF MEMBERS OF BOARDS AND COMMISSIONS.

Any appointed member of any board or commission within the City shall be removed by the City Council by a five (5) vote majority if any such member has committed a crime or has been derelict in his or her duties through malfeasance, nonfeasance, or misfeasance. (Added 11-3-87.)

SECTION 9. CHARTER REVIEW COMMISSION.

The Charter shall be reviewed at least every ten (10) years but not later than ~~2025~~ 2035, and more often if deemed necessary by Council. The Mayor, with the approval and consent of Council, shall appoint a committee of nine (9) qualified electors of the city not holding any other Municipal office or appointment to serve on a Charter Review Commission. Such Commission shall review and recommend to Council not less than ninety (90) days prior to the next general election any alterations, revisions, or amendments to the Charter as said Commission deems advisable. Any Alterations, revisions, or amendments recommended by the Commission shall be submitted by Council to the electors of the city at the first general election following submission of the recommended changes. Members of the Commission will serve without compensation and the appointment shall terminate on submission of the report of the Commission to Council. (Amended 11-4-14)

ARTICLE VII - FINANCE, TAXATION AND DEBT

SECTION 1. GENERAL.

The laws of Ohio relating to budgets, appropriations, taxation, debt, assessments and other fiscal matters of the City shall be applicable to the City, except as modified by or necessarily inconsistent with the provisions of this Charter, or when provision therefor is made in the Constitution of Ohio.

SECTION 2. CONTRACTING POWERS AND PROCEDURES.

A. The City Manager shall be the contracting officer of the City and shall award and execute all contracts on behalf of the City. When bidding is required by this Charter, the City Manager shall award the contract to the lowest and/or best bidder; provided that the City Manager may reject all bids and readvertise and rebid the project or work where he believes such action is appropriate and in the best interest of the City.

B. When an expenditure or contract is more than the amount specified by the laws of Ohio for which work may be accomplished only after advertisement and bidding, such contract or expenditure shall first be authorized or directed by an ordinance or resolution passed by the Council and shall be advertised once a week for at least two (2) weeks on the City's website and in a newspaper of general circulation, provided the Council, by an ordinance or resolution adapted by a vote of at least five (5) members, may authorize, without advertising and competitive bidding, contracts and expenditures for any purpose where the law of Ohio does not require competitive bidding

C. When it becomes necessary to make alterations or modifications in connection with any work or improvements covered by contract, they shall be made only upon the order of the City Manager. No such order shall be effective until the price to be paid for the work or material, or both, under the altered or modified contract, shall have been agreed upon in writing and signed by the contractor and the City Manager on behalf of the City. Modifications or alterations in contracts shall not require advertising and competitive bidding.

D. No contract, agreement or other contractual obligation involving the expenditure of money shall be entered into or authorized by the City Manager unless the Director of Finance or his or her authorized representative shall certify:

1. That the money required for such contract, agreement, obligation or expenditure is in the City's treasury or in the process of collection thereto and
2. That the money has been appropriated by Council for the specified purpose, and it remains unencumbered.

Said certification as to the availability of funds and the appropriation of funds shall be governed by the General Laws of Ohio to the extent not provided for in this Charter. The certificate shall be filed and recorded in the accounting records of the City and a copy furnished the vendor or contractor. Without the certification, contractual obligations shall be void and unenforceable against the City unless recognized by Council as a moral obligation.

E. The City Manager shall not divide any order or contract to avoid the requirements of competitive bidding. (Amended 11-3-87; 11-4-14)

SECTION 3. CENTRAL PURCHASING.

The Council shall designate the City Manager as Purchasing Agent, and provide by ordinance the procedure for the making of emergency purchases by officers and employees of the City other than the Purchasing Agent.

SECTION 4. COMPETITIVE BIDDING.

Purchase, lease or rental of all supplies, materials, sale of bonds, professional services and equipment for the City, unless otherwise provided for in this Charter, shall be made pursuant to specifications through open competitive bidding under the following rules and regulations.

- A. Formal bidding shall follow the dictates of the Ohio Revised Code.
- B. The City Manager shall prepare or cause to prepare specifications for the articles or services required.

- C. The City Manager shall advertise the requirements of the City once a week for two (2) consecutive weeks on the City's website and in a newspaper published and of general circulation in the City or once in a professional or trade magazine that is appropriate for the purpose. If no newspaper is published in the City, then advertise in any newspaper in general circulation of the City.
- D. Bids to be accepted shall be the lowest and/or best. (Amended 11-4-14)

ARTICLE VIII - NOMINATIONS AND ELECTIONS

SECTION 1. NOMINATIONS.

The nomination of all elected officials provided in this Charter shall be in the manner provided by the General Laws of the State of Ohio for partisan nomination of candidates for elective offices in municipalities.

SECTION 2. ELECTIONS.

A primary election will be held for the purpose of nominating persons as candidates of political parties for elections to be voted for at the next succeeding general election. Said election will be held at the same time as set forth by the general election laws of the State of Ohio.

A general election for the choice of elective officers provided in this Charter shall be held on the first Tuesday after the first Monday of November in odd numbered years. Such elections shall be known as regular municipal elections. Such other elections shall be held as may be required by law or provided for in this Charter.

ARTICLE IX - INITIATIVE, REFERENDUM AND RECALL

SECTION 1. INITIATIVE.

Ordinances and other measures may be proposed by initiative petition and adopted by election, to the extent and in the manner now or hereafter provided by the Constitution or the laws of Ohio.

No initiated ordinance duly passed by the electors shall be repealed, modified or amended by the Council except after being in effect for one (1) year and requiring an affirmative vote of five (5) members of Council.

SECTION 2. REFERENDUM.

Ordinances and other measures adopted by Council shall be subject to referendum to the extent and in the manner now or hereafter provided by the Constitution or the Laws of Ohio.

SECTION 3. RECALL

Any elective officer provided for in this Charter maybe removed from office by the qualified voters of the City of Steubenville in a manner as set forth in Section 705.92 of the Ohio

ARTICLE X - GENERAL PROVISIONS

SECTION 1. SUCCESSION.

The City of Steubenville, under this Charter, is hereby declared to be the legal successor of the City of Steubenville, under the laws of the State of Ohio, and as such it has title to all property, real and personal, owned by its predecessor, including all monies on deposit and all taxes in process of collection, together with all accounts receivable and rights of action. The City is liable for all outstanding orders, contracts and debts of its predecessor and for any other obligations for which it may be held liable, as successor, by any court of competent jurisdiction. All contracts entered into by the City or for its benefit prior to shall continue in full force and effect.

SECTION 2. CONFLICT OF INTEREST.

No officer or employee or member of any board or commission of the City shall during his or her office or employment have any financial interest, as prescribed by the general laws of the State of Ohio, either directly or indirectly in any contract with the sale, rental or lease to the City, of any material, supplies or services, any lands or interest in lands. Any such person violating these provisions shall forfeit his office or position, and any such sale, rental or lease or contract shall be voidable at the option of the City Council or City Manager. (Amended 11-3-87.)

SECTION 3. AMENDING THE CHARTER.

This Charter may be amended as provided by Article xvm, Section 9, of the Constitution of Ohio. If two or more amendments on the same subject shall be submitted at the same election, only the one of such amendments receiving the largest affirmative vote, not less than a majority, shall become a part of this Charter.

SECTION 4. SEPARABILITY.

Any determination by a court of competent jurisdiction which renders any Article or Section or a part of any Article or Section of this Charter to be invalid shall not invalidate or impair the force or effect of any other part thereof, except to the extent that such other part is wholly dependent for its operation upon the part declared invalid.

SECTION 5. RIGHTS RESERVED.

The adoption of this Charter shall not affect any pre-existing rights of the City, nor any right or liability or pending suit or prosecution, either on behalf of or against the City or any officer thereof, nor any franchise granted by the City or any officer thereof, nor pending proceedings for the authorization of public improvements or the levy of assessments therefore. Except as a contrary intent appears herein, all acts of the Council of the City, including ordinances and resolutions in effect at the date this Charter becomes effective, shall continue in effect at the date this Charter becomes effective or until lawfully amended or repealed. No action or proceeding pending against the City or an officer thereof shall be abated or affected by the adoption of this Charter, but all such actions or proceedings shall be prosecuted or defended under the laws in effect at the time of filing thereof.

SECTION 6. TRANSFER OF RECORDS AND PROPERTY.

All records, property and equipment whatsoever of any office, department or agency or part thereof, all the powers and duties of which are assigned to any other office, department or agency, shall be transferred and delivered to the department, office or agency to which such powers and duties are so assigned.

SECTION 7. EFFECTIVE DATE OF AMENDMENTS TO CHARTER.

These amendments to the original Charter of 1984, **and all subsequent amendments** shall be submitted to the electors of the City of Steubenville at the general election to be held on November 3, 1987; ~~and if approved by the electors, shall take effect and be in full force and effect on November 23, 1987~~ November 4, 2025; **and if approved by the electors shall take effect and be in full force and effect on November 24, 2025.**

(Added 11-3-87.)

~~ARTICLE XI—TRANSITIONAL PERIOD~~

~~(EDITOR'S NOTE: Article XI of the City Charter was repealed by the voters on November 3, 1992.)~~

