

ARTICLE IX  
COMMISSIONS AND BOARDS

SECTION 1.0 GENERAL PROVISIONS.

The City shall have a Civil Service Commission, a Municipal Planning Commission, and a Board of Health. The Council may establish by ordinance such other commissions or boards as it may deem necessary for the proper administration or trusteeship of any public function, property or fund or for any proper municipal purpose.

SECTION 2.0 THE CIVIL SERVICE COMMISSION.

(a) Composition and Term. The Civil Service Commission shall consist of three (3) electors of the City, not holding other municipal office, appointed by the Mayor, subject to confirmation by a majority of the members of Council, for a term of six (6) years, except that of the three (3) first appointed, one (1) shall be appointed for a term of two (2) years, one (1) for a term of four (4) years and one (1) for a term of six (6) years. A vacancy occurring during the term of any member of such Commission shall be filled for the unexpired term in the manner provided for an original appointment.

(b) Powers and Duties. The Civil Service Commission shall provide by rule for the ascertainment of merit and fitness as the basis for appointment and promotion of all employees in the classified service of the City as required by the Constitution of the State of Ohio, and for appeals from the action of the Mayor in cases of transfer, suspension, reduction or removal of such employees. To the extent legally permissible, the action of the Commission on any such appeal shall be final.

(c) Interim Provisions. Until adoption of rules by the Commission, the provisions made by this Charter and ordinances of the Council enacted pursuant thereto shall govern such appointments, transfers, suspensions, reductions and removals.

SECTION 3.0 THE MUNICIPAL PLANNING COMMISSION.

(a) Composition and Term. The Municipal Planning Commission shall consist of the Mayor and four (4) electors of the City not holding other municipal office, to be appointed by the Mayor, subject to confirmation by a majority of the members of Council. The terms of the present members of the Planning Commission, other than the Mayor, shall terminate on December 31, 1961, and their successors shall be appointed for a term of four (4) years, except that of the four (4) first appointed, one (1) shall be appointed for a term of one (1) year, one (1) shall be appointed for a term of two (2) years, one (1) shall be appointed for a term of three (3) years, and one (1) for a term of four (4) years. A vacancy occurring during the term of any member of the Municipal Planning Commission shall be filled for the unexpired term in the manner authorized for an original appointment.

(b) Powers and Duties. The Municipal Planning Commission shall have the powers and duties conferred upon it by this Charter and by ordinances of the Council enacted pursuant thereto and in addition shall have such powers not inconsistent with said Charter or ordinances as may now or hereafter be granted by the laws of the State of Ohio. It shall adopt and recommend to the Council a comprehensive general plan for the physical development of the City or the redevelopment of any area or district therein, which shall include the location of public ways, property, bridges, schools, utilities, buildings, parks, playgrounds, and recreation areas, and plans or proposals for the reservation and acquisition of lands therefor.

As deemed necessary or desirable or upon request of Council, the Planning Commission shall prepare and recommend to the Council legislation respecting zoning and creating areas, zones and districts of permitted and excluded uses, and such rules, regulations, restrictions and limitations governing:

- (1) The plan, design, height, floor area, number of stories, and size of buildings and structures;
- (2) The area and size of lots, percentage of land occupancy, size of yards, courts and open spaces;
- (3) Location, use and occupancy of public and private buildings, structures and land for trade, industry, off-street parking, residence, park, playground, agriculture; and
- (4) All other uses or purposes, both public and private, pertaining to the foregoing as will promote the general welfare of the municipality and its inhabitants.

It shall have jurisdiction over and the power to adopt rules and regulations governing the platting and subdivision of lands and the improvement or development thereof, including the construction of street, sewers, and utilities therein.

(c) Planning, Zoning and Subdivision Regulations. In furtherance and not in limitation of any power or powers granted to it by this Charter, the Council shall have full power and authority to:

- (1) Adopt, amend and enforce all or any portion of a comprehensive general plan for the orderly development of the City and plans for the redevelopment of any area or district therein;
- (2) Create, change or revise areas, zones and districts of permitted and excluded uses of such numbers or classifications as it may deem appropriate;
- (3) Enact and enforce such rules, regulations, limitations and restrictions pertaining to the matters mentioned in this paragraph (c) as will promote and preserve the general welfare of the municipality and its inhabitants;
- (4) Legislate upon any matter concerning which the Planning Commission jurisdiction or powers of recommendation or regulation provided that any such matter shall be first submitted to the Planning Commission for recommendation and report and no legislation shall be adopted contrary to such recommendation except by the affirmative vote of five (5) members of the Council.

(d) Notices and Hearings. In the enactment of zoning legislation or of regulations respecting the platting or subdivision of lands, the Council may provide by ordinance for such public hearings and notices and for the form and manner of publication or delivery of notices as it deems necessary and in the public interest and as may be in conformity with this Charter, irrespective of the provisions of the Statutes of the State of Ohio in regard thereto.

#### SECTION 4.0 THE BOARD OF HEALTH.

(a) Composition and Term. The Board of Health shall consist of the Mayor and five (5) electors of the City not holding other municipal office, to be appointed by the Mayor, subject to confirmation by a majority of the members of Council. The Mayor shall be President of the Board of Health by virtue of his office. A vacancy occurring during the term of any member of the Board of Health shall be filled for the unexpired term in the manner authorized for an original appointment.

The term of office of the members of the Board of Health shall be five (5) years from the date of appointment and until their successors are appointed and qualified, except that of the five (5) first appointed, one (1) shall serve for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, one (1) for a term of four (4) years, and one (1) for a term of five (5) years.

(b) Duties. The Board of Health shall have such powers and authority and perform such duties as shall be granted or imposed upon it and the members thereof by ordinance of the Council and the laws of the State of Ohio.

### ARTICLE X NOMINATIONS AND ELECTIONS.

(EDITOR'S NOTE: Pursuant to Section 1.0 of Article V of the Charter as amended on November 5, 1985, the provisions of Article X no longer apply to the office of Clerk-Auditor.)

#### SECTION 1.0 MUNICIPAL ELECTIONS.

All elections provided for by this Charter, whether for the choice of officials or the submission of questions to the voters, shall be conducted by the election authorities prescribed by the laws of the State of Ohio, which laws shall apply to all such elections except as provision is otherwise made by this Charter. A regular municipal election for the choice of all elective offices of the City shall be held on the first Tuesday after the first Monday in November in the year 1961 and on such day in the odd-numbered years thereafter. The nominating petitions and ballots to be used in all municipal elections shall bear no party marks or designations.

#### SECTION 2.0 NOMINATING PROCEDURE.

(a) Non-Partisan Primary Election. Candidates for elective office to be voted for at the regular Municipal Election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday after the first Monday in September of 1969, and thereafter on the second Tuesday after the first Monday in September in odd-numbered years.