

CHAPTER 105
Notice of Public Meetings

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CROSS REFERENCES

Council meetings - see Chtr. Art. III, §9.0, ADM. 111.01(a)
Meetings of public bodies to be open - see Ohio R.C. 121.22

105.01 PURPOSE.

The following additional rules of Council, pursuant to Ohio R.C. 121.22(F) are for the purposes of:

- (a) Establishing a reasonable method for any person to determine the time and place of all regularly scheduled meetings, and the time, place and purpose of all special meetings;
- (b) Making provisions for giving advance notice of special meetings to the news media that have requested notification; and
- (c) Making provisions for persons to request and obtain reasonable advance notification of all meetings at which any specific type of public business is to be discussed.

These rules apply to each municipal body of the City, as defined in Section 105.02, and are in addition to any other rules of Council and in addition to any applicable legal requirements as to notices to members of a municipal body or to others in connection with specific meetings or specific subject matters; provided, however, duplicate notices shall not be required. (Ord. 46-76. Passed 7-19-76.)

105.02 DEFINITIONS.

As used in this chapter:

- (a) "Clerk" means the Clerk of the Municipality of Sylvania, Ohio.
- (b) "Day" means calendar day.
- (c) "Meeting" means any prearranged discussion of the public business of the municipal body by a majority of the members of the municipal body.
- (d) "Municipal body" means each of the following:
 - Council
 - Assessment Equalization Boards
 - Municipal Planning Commission
 - Board of Zoning Appeals
 - Civil Service Commission,

and committees of the above municipal bodies comprised of members of such bodies if such committees are comprised of a majority of the members of the main municipal body, or are decision-making committees.

- (e) "Oral notification" means notification given orally either in person or by telephone, directly to the person for whom such notification is intended, or by leaving an oral message for such person at the address, or if by telephone at the telephone number, of such person as shown on the records kept by the Clerk under this chapter.
- (f) "Post" means to post in an area accessible to the public during the usual business hours at the office of the Clerk and at such locations as Council may designate in a resolution adopted for such purpose and such locations so designated may be changed from time to time by resolution of Council. A notice identifying the locations at which notifications shall be posted pursuant to this chapter shall be published by the Clerk within ten calendar days after the adoption of this chapter.
- (g) "Published" means published once in a newspaper having a general circulation in the Municipality, as defined in Ohio R.C. 7.12, except that no portion of such newspaper need be printed in the Municipality. If at the time of any such publication there is no such newspaper of general circulation, then such publication shall be in a newspaper then determined by the Clerk to have the largest circulation in the Municipality.
- (h) "Special meeting" means a meeting which is neither a regular meeting nor an adjournment of a regular or special meeting to another time or day to consider items specifically stated on the original agenda of such regular or special meeting.
- (i) "Written notification" means notification in writing mailed, telegraphed or delivered to the address of the person for whom such notification is intended as shown on the records kept by the Clerk under this chapter, or in any way delivered to such person. If mailed, such notification shall be mailed by first-class mail, deposited in a U.S. Postal Service mailbox no later than the second day preceding the day of the meeting to which such notification refers, provided that at least one regular mail delivery day falls between the day of mailing and the day of such meeting.
(Ord. 46-76. Passed 7-19-76.)

105.03 REGULAR AND ORGANIZATIONAL MEETINGS.

(a) The Clerk shall post a statement of the time and place of regular meetings of each municipal body for each calendar year not later than the second day preceding the day of the first regular meeting, other than the organizational meeting, of the calendar year of that municipal body. The Clerk shall check at reasonable intervals to ensure that such statement remains so posted during such calendar year. If at any time during the calendar year the time or place of regular meetings, or of any regular meeting, is changed on a permanent or temporary basis, a statement of the time and place of such changed regular meetings shall be so posted by the Clerk at least twenty-four hours before the time of the first changed regular meeting.

(b) The Clerk shall post a statement of the time and place of any organizational meeting of a municipal body at least twenty-four hours before the time of such organizational meeting.

(c) Upon the adjournment of any regular or special meeting to another day, the Clerk shall promptly post notice of the time and place of such adjourned meeting. (Ord. 46-76. Passed 7-19-76.)

105.04 SPECIAL MEETINGS.

(a) Except in the case of a special meeting referred to in subsection (d) of Section 105.05, the Clerk shall, no later than twenty-four hours before the time of a special meeting of a municipal body, post a statement of the time, place and purposes of such special meeting.

(b) The statement referred to in subsection (a) hereof and the notifications under Section 105.05 shall state such specific or general purpose then known to the Clerk to be intended to be considered at such special meeting and may state, as an additional general purpose, that any other business as may properly come before such municipal body at such meeting may be considered and acted upon. (Ord. 46-76. Passed 7-19-76.)

105.05 NOTICE TO NEWS MEDIA OF SPECIAL MEETINGS.

(a) Any news medium organization that desires to be given advance notification of special meetings of a municipal body shall file with the Clerk a written request therefor. Except in the event of an emergency requiring immediate official action as referred to in subsection (d) hereof, a special meeting shall not be held unless at least twenty-four hours advance notice of the time, place and purposes of such special meeting is given to the news media that have requested such advance notification in accordance with subsection (b) hereof.

(b) News media requests for such advance notification of special meetings shall specify:

- (1) The municipal body that is the subject of such request;
- (2) The name of the medium;
- (3) The name and address of the person to whom written notifications to the medium may be mailed, telegraphed or delivered; and
- (4) The names, addresses and telephone numbers of at least two persons to either one of whom oral notifications to the medium may be given.

Any such request shall be effective for six months from the date of filing with the Clerk or until the Clerk receives written notice from such medium cancelling or modifying such request, whichever is earlier. Each requesting news medium shall be informed of such period of effectiveness at the time it files its request. Such requests may be modified or extended only by filing a complete new request with the Clerk. A request shall not be deemed to be made unless it is complete in all respects, and such request may be conclusively relied on by the City, the municipal body that is the subject of such request, and the Clerk.

(c) The Clerk shall give such oral notification or written notification, or both, as the Clerk determines, to the news media that have requested such advance notification in accordance with subsection (b) hereof, of the time, place and purposes of each special meeting, at least twenty-four hours prior to the time of such special meeting.

(d) In the event of an emergency requiring immediate official action, a special meeting may be held without giving twenty-four hours advance notification thereof to the requesting news media. The persons calling such meeting, or any one or more of such persons or the Clerk on their behalf, shall immediately give oral notification or written notification, or both, as the person giving such notification determines, of the time, place and purposes of such special meeting to such news media that have requested such advance notification in accordance with subsection (b) hereof. The minutes or the call, or both, of any such special meeting shall state the general nature of the emergency requiring immediate official action. (Ord. 46-76, Passed 7-19-76.)

105.06 NOTIFICATION OF DISCUSSION OF SPECIFIC TYPES OF PUBLIC BUSINESS.

(a) Any person, upon written request and as provided herein, may obtain reasonable advance notification of all meetings at which any specific type of public business is scheduled to be discussed.

Such person may file a written request with the Clerk specifying:

- (1) The person's name, and the address(es) and telephone number(s) at or through which the person can be reached during and outside of business hours;
- (2) The specific type of public business the discussion of which the person is requesting advance notification;
- (3) The municipal body that is the subject of such request; and
- (4) The number of calendar months, not to exceed six, which the request covers. Such request may be cancelled by request from such person to the Clerk.

Each such written request must be accompanied by cash, or a check or money order payable to the City, in the amount of two dollars (\$2.00) for each month covered by the request, which amount has been determined by Council to represent a reasonable fee to cover costs of providing such advance notification.

Such requests may be modified or extended only by filing a complete new request with the Clerk. A request shall not be deemed to be made unless it is complete in all respects, and such request may be conclusively relied on by the City, municipal body that is the subject of such request and the Clerk.

(b) The Clerk shall give such advance notification under this section by written notification, or by oral notification, or both, as the Clerk determines.

The contents of written notification may be a copy of the agenda of the meeting. Written notification may be accomplished by giving advance written notification, by copies of the agendas, of all meetings of the municipal body that is the subject of such request. (Ord. 46-76. Passed 7-19-76.)

105.07 MISCELLANEOUS.

(a) Any person may visit or telephone the office of the Clerk during that office's regular office hours to determine, based on information available at that office:

- (1) The time and place of regular meetings;
- (2) The time, place and purposes of any then known special meetings; and
- (3) Whether the available agenda of any such future meeting states that any specific type of public business, identified by such person, is to be discussed at such meeting.

(b) Any notification provided herein to be given by the Clerk may be given by any person acting in behalf of or under the authority of the Clerk.

(c) A reasonable attempt at notification shall constitute notification in compliance with this chapter.

(d) A certificate by the Clerk as to compliance with this chapter shall be conclusive upon the City and the municipal body involved.

(e) The Clerk shall maintain a record of the date and manner, and time if pertinent under this chapter, of all actions taken with regard to notices and notifications under Sections 105.04 through 105.06, and shall retain copies of proofs of publication of any notifications or notices published thereunder.

(f) To better insure compliance with this chapter as to notice and notification, it shall be the responsibility of the chairman or secretary of a municipal body other than Council, or the person or persons calling the meetings, to timely advise the Clerk of future meetings, and the subject matters to be discussed thereat, of such municipal body.
(Ord. 46-76. Passed 7-19-76.)