

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 13-20

INTRODUCED BY: Mayor Stefanik, Marnecheck, Kasaris

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWO ADMINISTRATION, CHAPTER 236 DEPARTMENT OF LAW, SECTION 236.02 FIRST ASSISTANT PROSECUTOR, AND DECLARING AN EMERGENCY

WHEREAS: It has been determined necessary to change the title of First Assistant Prosecutor to Assistant Law Director/First Assistant Prosecutor in order to more accurately reflect the duties and responsibilities of the position; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part Two Administration, Chapter 236 Department of Law, Section 236.02 First Assistant Prosecutor in order to provide for this title change; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part Two Administration, Chapter 236 Department of Law, Section 236.02 First Assistant Prosecutor of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

236.02 ASSISTANT LAW DIRECTOR/FIRST ASSISTANT PROSECUTOR.

(a) There is hereby established the position of *Assistant Law Director*/First Assistant Prosecutor in the Department of Law.

(b) The *Assistant Law Director*/First Assistant Prosecutor shall be appointed by the Mayor, subject to the concurrence and approval of a majority of the members elected to Council.

(c) No person shall be appointed and serve as *Assistant Law Director*/First Assistant Prosecutor unless he or she has been admitted to the practice of law in the State.

(d) The *Assistant Law Director*/First Assistant Prosecutor may be removed from office by the Mayor, with the concurrence of a majority of the members of Council.

(e) The *Assistant Law Director*/First Assistant Prosecutor shall assist the *Law Director*/Prosecutor in prosecuting all criminal violations of City ordinances and State statutes in the Mayor's Court and courts of record, as well as for prosecuting violations of the City's Building Code, Zoning Code, sanitary sewer and sewer rental charge ordinances and the Municipal Income Tax Ordinance, and Board of Zoning Appeals matters. ***The Assistant Law Director/First Assistant Prosecutor shall perform such other duties as assigned by the Mayor or Law Director, including but not limited to, representing the City in all proceedings in court or before any administrative body.***

(f) In addition to the duties enumerated in subsection (e) hereof, the *Assistant Law Director*/First Assistant Prosecutor shall be responsible for the daily management and supervision of the Prosecutor's Office, including the supervision of the Second Assistant Prosecutor, and shall also make himself or herself available at City Hall or other suitable quarters within the City, pursuant to a regular office schedule of not less than one-half day per week, in order to give advice to City residents, to conduct Prosecutor's hearings and to hear and review complaints of all City enforcement officials.

(g) ***All references to First Assistant Prosecutor in any ordinance, contract or other document shall be construed to read as Assistant Law Director/First Assistant Prosecutor.***

Section 2. Section 236.02 First Assistant Prosecutor of the Codified Ordinances of the City of North Royalton is amended as provided for herein and all other provisions of Chapter 236 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to change the title of First Assistant Prosecutor to Assistant Law Director/ First Assistant Prosecutor in order to more accurately reflect the duties and responsibilities of the position.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: February 5, 2013

DATE APPROVED: February 6, 2013

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading February 5, 2013

YEAS: Antoskiewicz, Nickell, Petrusky
Marnecheck, Muller, Kasaris

NAYS: none