

CHAPTER 143
Department of Law

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CROSS REFERENCES

- Appointment of City Attorney - see CHTR. Art. X, Sec. 10.01
- Qualifications of City Attorney - see CHTR. Art. X, Sec. 10.02
- Duties of City Attorney - see CHTR. Art. X, Sec. 10.03

143.01 DUTIES.

(a) The City Attorney will perform all acts necessary to accommodate the City in the performance of its functions as a Charter City and will perform such other duties consistent with powers of the City Attorney, which are prescribed by Charter, Council or Ordinances of the City.

(b) The City Attorney will provide advice and legal representation to the City and all elected and appointed officials and employees of the City, in their official capacities, in any litigation in which the City and/or elected and appointed officials and employees, in their official capacities, are parties.

(c) The City Attorney will be available at all times to advise elected and appointed officials of the City regarding official matters. The City Attorney or assistant will attend all regular and special Council meetings and all sessions of Mayor's Court. The City Attorney or assistant will, upon request, attend meetings of the Boards or Commissions and meetings of Council Committees.

(d) The City Attorney will prepare all contracts, bonds and other instruments in which the City is concerned; render opinions to City officials pertaining to City business, provided such requests are reduced to and submitted in writing; and prepare, assist in preparation of, or review all ordinances, resolutions and other legal documents pertaining to the business of the City.

~~(a) General. The City Attorney shall do any and all acts necessary to accommodate the City in the performance of its functions as a Charter city and shall perform such other duties consistent with powers of the Office of City Attorney, which are prescribed by Charter, Council or laws of the City.~~

~~(b) Representation of Officials/Litigation. The City Attorney shall provide advice and legal representation to the City and all elected and appointed officials and employees of the City, in their official capacities, in any litigation in which the City and/or elected and appointed officials and employees, in their official capacities, are parties.~~

~~(c) Availability. The City Attorney shall be available at all times to advise elected and appointed officials of the City on City matters. In addition, the City Attorney or his or her qualified assistant shall attend all regular and special Council meetings and all sessions of~~

~~Mayor's Court. The City Attorney or his or her qualified assistant shall upon request attend meetings of the Planning Commission, Board of Zoning and Building Appeals, Civil Service Commission and meetings of regular or special Council Committees or Planning Commission workshop sessions.~~

~~(d) Instruments. The City Attorney shall:~~

~~(1) Prepare all contracts, bonds and other instruments in which the City is concerned;~~

~~(2) Render opinions to City officials pertaining to City business, provided such requests are reduced to and submitted in writing;~~

~~(3) Prepare, assist in preparation of, or review all, ordinances, resolutions and other legal documents pertaining to the business of the City.~~

~~(e) The City Attorney shall not perform any professional work unrelated to the business of the City in any facilities of the City or with any equipment or staff of the City, provided that the City Attorney may use the City's phone facilities for matters reasonably necessary to his or her private practice which does not conflict with the public obligation of the City Attorney and may similarly use the City's legal research facilities consistent with the use allowed to the general public. (Ord. 57-83. Passed 8-2-83.)~~

143.02 RESPONSIBILITIES NOT LIMITED BY CHAPTER.

The responsibilities conferred by this chapter are in addition to any other duties and responsibilities conferred by Federal law, State statute or Municipal ordinance, and nothing in this chapter shall be construed to modify or limit such authority, powers, duties and responsibilities of any officer or public official as may be provided by law.

(Ord. 57-83. Passed 8-2-83.)

143.03 ~~PART-TIME~~FULL-TIME POSITION.

(a) Council hereby determines that ~~effective January 2, 2008,~~ the position of the City Attorney shall be a ~~part-time~~full-time position ~~commencing July 1, 2016, and compensation is hereby authorized and directed in the amounts and on the effective dates declared below:~~

~~Effective January 2, 2008: Sixty thousand dollars (\$60,000) per annum, payable at regular pay periods.~~

~~Effective January 2, 2009: Sixty one thousand eight hundred dollars (\$61,800) per annum, payable at regular pay periods.~~

~~Effective January 2, 2010: Sixty three thousand six hundred fifty four dollars (\$63,654) per annum, payable at regular pay periods.~~

~~Effective January 2, 2011: Sixty five thousand five hundred sixty three dollars (\$65,563) per annum, payable at regular pay periods.~~

~~Payment by the City to the Public Employee Retirement System for the benefit of the office holder as prescribed by law shall also be made. It is further stated herein that compensation means salary; any other items, such as staffing, office space, and/or hospitalization, if any shall be determined at a later time.~~

~~(b) Effective January 2, 2012, the position of the City Attorney shall be a part time position to be paid compensation in the amount of sixty five thousand five hundred sixty three dollars (\$65,563) per annum, payable at the regular pay periods, together with payment by the City to the public Employees Retirement System for the benefit of the office holder as prescribed by law. It is further stated herein that compensation means salary; and other items, such as staffing, office space, and/or hospitalization, if any, shall be determined at a later time. (Ord. 0136-2011. Passed 7-5-11.)~~

143.04 ASSISTANTS COMPENSATION.

Effective January 2, 2012, the salary for the City Attorney will be sixty five thousand five hundred sixty three dollars (\$65,563) per annum, payable at the regular pay periods, together with payment by the City to the public Employees Retirement System for the benefit of the office holder as prescribed by law. It is further stated herein that compensation means salary; and other items, such as staffing, office space, and/or hospitalization, if any, will be determined at a later time by Council.

~~(a) The City Attorney may appoint assistants. (b) Council may authorize the employment by contract of persons to prosecute cases in Franklin County Municipal Court and in Gahanna Mayor's Court. (Ord. 64-96. Passed 3-19-96.)~~

143.05 ASSISTANTS AND SPECIAL COUNSEL.

(a) The City Attorney is authorized to appoint assistants and special counsel who will perform such duties as directed by the City Attorney.

~~(a) From time to time, as Council determines as necessary or approves the recommendation of the City Attorney, Council may authorize the employment of special counsel to assist the City Attorney in the representation of the City or City officials or employees, in their official capacities.~~

(b) Compensation for such assistants and special counsel will be paid from money appropriated by Council.

~~(b) Compensation for such special counsel shall be paid from money specially appropriated for such services. (Ord. 57-83. Passed 8-2-83.)~~