

- **ARTICLE III. - MAYOR**
- **SECTION 3.01 - ELECTION AND TERM.**

The Mayor shall be elected at every second municipal election for a term of four (4) years, which term shall commence and the Mayor shall assume office on January 2 next following the Mayor's election, and shall hold office until the Mayor's successor is elected and qualified.

A nonpartisan primary election for the Mayor shall be held prior to the above mentioned municipal election and the two persons receiving the most number of votes in the primary election shall be the candidates for the municipal election.

In the event of a vacancy as described in [Section 3.07](#), the elected successor to the Mayor shall assume office immediately upon certification by the Board of Elections for the balance of the unexpired term. (Amended Nov. 2, 1976.) (Amended Nov. 7, 2006.)

- **SECTION 3.02 - QUALIFICATIONS.**

The Mayor for two (2) years prior to the date of the Mayor's filing the Mayor's declaration of candidacy for election with the Board of Elections and continuing through the Mayor's term of office shall be a continuous qualified elector of this Municipality.

The Mayor shall hold no other public office except that of a notary public or member of the State Militia. The Mayor shall not be otherwise employed by, nor shall the Mayor hold any other municipal office in this Municipality. The office of Mayor shall be a full-time occupation, and Council shall provide commensurate compensation. The Mayor shall hold no other employment. (Amended Nov. 3, 1981.) (Amended Nov. 7, 2006.) ([Amended Nov. 8, 2016.](#))

- **SECTION 3.03 - JUDICIAL POWERS.**

The Mayor shall have all the judicial powers which are conferred upon mayors by the laws of Ohio.

- **SECTION 3.04 - EXECUTIVE AND ADMINISTRATIVE POWERS.**

The executive and administrative powers of the Municipality shall be vested in the Mayor, directors of departments, and other administrative officers and boards provided for in this Charter or by ordinance. The Mayor shall be recognized as the chief executive and the official and ceremonial head. The Mayor shall function as the chief conservator of the peace, to see that all laws, resolutions and ordinances are enforced. The Mayor should attend all meetings of Council with the right to participate in debate, but not to vote. The Mayor shall appoint and shall have the power to remove:

(a) All department heads.

(b) The Mayor's appointees to boards and commissions.

(c) Any other employees as otherwise provided in this Charter or whose positions may be created by Council and for whose appointment the Mayor shall be responsible.

The Mayor shall appoint or delegate to the heads of departments, appointments of municipal employees, subject to the provisions of this Charter, any applicable collective bargaining agreements and any applicable Civil Service regulations adopted in accordance with this Charter. The Mayor may, without notice, cause the affairs of any department or the conduct of any employee to be examined. Except as otherwise provided in this Charter, the Mayor may remove any employee for whose appointment the Mayor is responsible. The Mayor shall execute on behalf of the Municipality all authorized contracts, conveyances, evidences of indebtedness, and all other instruments to which the Municipality is a party, and shall, where required, attach thereto the official seal of the Mayor's office. The Mayor or the Mayor's designee shall execute the purchasing function for the City. The Mayor shall present an annual State of the City address during the first quarter of every calendar year. Said address shall not be presented at a Council meeting but shall be presented at a time and place determined by the Mayor with notification to the public. (Amended Nov. 7, 2006.) (Amended Nov. 8, 2011)

- **SECTION 3.05 - VETO POWER.**

Each resolution or ordinance adopted by Council shall be attested by the Clerk of Council who shall promptly present it to the Mayor within forty-eight (48) hours for the Mayor's approval or disapproval.

The Mayor may approve or disapprove the whole, or any part of any resolution or ordinance appropriating money but otherwise the Mayor's approval or disapproval shall be addressed to the entire resolution or ordinance.

If the Mayor approves such legislation, the Mayor shall sign it and file it with the Clerk of Council. If the Mayor disapproves such legislation, or any item of such legislation appropriating money, the Mayor shall file it, together with the Mayor's objections, in writing, with the Clerk of Council. The Mayor's objections shall be entered in full on the journal of Council.

Unless the resolution or ordinance is filed with the Clerk of Council with the Mayor's written notice of disapproval within ten (10) days after presentation to the Mayor, it shall take effect as though the Mayor had signed it.

Upon the Mayor's disapproval, as provided herein, the Council may, but not later than its next regular meeting, reconsider the legislation, and if, upon such reconsideration, the legislation is approved by five or more members of Council, it shall take effect notwithstanding the disapproval of the Mayor. (Amended Nov. 8, 1966.) (Amended Nov. 7, 2006.)

- **SECTION 3.06 - ACTING MAYOR**

President of Council, Vice President of Council, or any member of Council designated by the majority vote of Council, in that order, shall become the Acting Mayor with all the powers of the Mayor in the event the Mayor, or one acting in that capacity for the Mayor, is (a) absent from the Municipality and inaccessible, or (b) unable for any cause or reason, to perform the duties of the Mayor, for a period of twenty-four (24) hours or longer. The operation of this provision shall take effect upon (a) the Mayor, or one acting in that capacity for the Mayor, providing written notice of such absence and inaccessibility to the Clerk of Council, or (b) the vote of a majority of Council at a public meeting stating the reasons for invoking this provision. (Amended Nov. 3, 1981.) (Amended Nov. 7, 2006.)

- **SECTION 3.07 - VACANCY.**

In the event of death, resignation, recall, or removal of the Mayor, the President of Council, Vice President of Council, or any member of Council designated by the majority vote of Council, in that order, shall become the Mayor, to serve until the certification of results by the Board of Elections of the next regular municipal election or for the balance of the unexpired term, whichever occurs first, and his/her office as Councilperson shall become thereby vacant; provided that if the Mayoral vacancy occurs within ninety (90) days of the next regular municipal election and the Mayoral position is not already on the ballot in that regular municipal election, the new Mayor shall serve until the certification by the Board of Elections of the results of the next following regular municipal election or for the balance of the unexpired term, whichever occurs first. The salary of the Mayor for the balance of the term shall be that established by the ordinance for the term as provided in this Charter. (Amended Nov. 6, 2001.) (Amended Nov. 7, 2006.) (Amended Nov. 8, 2011)

- **SECTION 3.08 - FISCAL MANAGEMENT.**

The laws of the State of Ohio relating generally to budgets, appropriations, taxation, debts, bonds, assessments, deposit and investment of funds and other fiscal matters of the City shall be applicable, except as otherwise provided by this Charter or by ordinance of Council. The fiscal year of the City shall begin on the first day of January. The Mayor shall prepare and submit to Council an operating budget in accordance with an annual budget calendar authorized by Council. The operating budget shall provide a complete financial plan of City funds and activities for the ensuing fiscal year which, except to the extent required by law or this Charter, shall be in a form acceptable to Council. Council shall adopt an operating budget for the ensuing fiscal year on or before December 31 of each year. To implement the operating budget as adopted, the Council shall, on or before December 31, also adopt an appropriation ordinance authorizing an appropriation for each program or activity by department or major organizational unit. (Amended Nov. 2, 1976.) (Amended Nov. 5 1991.) ([Amended Nov. 8, 2016.](#))

Editor's note— Formerly Estimate of Expenditures.