

ORDINANCE NO. 2011-14

INTRODUCED BY: Mayor Rinker and Council as a Whole

**AN EMERGENCY ORDINANCE  
AMENDING CHAPTER 157  
OF THE CODIFIED ORDINANCES  
OF MAYFIELD VILLAGE, OHIO,  
CREATING A RECORDS COMMISSION**

WHEREAS, pursuant to Ordinance No. 88-8, the Village enacted Chapter 157 of the Codified Ordinances of Mayfield Village, Ohio, creating a Records Commission.

WHEREAS, at this time it is necessary to amend Chapter 157 of the Codified Ordinances; and

WHEREAS, the Village has deemed it in the best interest of the health, safety and welfare of all residents to make the appropriate amendments to Chapter 157 of the Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. That Chapter 157 of the Codified Ordinances of Mayfield Village, Ohio is hereby amended as more fully set forth in Exhibit A attached hereto.

SECTION 2. The Clerk of Council is authorized and directed forward a certified copy of this Ordinance to the Codifier of the Village of Mayfield.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the health, safety and welfare of the residents of Mayfield Village, Ohio. It shall, therefore, take effect immediately upon the passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

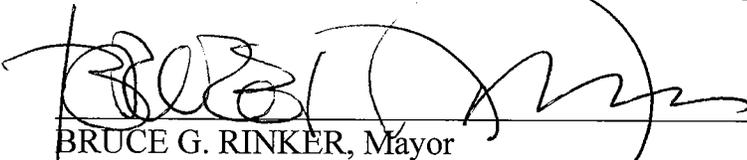
  
WILLIAM BUCKHOLTZ  
Council President

First Reading: April 25, 2011

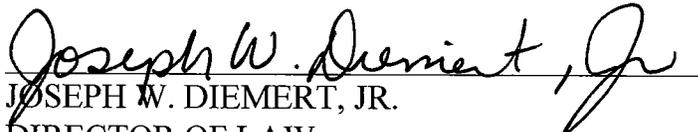
Second Reading: Suspended 2011

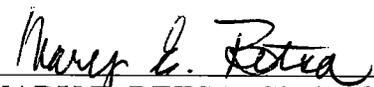
Third Reading: Suspended 2011

PASSED: April 25, 2011

  
BRUCE G. RINKER, Mayor

APPROVED AS TO FORM:

  
JOSEPH W. DIEMERT, JR.  
DIRECTOR OF LAW

ATTEST:   
MARY E. BETSA, Clerk of Council

# **DRAFT**

## **EXHIBIT A TO ORDINANCE 2011-14**

### **CHAPTER 157**

#### **Records Commission**

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**157.01 Creation and composition.**

**157.02 Archivist.**

**157.03 Functions.**

**157.04 Meetings.**

**157.05 Disposal of records.**

#### **CROSS REFERENCES**

Request to inspect public records – see ADM. 105.03

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#### **157.01 CREATION AND COMPOSITION.**

(a) Establishment. There is hereby created a Records Commission in the Municipality pursuant to Ohio R.C. 149.39.

(b) Membership. The Commission shall consist of the Mayor, or a representative designated by the Mayor, the Director of Finance, the Director of Law and two residents of the Municipality appointed by the Mayor and confirmed by a majority of the members elected to Council.

(c) Qualifications. The members of the Commission appointed by the Mayor and approved by a majority of the members elected to Council shall be residents of the Municipality at the time of their appointment and shall remain residents of the Municipality throughout their term. Such members shall serve the Commission without compensation.

(d) Term. The initial members of the Commission shall serve until December 31, 1989. Thereafter, the members shall be appointed on or before January 1 of each even-numbered year and shall serve for a term of two years.

(e) Chairperson. The Mayor or the representative designated by the Mayor shall Chair the Commission. The Chairperson shall be one of the two residents of the Municipality and shall be elected every year.

(f) Secretary. The Clerk of Council or his/her designee shall serve as Secretary to the Records Commission.  
(Ord. 88-8. Passed 4-18-88.)

#### **157.02 ARCHIVIST.**

The Records Commission may appoint an Archivist to serve at its pleasure and under its direction and with such compensation as the Commission, with the consent of Council, may determine from time-to-time.

(Ord. 88-8. Passed 4- 18-88.)

### **157.03 FUNCTIONS.**

The functions of the Records Commission shall be to provide rules for the retention and disposition of records and to review all record disposal lists submitted applications for one-time disposal of obsolete records and schedules of records retention and disposition submitted by Municipal officers and department heads. The disposal lists shall contain those records which either have been microfilmed or permanently stored electronically and/or and no longer have administrative, legal or fiscal values to the Municipality or its residents. The Records Commission at any time may review any schedule it has previously approved and for good cause shown may revise that schedule.  
(Ord. 88-8. Passed 4-18-88.)

### **157.04 MEETINGS.**

The Records Commission shall meet at least once every six months and, in addition, upon the call of the Mayor or the Mayor's representative to the Commission. All meetings shall be open to the public and properly noticed.  
(Ord. 88-8. Passed 4-18-88.)

### **157.05 DISPOSAL OF RECORDS.**

~~(a) When Municipal records have been approved for disposal by the Records Commission a copy of such records list shall be sent to the Bureau of Inspection and Supervision of Public Officers of the Auditor of State for approval or disapproval, in whole or in part. If such Bureau disapproves of the action of the Commission, in whole or in part, it shall so inform the Commission within sixty days after receipt of the records list. Before records are otherwise disposed of, the Ohio Historical Society shall be informed and given the opportunity for a period of sixty days to select for its custody or disposal such records as it may deem to be of continuing historical value.~~

(a) When the Records Commission has approved any application for one-time disposal of obsolete records or any schedule of records retention and disposition, the Commission shall send that application or schedule to the Ohio Historical Society for its review. The Ohio Historical Society shall review the application or schedule within a period of not more than sixty (60) days after its receipt of it. Upon completion of its review, the Ohio Historical Society shall forward the application for one-time disposal of obsolete records or the schedule of records retention and disposition to the Auditor of State for the Auditor's approval or disapproval. The Auditor shall approve or disapprove the application or schedule within a period of not more than sixty (60) days of receipt of it. Before public records are to be disposed of, the Commission shall inform the Ohio Historical Society of the disposal through the submission of a certificate of records disposal and shall give the Society the opportunity for a period of fifteen (15) business days to select for its custody those public records that it considers to be of continuing historical value.

(b) Before any records are disposed of, Council shall have an opportunity to review the list of items considered for disposal.  
(Ord. 88-8. Passed 4-18-88.)

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Records Commission**

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