

CHARTER

of the

VILLAGE

of

KIRTLAND HILLS

OHIO

**CHARTER  
OF THE  
VILLAGE OF KIRTLAND HILLS**

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**CHARTER  
of the  
VILLAGE OF KIRTLAND HILLS, OHIO**

**PREAMBLE**

*“We, the people of the Village of Kirtland Hills, State of Ohio, in order to secure for ourselves the benefits of municipal home rule and local self-government under the Constitution and laws of the State of Ohio, and to preserve, protect and perpetuate the scenic resources and ecology of Kirtland Hills giving the Village its distinctive rural character, do hereby adopt this Charter.”*

**Article I  
The Municipality**

**SECTION 1.1 - The Name**

The municipal corporation now existing in Lake County, State of Ohio, known as Kirtland Hills, shall continue as a corporate body politic under the name of Kirtland Hills.

**SECTION 1.2 - Boundaries**

The boundaries of Kirtland Hills shall continue as presently constituted unless or until changed in the manner provided by law.

**Article II  
Powers of the Municipality**

**SECTION 2.1 - Powers**

The Municipality shall have all of the powers, general or special, governmental or proprietary, that may now or hereafter lawfully be possessed or exercised by municipal corporations under the Constitution and laws of the State of Ohio.

**SECTION 2.2 - Manner of Exercise**

The powers of this Municipality shall be exercised in the manner prescribed in this Charter or, if not prescribed herein then in such manner as the Council may determine. When not prescribed in this Charter or determined by Council, such Powers shall be exercised, except as a contrary intent appears in this Charter or in the enactments of Council, in such manner as may now or hereafter be provided by the general laws of the State of Ohio until the Council shall provide a different manner of exercising such powers.

**Article III  
The Council**

**SECTION 3.1 - Composition**

The Council shall consist of seven (7) members all of whom shall be elected at large.

**SECTION 3.2 - Term**

The councilperson shall serve terms of four (4) years. The councilpersons holding office at the time this Charter becomes effective will continue in office to serve out their present terms. The terms of all councilpersons shall commence on January 1 next following their election. In the general election of November 1995, and every four (4) years thereafter, there shall be three (3) councilpersons elected, all serving terms of four (4) years. In the general election in November 1997, and every four (4) years

thereafter, there shall be four (4) councilpersons elected for terms of four (4) years. On January 3, 1994, Council shall hold an organizational meeting. The first order of business for this meeting shall be to appoint a seventh councilperson who shall serve a term beginning at the time of appointment and ending December 31, 1995.

### **SECTION 3.3 - Qualifications**

Every councilperson shall be an elector of Kirtland Hills and shall continue to reside within the Municipality during his or her term of office.

### **SECTION 3.4 - Organization**

In January of 1994, and in January of each even numbered year thereafter, the Council shall meet at the Village Hall to organize.

### **SECTION 3.5 - Council President and Vice President**

At the organizational meeting beginning in January 1994 and every two years thereafter, the Council shall choose one of its members as President of Council and another as Vice President of Council. The President of Council and Vice President of Council shall have all the powers, duties, functions, obligations and rights of any other member of Council, including the right to vote.

### **SECTION 3.6 - Qualifications and Removal**

The Council shall be the judge of the election and qualifications of its own members. It may remove any member for gross misconduct or malfeasance in, or disqualification for, office, or for the conviction while in office of a crime involving moral turpitude, or if adjudicated legally incompetent, or for a violation of the oath of office, or persistent failure to abide by the rules of Council; provided, however, that such removal shall not take place without the affirmative vote of two-thirds (2/3) of the members of Council nor until the accused member shall have been notified in writing of the charges against him or her at least ten (10) days in advance of a public hearing upon such charge, and he or she has been given an opportunity to be heard, present evidence and examine any witness appearing in support of the charge. The accused member shall not vote on the question of his or her removal.

### **SECTION 3.7 - Vacancies**

Any vacancies in the Council or an office thereof shall be filled by a majority vote of the remaining members of Council for the unexpired term. If the vacancy is not filled within forty-five (45) days after it shall have occurred, the Mayor shall fill it by appointment.

### **SECTION 3.8 - Council Meetings**

The Council shall hold at least one meeting in each calendar month. A majority of the members of Council shall constitute a quorum for the transaction of business at any meeting of the Council, but a lesser number may adjourn the meeting from time to time. At any meeting in which a quorum is present, any ordinance or resolution may be passed or adopted, or any other action taken, by the affirmative vote of four (4) members of Council unless a larger number be required by the provisions of this Charter. The Clerk-Treasurer shall keep a record of the proceedings of Council in a journal in which the "yea" or "nay" vote of each councilperson voting on every ordinance or resolution, and the action of Council on other measures, shall be recorded.

### **SECTION 3.9 - Powers and Duties**

The legislative powers of the Municipality, except as otherwise provided in this Charter, or by the Constitution of the State of Ohio, shall be vested in the Council.

The Council shall, by ordinance, make provision for the time and place of the regular meetings of the Council, the method of calling special meetings of Council, the method of giving public notice of its ordinances and resolutions and any other of its acts or proceedings which it deems proper to publish, and such other general regulations as the Council may deem necessary.

## **Article IV Legislation**

### **SECTION 4.1 - General Ordinances**

The Council may make provision by ordinance for:

- (a) the form and method of enactment and publication of its ordinances and resolutions, provided that no ordinance or resolution shall contain more than one subject which shall be set forth in its title;
- (b) the procedure for making public improvements and levying assessments, including the procedure for combining two or more public improvements, and the levying of assessments therefor, in one proceeding, if the Council finds that it will be economical and practical to undertake such improvements jointly;
- (c) the making, advertising and awarding of contracts and of alterations or modifications of contracts, including the determination of when formal bidding shall be required, the method of such bidding and the matters to be exempted from such bidding;
- (d) the purchase or the sale or disposal of municipal property;
- (e) the establishment of special provisions respecting the designation of depositories, types of accounts, and the investment of public monies; and
- (f) such other general regulations as the Council may deem necessary including the use of an official seal.

Ordinances may be revised, codified, rearranged and published in book form under appropriate titles, chapters and sections, and such revisions and codification may be made in one ordinance comprising one or more subjects. The publication of such revision and codification in book form as aforesaid shall be held sufficient publication of the ordinance or ordinances contained in such revision and codification. Any such publication of a revision or codification of ordinances in book form shall contain a certification by the President of Council and the Clerk-Treasurer of the correctness of such revision, codification and publication, and the book so published shall be received in evidence in any court for the purpose of proving the ordinance or ordinances therein contained, in the same manner and for the same purpose as the original book, ordinances, minutes or journals would be received.

### **SECTION 4.2 - Zoning Ordinances**

All ordinances which provide for rezoning to any use other than uses permitted by present zoning, shall be subject to the following special rules:

- (a) A public hearing thereon shall be required and at least thirty (30) days notice shall be given in a newspaper of general circulation in the Municipality; in addition, the Clerk- Treasurer shall mail or deliver a copy of said notice to the residence of each elector of the Municipality at least fifteen (15) days prior to said public hearing.
- (b) Notwithstanding the provisions of Article [XIII](#) of this Charter or the general laws of the State of Ohio, referendum petitions signed by ten (10) percent of the number of electors who voted for governor at the next preceding general election for governor in the Municipality shall contain a sufficient number of signatures, if said petitions are otherwise legally sufficient, to permit or cause the approval of such petitions for submission of the subject ordinance to the electors of the Municipality pursuant to Article [XIII](#) of this Charter and the general laws of the State of Ohio.

### **SECTION 4.3 - Effective Date of Ordinances and Resolutions**

Each ordinance providing for the appropriation of money, or for an annual tax levy, or for improvements petitioned for by the owners of a majority of the foot frontage of the property benefitted and to be specially assessed therefor, and any emergency ordinance or resolution necessary for the immediate preservation of the public peace, health or safety, shall take effect upon its passage, unless a later time be specified therein. No other ordinance or resolution shall go into effect until thirty days after its passage by the Council. Each emergency measure shall contain a statement of the necessity for such emergency action and shall require the affirmative votes of at least five (5) members of Council for its enactment. Each zoning measure shall

also require the affirmative votes of at least five (5) members elected to the Council for its enactment. No action of the Council providing for a change in the existing zoning code, in authorizing any change in the boundaries of the Municipality, or the surrender or joint exercise of any of its powers, or in granting any franchise, shall be taken as an emergency measure.

## **Article V The Mayor**

### **SECTION 5.1 - The Office - Powers and Duties**

The Mayor shall be the chief executive officer and head of the administrative branch of the municipal government. The Mayor shall perform all duties and may exercise all privileges and authority prescribed for him or her in this Charter or by the Constitution and laws of the United States, the Constitution of the State of Ohio and the laws of the State of Ohio not inconsistent with the provisions of this Charter. He or she shall further:

(a) Executive Powers

- (1) Supervise the administration of the Municipality's affairs;
- (2) Appoint such committees other than committees of this Council as he or she deems necessary, subject to confirmation by a majority vote of the members of Council, and exercise control over all committees and departments of the Municipality, except Council and committees thereof;
- (3) Be the chief conservator of the peace within the Municipality and shall cause all laws and ordinances to be enforced therein;
- (4) See that all terms and conditions imposed in favor of the Municipality or its inhabitants in any franchise or contract to which the Municipality is a party are faithfully kept and performed.
- (5) Recommend to Council such measures as he or she deems necessary or appropriate for the welfare of the Municipality and shall keep Council advised of the condition and future of the Municipality;
- (6) Act as the official and ceremonial head of the municipal government and shall preside over the meetings of Council;
- (7) Execute on behalf of the Municipality, together with the Clerk-Treasurer, all contracts, conveyances, evidences of indebtedness and all other instruments to which the Municipality is a party;
- (8) Have custody of the seal of the Municipality and may affix it to all of the aforesaid documents, but the absence of the seal shall not affect the validity of any such instrument;
- (9) Perform such other duties as are conferred or required by this Charter, or by any ordinance or resolution of the Council, or by the general laws of the State of Ohio not inconsistent therewith; and
- (10) Have the power to appoint and promote, subject to such confirmation as may be required by this Charter or by ordinance of Council, any officer or employee of the Municipality, except those required by this Charter to be elected. He or she shall have the power to discipline, suspend, transfer, reduce in rank or discharge from employment any such officer or employee in the following manner:
  - (i) With respect to the Chief of Police and, upon the recommendation of the Chief of Police with respect to all other members of the Police Department, the Mayor shall have the power to suspend or remove any member of said department in the manner provided by Section [8.2](#) of this Charter;
  - (ii) With respect to all other non-elected officers and employees of the Municipality, the Mayor shall have the power to discipline, suspend, transfer, reduce in rank, or discharge from employment any such officer or employee. However, if such officer or employee so requests in writing within ten (10) days thereafter, his or her discharge from employment shall take effect only after being confirmed by a majority of the members of Council at the meeting of Council next following the expiration of such ten day period, which meeting may be attended by such officer or employee.
  - (iii) Except as otherwise provided in subparagraph (I), all actions taken pursuant to the foregoing subparagraphs (I) and (ii) shall be final and conclusive, and no reason, notice, written charge or public hearing shall be required.

(b) Judicial Powers

The Mayor shall have all the judicial powers granted from time to time by the general laws of the State of

Ohio to mayors of municipalities.

(c) Legislative Powers

The Mayor shall have the right to recommend and introduce legislation and to take part in the discussion of all matters coming before Council, but shall have no vote therein except in the case of a tie. The Mayor shall have no veto powers.

**SECTION 5.2 - Term**

The Mayor shall be elected for a term of four (4) years at the election to be held in November 1995 and every four (4) years thereafter. The term shall commence on the first day of January next following his or her election.

The Mayor holding office upon the adoption of this Charter shall continue in office until his or her successor, elected at the general election of November 1995, assumes office.

**SECTION 5.3 - Qualifications**

The Mayor shall be an elector and shall continue to reside within the Municipality during the term of his or her office.

**SECTION 5.4 - Removal**

The Council may remove the Mayor for gross misconduct, malfeasance, misfeasance or nonfeasance in, or disqualification for, office, or for conviction while in office of a crime involving moral turpitude, or if adjudicated legally incompetent, or for a violation of his or her oath of office; provided, however, that such removal shall not take place without the affirmative vote of two-thirds (2/3) of the members of Council nor until the Mayor shall have been notified in writing of the charge against him or her at least ten (10) days in advance of a public hearing upon such charge and he or she has been given an opportunity at such hearing to be heard, present evidence and examine any witness appearing in support of the charge.

**SECTION 5.5 - Absence**

When the Mayor is absent from the Municipality, or for any reason is unable to perform his or her duties as Mayor, the President of Council shall become the Acting Mayor and while so acting shall have all the powers and duties of the Mayor, but shall continue to be President of Council and retain his or her right to vote.

**SECTION 5.6 - Vacancy**

If the office of Mayor becomes vacant, the President of Council shall forthwith become Mayor for the unexpired term and the Vice President of Council shall become President of Council. Thereupon, the vacancy in Council shall be first filled in the manner provided hereinafter and, thereafter, a new Vice President of Council shall be chosen by Council. If the President of Council declines to serve as Mayor, Council shall then appoint, by a majority vote, one of its members as Mayor for the unexpired term. If a Mayor-elect fails to qualify for office, a vacancy shall be deemed to exist and the President of Council elected at the organizational meeting following such regular municipal election shall become Mayor for that term as provided above.

## **Article VI The Clerk-Treasurer**

### **SECTION 6.1 - Appointment - Term**

The Clerk-Treasurer shall be appointed by the Mayor with the approval of a majority of Council, to serve at the will of the Mayor and Council and may be removed without cause by the Mayor with the consent of a majority vote of the members of Council. He or she need not be a resident of the Municipality.

The Clerk-Treasurer holding office upon the adoption of this Charter shall continue in office until the end of his term.

### **SECTION 6.2 - Vacancies**

Vacancies in the office of the Clerk-Treasurer shall be filled for the unexpired term in the manner authorized for original appointment under this Charter.

### **SECTION 6.3 - Duties**

The Clerk-Treasurer shall have notice of and attend all meetings of Council, keep a record of its proceedings, and authenticate all ordinances, resolutions, records, documents and instruments requiring the same. The Clerk-Treasurer shall keep the books of the Municipality and exhibit accurate statements of all funds received and of all taxes and assessments. The Clerk-Treasurer shall perform all other duties required by this Charter and by any ordinance or resolution of the Council or by the general laws of the State of Ohio not inconsistent with the provisions of this section. The Clerk-Treasurer shall examine, approve and if in proper form and an appropriation has been duly made provide for payment of all payrolls, bills, and other claims and prepare and sign all warrants. The Clerk-Treasurer shall assist the Mayor in the preparation of estimates, budgets and appropriations; the Clerk-Treasurer shall collect, keep and preserve the monies of the Municipality in such manner and in such place as the Council shall determine. The Clerk-Treasurer shall receive and disburse all other public funds coming into his hands in accordance with law.

### **SECTION 6.4 - Removal**

The Clerk-Treasurer may be removed at any time by the Mayor subject to confirmation by a majority vote of the members of Council.

## **Article VII Law Department**

### **SECTION 7.1 - Appointment - Term**

The Law Director shall be the director of the Law Department. He or she shall be provided with such assistants and special counsel as the Council may from time to time deem to be necessary and/or desirable. The Law Director and any such assistants and/or special counsel shall be appointed and may be removed at any time by the Mayor, subject to confirmation by a majority vote of the members of Council. The Law Director shall be an attorney at law in good standing admitted to practice in the State of Ohio. He or she shall be the chief legal advisor and attorney for the Municipality and its officers, departments, boards and commissions in their official capacities and shall perform such other duties, consistent with his or her office, as may be assigned to him or her from time to time by the Mayor and Council.

## **Article VIII Police Department**

### **SECTION 8.1 - Composition**

The Chief of Police and such police officers and members of the Police Department as may be provided for by ordinance of Council, shall be appointed by the Mayor subject to confirmation by a majority vote of the members of Council. They shall perform such duties as may be assigned to them from time to time by the Mayor, ordinances of Council and/or the general laws of the State of Ohio.

### **SECTION 8.2 - Appointment - Removal**

Members of the Police Department may be appointed and promoted by the Mayor subject to confirmation by a majority of the members of Council.

Members of the Police Department may be suspended or removed in the manner provided by the general laws of the State of Ohio.

## **Article IX Boards and Commissions**

### **SECTION 9.1 - Planning and Zoning Commission**

#### **9.11 - Composition**

There shall be a Planning and Zoning Commission consisting of five (5) members, one of whom shall be the Mayor, one of whom shall be a member of Council appointed by Council, and the remaining three (3) members shall be electors of the Municipality appointed by the Mayor subject to confirmation by a majority of Council.

Of the three (3) appointees first appointed by the Mayor, one shall be appointed for a term of three (3) years, one shall be appointed for a term of two (2) years and one shall be appointed for a term of one (1) year; thereafter, the terms of such appointed members shall be for three (3) years.

#### **9.12 - Duties and Responsibilities**

The Planning and Zoning Commission shall have all of the authority and responsibilities provided by the ordinances and resolutions of the Municipality. Until such ordinances and resolutions shall be adopted, the Board shall have the powers granted by the general laws of Ohio.

#### **9.13 - Vacancies**

A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment.

### **SECTION 9.2 - Board of Zoning Appeals**

#### **9.21 - Composition**

There shall be a Board of Zoning Appeals consisting of five (5) members, one of whom shall be the Mayor, one of whom shall be a member of Council appointed by Council and the remaining three (3) members shall be electors of the Municipality appointed by the Mayor subject to confirmation by a majority of Council.

Of the three (3) appointees first appointed by the Mayor, one shall be appointed for a term of three (3) years; one shall be appointed for a term of two (2) years; and one shall be appointed for a term of one (1) year. Thereafter, appointments shall be made annually at the termination of each member's term of office and each appointment shall be for a term of three (3) years.

#### **9.22 - Duties and Responsibilities**

The Board of Zoning Appeals shall hear appeals for exceptions to, and variances in, the application of

resolutions, ordinances, regulations, measures and orders of administrative officials or agencies governing zoning and building in the Municipality. Such Board shall have such other powers and duties and shall follow such procedures as may be prescribed by ordinances or resolutions of Council. Until such ordinances and resolutions shall be adopted, the Board shall have the powers granted by the general laws of Ohio.

### **9.23 - Vacancies**

A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment.

## **SECTION 9.3 - Architectural Board of Review**

### **9.31 - Composition**

There shall be an Architectural Board of Review consisting of five (5) members, one of whom shall be the Mayor, one of whom shall be a member of Council appointed by Council and the remaining three (3) members shall be electors of the Municipality appointed by the Mayor subject to confirmation by a majority of Council.

Of the three (3) appointees first appointed by the Mayor, one shall be appointed for a term of three (3) years, one shall be appointed for a term of two (2) years and one shall be appointed for a term of one (1) year; thereafter the terms of such appointed members shall be for three (3) years.

### **9.32 - Vacancies**

A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment.

### **9.33 - Employment of Officers and Consultants**

The Architectural Board of Review shall have the authority to employ such officers, employees, and consultants as it deems necessary. Each person so employed shall receive a fee or compensation to be determined by Council.

### **9.34 - Purposes of the Board**

The purposes of the Architectural Board of Review are the following:

(a) To promote and protect the public health, convenience, comfort, prosperity and general welfare by regulating the exterior design and location of buildings and structures to assure orderly and harmonious developments in the Municipality and in each neighborhood thereof;

(b) To insure that proposed developments protect and preserve the value, appearance and use of neighboring property on which buildings are constructed or altered, maintain safety, convenience and welfare and protect real estate within the Municipality from impairment or destruction of value;

(c) To regulate, according to accepted and recognized architectural principles, the design, use of materials, finished grade lines, dimensions, orientation and location of all main and accessory buildings to be created, moved, altered, remodeled or repaired, subject to the provisions of Zoning Codes and other applicable ordinances of the Municipality. In considering building proposals, the Architectural Board of Review shall consider and take cognizance of the development of adjacent, contiguous and neighboring buildings on properties for the purpose of achieving safe, harmonious and integrated development of related properties;

(d) To prevent the harmful effects of excessively similar, dissimilar, or inappropriate exterior design and/or location of buildings or structures in relation to the exterior design of buildings prevailing in the Municipality. Harmful or adverse effects, immediate or in the future to be prevented are:

- (1) Impairing the benefits of occupancy or causing deterioration of existing residential property; or
- (2) Discouraging the most appropriate use of undeveloped land throughout the Municipality; or
- (3) Lessening the desirability of neighboring areas of the Municipality for residential purposes; or
- (4) Reducing the stability and values of both improved or unimproved real property in the Municipality including the effects of capricious, faddish architecture of transitory public appeal; or
- (5) Impairing a proper relationship between the taxable value of real property and the costs of municipal services.

### **9.35 - Duties**

The Architectural Board of Review shall review detailed plans and specifications including representations of exterior appearance at the time of filing of applications for building and zoning permits.

No plans shall be approved without the affirmative vote of a majority of the Architectural Board of Review.

### **9.36 - Finality of Decisions**

Decisions of the Architectural Board of Review may be appealed to Council within twenty (20) days after announced, and the decision of the Council shall be final within the Municipality except that an appeal therefrom may be taken to the Court of Common Pleas of Lake County in accordance with the laws of the State of Ohio by any proper and interested party.

## **Article X Fiscal Matters - Taxation**

### **SECTION 10.1 - Fiscal Year**

The fiscal year of this Municipality shall be January 1 to December 31.

### **SECTION 10.2 - Limitation on Rate of Taxation**

The aggregate amount of taxes that may be levied by the Council for the year 1995 and thereafter without a vote of the people, on property assessed and listed for taxation according to value, for all purposes of the Municipality, shall not, in any one year, exceed twenty-three (23) mills per dollar of assessed valuation. Of said total maximum levy of twenty-three (23) mills, an amount shall annually be levied sufficient to pay the interest, sinking fund and retirement charges on all notes and bonds of the Municipality heretofore or hereafter authorized to be issued without the authority of the electors and, except as otherwise required by this Charter, such levy shall be placed before and in preference to all other levies and for the full amount thereof.

The voted millage in the amount of twenty (20) mills existing at the time of the effective date of this Charter and authorized to be levied on property assessed and listed for taxation according to value, shall not be levied for the years 1995 and thereafter.

The limitation of this Charter upon the power of Council to levy taxes shall not operate as a limitation upon the power of Council to levy taxes upon such other subjects and for such other purposes as may be lawful under the Constitution of Ohio or this Charter, provided, however, that any tax on income shall not become effective until the same shall be approved by a favorable vote of the electors.

### **SECTION 10.3 - Adoption of An Ordinance Creating a Capital Improvement Fund**

Council shall, within ninety (90) days after the effective date of this Charter, adopt an ordinance creating a Capital Improvement Fund. Such ordinance shall provide and require, inter alia, that all proceeds received by the Municipality from Ohio estate taxes be placed in said fund and further that no disbursements from such fund, whose source was Ohio estate taxes, be made unless for capital improvements which may include real property acquisition and improvements, street construction and reconstruction, building construction and such other lawful disbursements for permanent improvements as Council may, in its discretion, determine to be proper for the permanent improvement and beautification of the Municipality. Interest income and dividends generated by monies in the Capital Improvement Fund shall be credited to the general fund of the Municipality.

## **Article XI Franchises**

### **SECTION 11.1 - Franchises**

The Council may by ordinance grant franchises to any person, firm or corporation to construct or operate a public utility on, across, over or above any public street or real estate within the Municipality for a period not in excess of twenty-five (25) years; and Council may prescribe in such ordinance the kind or quality of the service or product to be furnished, the rate or rates to be charged therefor, and such other terms as it shall deem conducive to the public interest. Such franchise may be amended or renewed in the manner and subject to the provisions established herein for original grants. All of such grants, amendments and renewals shall be made subject to the continuing right of Council to provide reasonable regulations for the operation of such utilities with reference to such streets and public real estate, including the right to require such reconstruction, relocation, alteration or removal of structures and equipment in such streets or public grounds as shall, in the opinion of Council, be necessary in the public interest.

## **Article XII Nominations and Elections**

### **SECTION 12.1 - Time of Holding Elections**

Regular municipal elections shall be held on the first Tuesday after the first Monday of November of each odd-numbered year commencing with the year 1995. Such other elections shall be held as may be required by law, or authorized by ordinances or resolutions or this Charter. Any matter which, by the terms of this Charter, may be submitted to the electors at a special election, may be submitted at the time of a primary or general election.

### **SECTION 12.2 - Nominations and Procedures**

Nominations for elective offices of the Municipality shall be made in the manner prescribed by the general laws of the State of Ohio.

## **Article XIII Initiative and Referendum**

### **SECTION 13.1 - Initiative and Referendum**

Ordinances and resolutions may be proposed by initiative petition and adopted by election, and ordinances and resolutions adopted by Council shall be subject to referendum to the extent and in the manner now or hereafter provided by the Constitution and general laws of the State of Ohio. Initiative and referendum petitions shall be filed with the Clerk-Treasurer.

**Article XIV  
Amendments to Charter**

**SECTION 14.1 - Amendments**

The Charter may be amended in the manner provided by Article [XV](#) of this Charter and as set forth in the Constitution of the State of Ohio, by the submission of proposed amendments to the electors of the Municipality.

If any such amendment is approved by a majority of the electors voting thereon, it shall become a part of this Charter, except that if two or more inconsistent proposed amendments on the same subject shall be submitted at the same election, only the one of such amendments receiving the highest number of affirmative votes, not less than a majority, shall become a part of this Charter.

**Article XV  
Charter Review Commission**

**SECTION 15.1 - Composition**

In January 1998, and not less than once every ten (10) years thereafter, there shall be a Charter Review Commission, which Commission shall consist of seven (7) electors appointed by the Mayor with the approval of Council, five (5) of whom shall not have held elective public office in the Municipality during the three (3) years next preceding their appointment. The Commission shall serve until the next succeeding general election.

**SECTION 15.2 - Duties and Responsibilities**

The Commission shall determine its own rules of order and shall be responsible for reviewing the Charter. The Commission shall consider the recommendation of any officer or employee, board or commission of the Municipality, for changes, hold public hearings to consider the recommendations of electors for changes in the Charter, make such investigation as it deems necessary, and draft and submit to Council, not later than August 1st following its appointment, such amendments to the Charter as are desirable in the judgment of the Commission. Upon receipt of such amendments, Council shall forthwith submit them without alteration to the electors at the next succeeding November election in the manner prescribed by the Constitution of the State of Ohio.

**Article XVI  
General Provisions**

**SECTION 16.1 - Effective Date of Charter and Transition Provisions**

The provisions of this Charter shall become effective January 1, 1994. All existing elected officials shall continue in office until their present terms expire or a vacancy occurs.

**SECTION 16.2 - Continuance of Present Employees**

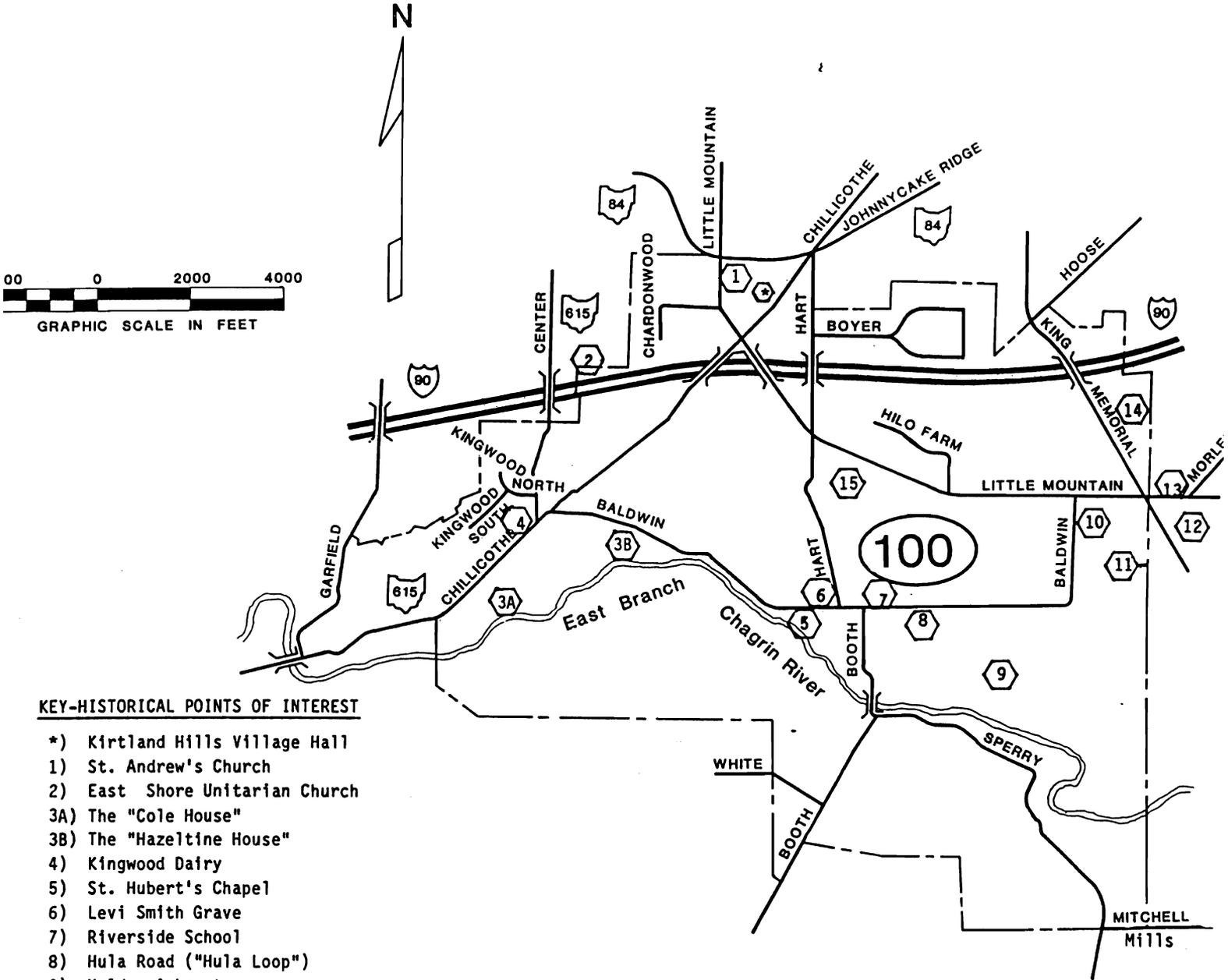
Every employee of the Municipality on December 31, 1993, shall continue in such employment and thereafter be subject in all respects to the provisions of this Charter.

**SECTION 16.3 - Effect of Charter on Existing Laws and Rights**

The adoption of this Charter shall not affect any pre-existing rights of the Municipality, nor any right or liability, pending suit or prosecution, either on behalf of or against the Municipality or any officer or employee thereof, nor any franchise granted by the Municipality, nor pending proceedings for the authorization of public improvements or the levy of assessments therefor, if any, except as a contrary intent appears herein. All the acts of the Council of the Municipality shall continue in effect until lawfully amended or repealed.

HISTORICAL POINTS OF INTEREST

# KIRTLAND HILLS VILLAGE



**KEY-HISTORICAL POINTS OF INTEREST**

- \* ) Kirtland Hills Village Hall
- 1) St. Andrew's Church
- 2) East Shore Unitarian Church
- 3A) The "Cole House"
- 3B) The "Hazeltine House"
- 4) Kingwood Dairy
- 5) St. Hubert's Chapel
- 6) Levi Smith Grave
- 7) Riverside School
- 8) Hula Road ("Hula Loop")
- 9) Holden Arboretum
- 10) Elevation Marker - 920'
- 11) Lake County Historical Center
- 12) Little Mountain
- 13) Joice's Corners
- 14) Cemetery
- 15) Hanna Estate (1945-1957)