

ORDINANCE 2022-14

AN ORDINANCE AMENDING CHAPTER 33, OTHER DEPARTMENTS, BOARDS AND COMMISSIONS, OF THE CODIFIED ORDINANCES OF SWANTON, OHIO.

WHEREAS, it is deemed necessary to amend Chapter 33 of the Codified Ordinances of Swanton, Ohio in order to provide for details on boards and commissions

NOW, THEREFORE, BE IT ORDAINED by Council of the Village of Swanton, Fulton County, Ohio, that:

Section 1. Chapter 33 be amended to read as follows in Exhibit A

Section 2. That it is found and determined that all formal actions of this Village Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Village Council, and that all deliberations of this Village Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. That this ordinance shall be effective at the earliest time allowed by law.

First Reading: May 9, 2022

Second Reading: May 23, 2022

Third Reading: June 13, 2022

Vote on Passage

Moved: Kania Second: Pilliod YEAS: 6 NAYS: 0

Date of Passage: June 13, 2022

  
Neil Toeppe, Mayor

Attest:

I, M. Jason Vasko, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Ordinance 2022-14, passed on June 13, 2022.

  
M. Jason Vasko, Fiscal Officer

## **Chapter 33 BOARDS AND COMMISSIONS**

### **§ 33.01 CREATION.**

The administrative service of the village shall include the commissions hereby created: Planning, Records, Tree; the boards hereby created: Downtown Design Review Board, Fire Advisory Board, Income Tax Board of Review, and Zoning Board of Appeals; and other commissions and boards as Council may deem necessary.

### **§ 33.02 MEMBERS; COMPENSATION; TERMS.**

Except as otherwise provided, all members of village boards and commissions shall be residents of the village with an appropriate variety of backgrounds and points of view. Except as otherwise provided, they shall be appointed by the Mayor, confirmed by Council, unless otherwise stated by ordinance, be removed for cause by the Mayor, and shall serve without compensation. Except as otherwise provided, terms of members of the village's boards and commissions shall be limited to two successive terms or ten years of successive service, whichever is longer. Once a member has served a board or commission for the maximum successive time permitted herein, a discontinuance of service for at least one year shall be required before the former member may be appointed to begin a new term on the same board or commission.

### **§ 33.03 ORGANIZATION.**

Every village board and commission, except the Planning Commission, shall organize annually to elect a chairperson, vice-chairperson, and secretary, and other officers as convenient. The Planning Commission shall organize annually to elect a chairperson and vice-chairperson, and other officers as convenient, except that the secretary to the Planning Commission shall be the Village Administrator/Zoning Inspector. Each village board and commission shall adopt rules for the transaction of business and keep a journal of its proceedings.

### **§ 33.04 MEETINGS, QUORUM; OPEN TO PUBLIC, WHEN.**

(A) Meetings of all village boards and commissions shall be called as needed by the chairperson, the Mayor, or three members thereof. A majority of the members of a village board or commission shall constitute a quorum for the transaction of business.

(B) Meetings of all boards and commissions at which any final action is to be taken or decision rendered shall be open to the public and any action taken or decision rendered at a meeting from which members of the public are excluded, except for misconduct, shall be void.

(C) A majority vote of the members present at any duly constituted board or commission meeting is sufficient for the adoption of a motion. When there is a tie vote the motion fails. All members present will vote "yea" or "nay" on all motions unless the member or members disqualify themselves for a conflict of interest on the business before the board

or commission. Voting abstentions on a motion are not permitted unless a conflict of interest exists.

### **§ 33.05 DUTIES.**

(A) All village boards and commissions, within their areas of responsibility, shall identify needs and problems, recommend programs, projects, and legislation; plan, develop, or assist with management plans and assist to develop and review policy and specifications; promote public understanding; cooperate with local citizens' groups, and governmental bodies; participate in conferences and workshops; and perform those specific duties delegated by Council.

(B) All village boards and commissions will notify the Village Administrator of meetings no later than the first scheduled meeting of Village Council prior to the board or commission's scheduled meeting. This notification will include an agenda for the next meeting, if possible.

(C) All village boards and commissions will have an agenda item for lobby visitation. Additional agenda items are at the discretion of the board or commission chairperson.

(D) Minutes from board and commission meetings will be forwarded to the Village Administrator within 12 working days after the board or commission meeting. The Village Administrator will distribute these minutes to the Mayor and Village Council. Minutes will be formally adopted in accordance with board or commission by-laws.

(E) Special meetings are exempt from the requirements of divisions (B). However, the Village Administrator's office, or designated representative, will notify the Mayor and Village Council of the special board or commission meeting.

### **§ 33.06 VACANCIES.**

Vacancies shall be filled for the unexpired term in the same manner as the original appointment was made.

### **§ 33.071 PLANNING COMMISSION.**

Per ORC 713.01, the legislative authority of each village may establish a commission of five members, consisting of the mayor, one member of the legislative authority to be elected thereby for the remainder of the individual's term as such member of the legislative authority, two citizens of the village, and one public member to be appointed by the mayor for terms of six years each, except that the term of one of the members of the first commission shall be for four years and one for two years. All members shall serve without compensation.

Cross-reference: TBD

### **§ 33.072 RECORDS COMMISSION.**

(A) The functions of the records commission are to provide rules for retention and disposal of records of the municipal corporation, and to review applications for one-time disposal of obsolete records and schedules of records retention and disposition submitted

by municipal offices. The commission may dispose of records pursuant to the procedure outlined in § 149.381 of the Ohio Revised Code. The records commission, at any time, may review any schedule it has previously approved and, for good cause shown, may revise that schedule under the procedure outlined in that section.

(B) The Village of Swanton's Records Commission is composed of the chief executive or the chief executive's appointed representative, as chairperson, and the chief fiscal officer, the chief legal officer, and a citizen appointed by the chief executive. The records commission has an appointed secretary, who may or may not be a member of the commission and who shall serve at the pleasure of the commission. The commission may employ an archivist or records manager to serve under its direction. The commission shall meet at least once every six months and upon the call of the chairperson.

### **§ 33.073 TREE COMMISSION.**

(A) The Tree Commission shall promote the planting, evaluation, and care of trees and shrubs throughout the village with particular responsibility for ensuring safe, quality tree canopy on village property and shall educate and inform residents about the selection, planting and maintenance of trees within the corporate limits, whether the same be on private or public property.

(B) The Tree Commission shall hold a minimum of eight (8) regular meetings annually and special meetings as needed at which the subject of trees insofar as it relates to the municipality may be discussed by the members of the Commission, officers, personnel, and Council committees of the municipality and all others interested in the tree program. Annual activity shall include implementing a public Arbor Day observance and writing and presenting a State of the Urban Forest report for Village Council.

(C) The Tree Commission shall consist of five (5) or seven (7) voting members; voting members do not need to be Village of Swanton residents. One (1) member of Council appointed by The Mayor, one (1) representative from Public Service, and the Village Administrator shall act as advisory, non-voting members of the Commission.

(D) The Mayor may appoint non-voting, Volunteer Auxiliary members to assist in special events, projects, and programming.

(E) Appointments to the Commission shall be for three (3) year terms, provided that the term for one (1) of the members appointed to the first Commission shall be for one (1) year and one (1) of the members appointed to the first Commission shall be for two (2) years. Because of the long-term nature of tree programming and management, the Tree Commission shall be exempt from the two (2) year term limit.

Cross-reference:

Trees, see Ch. 98

### **§ 33.074 DOWNTOWN DESIGN REVIEW BOARD**

(A) The role of the Downtown Design Review Board is to review design related aspects of downtown revitalization through the Façade Enhancement Program by using the

United States Secretary of Interior established standards for rehabilitation and revitalization.

- (B) The Village Administrator is authorized to appoint five (5) members of the Downtown Design Review Board with the concurrence of the Mayor
- (C) The Director of the Fulton County Economic Development Commission will be a voting member
- (D) The Village Administrator and the Mayor shall act as ex officio non-voting members
- (E) Appointments to the Board shall be for three (3) year terms, provided that the term of one (1) member appointed to the first Commission shall be for two (2) years.

### **§ 33.075 FIRE ADVISORY BOARD**

- (A) Generally, the role of the Advisory Board is to enhance the services and resources provided to and by firefighters. Review and make recommendations in financial planning. Review and make recommendations on the effective use of existing and future fire related facilities, services, manpower, and apparatus within the framework of the overall SFD fire service.
- (B) The Village of Swanton Fire Division Advisory Board is composed of four volunteer members consisting of the following voting representatives: Mayor of Swanton, One (1) Village Council Member, One (1) Fulton Township Member, and One (1) Swancreek Township Member
- (C) The Advisory Board may name ex officio members as deemed appropriate. An ex officio board member is one who becomes a member of a board not through the regular election process but by virtue of another position that he/she holds. Ex officio members of the Fire Advisory Board are non-voting members.
- (D) Members will serve a two (2) year term.

### **§ 33.076 INCOME TAX BOARD OF REVIEW.**

The Income Tax Board of Review shall consist of members as outlined in § 718.11 of the Ohio Revised Code

Cross-reference:

Income tax, see Ch. 35

### **§ 33.077 BOARD OF ZONING APPEALS.**

*Reserved*