

**REVISED CHARTER
of the
CITY OF LOVELAND**

EDITOR'S NOTE: The revised Charter of the City of Loveland, was approved by the voters on November 5, 1991. Additional changes were approved by the voters on November 7, 2000, on November 6, 2001, November 4, 2003 and November 5, 2019.

PREAMBLE

ARTICLE I. NAMES AND BOUNDARIES; POWER; FORM OF GOVERNMENT

Section 1.01	Names and Boundaries.
Section 1.02	Municipal Powers.
Section 1.03	Form of Government.

ARTICLE II.

THE CITY COUNCIL

Section 2.01	Number, Selection, Term.
Section 2.02	Qualifications.
Section 2.03	Filling of Vacancies.
Section 2.04	Beginning of Term of Office.
Section 2.05	Organization and Meetings.
Section 2.06	Mayor and Vice-mayor.
Section 2.07	Salaries.
Section 2.08	Clerk of Council.
Section 2.09	Rules and Journal.
Section 2.10	Powers of Council.

ARTICLE III.

ACTION OF COUNCIL

Section 3.01	Action of Council.
Section 3.02	Enactment of Ordinances and Resolutions.
Section 3.03	Effective Date.
Section 3.04	Publication of Ordinances.
Section 3.05	Initiative and Referendum.
Section 3.06	Adoption of Standard Codes by Reference.

ARTICLE IV.

THE CITY MANAGER

Section 4.01	Appointment, Qualifications, Salary and Benefits.
Section 4.02	Duties of the City Manager.
Section 4.03	Absence or Disability of the City Manager.
Section 4.04	Removal of the City Manager.
Section 4.05	Relationship Between Council and the City Manager.

ARTICLE V.

Section 5.01	Creation of Departments.
Section 5.02	Department Directors.
Section 5.03	Departmental Divisions.
Section 5.04	Administrative Code.
Section 5.05	Department of Law.
Section 5.05a	Powers and Duties of the City Solicitor.
Section 5.06	Department of Finance.
Section 5.06a	Powers and Duties of the Director of Finance
Section 5.07	Department of Safety.
Section 5.08	Department of Public Works.

ARTICLE VI.

Section 6.01	Levying Taxes.
Section 6.02	Submission of Extra Levy to Vote.
Section 6.03	Power to Incur Debt, Issue Bonds or Notes.
Section 6.04	Mortgage Revenue and Revenue Bonds.
Section 6.05	Special Assessment Bonds.
Section 6.06	Tax and Revenue Anticipation Notes.
Section 6.07	Procedure in Bond and Note Issues.
Section 6.08	Emergency Borrowing.
Section 6.09	Additional Levies.
Section 6.10	Income Tax Measures to Be Approved by Electors.
Section 6.11	Sale of Municipally-Owned Utilities.

ARTICLE VII.

Section 7.01	Annual Tax Budget.
Section 7.02	Revision of Tax Budget.
Section 7.03	Other Procedures.
Section 7.04	Fiscal Year.

ARTICLE VIII.

Section 8.01	Civil Service Commission; Membership. (11-4-03)
Section 8.02	Civil Service Commission; Powers, Duties and Jurisdiction. (11-4-03)

ARTICLE IX.

Section 9.01	Creation and Abolishment of Offices.
Section 9.02	Board and Commission Appointment and Removal.
Section 9.03	Planning and Zoning Commission.
Section 9.03a	Powers and Duties of Planning and Zoning Commission.
Section 9.04	Board of Zoning Appeals.
Section 9.04a	Powers and Duties of Board of Zoning Appeals.
Section 9.05	Parks and Recreation Board.
Section 9.06	Finance Commission.
Section 9.07	Other Boards and Commissions.
Section 9.08	City Manager-Ex Officio Member.

ARTICLE X.

Section 10.01	Municipal elections.
Section 10.02	Conduct of elections.
Section 10.03	Nominations.
Section 10.04	Sponsors, acceptance, verification.
Section 10.05	Ballots.
Section 10.06	Write-ins.
Section 10.07	Watchers and challengers.
Section 10.08	Election.
Section 10.09	Recall.

ADMINISTRATIVE DEPARTMENTS

Section 5.01	Creation of Departments.
Section 5.02	Department Directors.
Section 5.03	Departmental Divisions.
Section 5.04	Administrative Code.
Section 5.05	Department of Law.
Section 5.05a	Powers and Duties of the City Solicitor.
Section 5.06	Department of Finance.
Section 5.06a	Powers and Duties of the Director of Finance
Section 5.07	Department of Safety.
Section 5.08	Department of Public Works.

TAXATION AND BORROWING

Section 6.01	Levying Taxes.
Section 6.02	Submission of Extra Levy to Vote.
Section 6.03	Power to Incur Debt, Issue Bonds or Notes.
Section 6.04	Mortgage Revenue and Revenue Bonds.
Section 6.05	Special Assessment Bonds.
Section 6.06	Tax and Revenue Anticipation Notes.
Section 6.07	Procedure in Bond and Note Issues.
Section 6.08	Emergency Borrowing.
Section 6.09	Additional Levies.
Section 6.10	Income Tax Measures to Be Approved by Electors.
Section 6.11	Sale of Municipally-Owned Utilities.

FINANCE

Section 7.01	Annual Tax Budget.
Section 7.02	Revision of Tax Budget.
Section 7.03	Other Procedures.
Section 7.04	Fiscal Year.

CIVIL SERVICE

Section 8.01	Civil Service Commission; Membership. (11-4-03)
Section 8.02	Civil Service Commission; Powers, Duties and Jurisdiction. (11-4-03)

BOARDS, COMMISSIONS AND COMMITTEES

Section 9.01	Creation and Abolishment of Offices.
Section 9.02	Board and Commission Appointment and Removal.
Section 9.03	Planning and Zoning Commission.
Section 9.03a	Powers and Duties of Planning and Zoning Commission.
Section 9.04	Board of Zoning Appeals.
Section 9.04a	Powers and Duties of Board of Zoning Appeals.
Section 9.05	Parks and Recreation Board.
Section 9.06	Finance Commission.
Section 9.07	Other Boards and Commissions.
Section 9.08	City Manager-Ex Officio Member.

NOMINATIONS AND ELECTIONS

Section 10.01	Municipal elections.
Section 10.02	Conduct of elections.
Section 10.03	Nominations.
Section 10.04	Sponsors, acceptance, verification.
Section 10.05	Ballots.
Section 10.06	Write-ins.
Section 10.07	Watchers and challengers.
Section 10.08	Election.
Section 10.09	Recall.

ARTICLE XI.	GENERAL PROVISIONS
Section 11.01	Oath of Office.
Section 11.02	Official Bonds.
Section 11.03	Personal Interest.
Section 11.04	Removal from Office - Disqualification.
Section 11.05	Amendments.
Section 11.06	Severability Clause.
ARTICLE XII.	TRANSITIONAL PROVISIONS
Section 12.01	Fiscal Succession.
Section 12.02	Continuation of Ordinances and Resolutions
Section 12.03	Continuation of Offices.
Section 12.04	Continuance of Employees.
Section 12.05	Transfer of Records and Property.
Section 12.06	Continuance of Contracts and Public Improvements.
Section 12.07	Pending Actions and Proceedings.
Section 12.08	Revised Charter; When Amendments Thereto Take Effect.
Section 12.09	Charter Review.

**REVISED CHARTER OF THE
CITY OF LOVELAND, OHIO**

PREAMBLE

We, the people of the City of Loveland, Ohio (hereinafter "City"), desirous of securing for our city and for ourselves and our children the benefits and advantages of self-government conferred by the Constitution and statutes of Ohio (hereinafter "Ohio law"), do hereby ordain and establish this revised Charter (hereafter referred to as "Charter") for the government of the City of Loveland.

**ARTICLE I
NAME AND BOUNDARIES; POWER; FORM OF GOVERNMENT**

SECTION 1.01 NAME AND BOUNDARIES.

The present Municipality known as the City of Loveland, Ohio, shall continue to be a corporate body and political subdivision under the name of the City of Loveland. The boundaries of the City shall be those existing at the time of the adoption of this Charter, subject to change in the manner provided by Ohio law.

(Amended 11-7-00; 11-6-01)

SECTION 1.02 MUNICIPAL POWERS.

The City, under this Charter, shall exercise all powers of local self-government granted by Ohio law, including all statutes and Constitutional Amendments (including, but not limited to, Home Rule-Article XVIII, Section 7) now or hereafter adopted. All such powers shall be exercised in the manner prescribed by this Charter, or if not prescribed herein, in such manner as shall be provided by ordinances and/or resolutions, and if not provided by ordinances or resolutions, then as provided by Ohio law. References to any particular power in this Charter shall not be deemed exclusive.

(Amended 11-7-00; 11-6-01)

SECTION 1.03 FORM OF GOVERNMENT.

The form of government provided for by this Charter is the Council-Manager Plan.
(Amended 11-6-01)

**ARTICLE II
THE CITY COUNCIL**

SECTION 2.01 NUMBER, SELECTION, TERM.

Except as reserved to the people by this Charter, the legislative powers of the City shall be vested in a Council of seven (7) members, elected at large, for four-year (4) overlapping terms with four (4) members to be elected at a scheduled municipal election and three (3) members to be elected at a scheduled municipal election two years thereafter. All elections of Council members shall be on a non-partisan ballot.

(Amended 11-6-01)

SECTION 2.02 QUALIFICATIONS.

Electors of the City meeting the qualifications for member of City Council as set forth in Ohio law shall be eligible to have their names placed on the ballot. An elector who is finally convicted of a felony or a misdemeanor involving moral turpitude as defined under Ohio law, shall not be qualified under this section. A Council member who, during his or her term of office, ceases to meet such qualifications, or who is absent, without excuse by a majority of the other members of Council, from four (4) consecutive regular meetings of the Council, shall automatically vacate the office on the Council.

(Amended 11-7-00; 11-6-01)

SECTION 2.03 FILLING OF VACANCIES.

Vacancies in the office of Council member shall be filled within forty-five (45) days by

vote of a majority of the remaining members of Council, by the selection of a person qualified as provided in Section 2.02 of this Charter. If Council fails to make a selection to fill such vacancy within forty-five (45) days, the Mayor shall forthwith make the appointment. Such person so chosen shall serve the remainder of the unexpired term of the Council member whose vacancy the person was appointed to fill.

(Amended 11-6-01)

SECTION 2.04 BEGINNING OF TERM OF OFFICE.

The term of office of Council members shall begin on the first Monday in December following the certification of all Council seats subject to the regular municipal election held the first Tuesday after the first Monday of November in the odd-numbered years, or such other election date prescribed by Ohio law.

(Amended 11-6-01)

SECTION 2.05 ORGANIZATION AND MEETINGS.

Following each municipal election, Council shall meet within five (5) days after the beginning of the term of office of the newly-elected members of Council, for the purpose of organizing. At such meeting, the newly-elected members of Council shall take the oath of office and the Council shall proceed to elect a Mayor and Vice-Mayor and may transact such other business as may come before it. Thereafter, regular meetings shall be held as prescribed in the Council rules, but not less frequently than twice each month except in the month of December if one (1) meeting during this month is approved by at least five (5) members of Council. All meetings of the Council shall be open to the public, except as allowed by Ohio law and as Council may provide by ordinance to require confidentiality and be the subject of executive session. A majority of the members elected or appointed shall constitute a quorum at all meetings.

(Amended 11-7-00; 11-6-01)

SECTION 2.06 MAYOR AND VICE-MAYOR.

At its organization meeting, the Council shall elect, from among its own members, one to serve as Mayor and one as Vice-Mayor for a term of two (2) years and until their successors are chosen and qualified. The Mayor shall preside at Council meetings, when present, and shall have a vote on all matters which come before Council but shall have no power of veto. The Mayor shall be recognized as the head of the municipal government for ceremonial purposes but shall have no administrative duties. The Mayor shall have the judicial functions of a Mayor under Ohio law until such judicial functions are performed by some other officer appointed or elected for that purpose. The Vice-Mayor shall perform the duties of the Mayor when the Mayor is absent or disabled. If the Mayor's office is vacant, the Vice-Mayor shall become Mayor for the unexpired term, and Council shall elect a new Vice-Mayor for the unexpired term. If the person holding the office of Vice-Mayor declines to become Mayor, Council shall elect a Mayor from its membership, by a majority vote of the remaining members.

(Amended 11-7-00; 11-6-01)

SECTION 2.07 SALARIES.

The salary of Council members shall be fixed by ordinance. No increase in salary shall take effect during the term of the Council members enacting the ordinance.

The Mayor's salary shall be fixed by ordinance. The Council shall not increase or decrease the salary of the Mayor during their term of office.

The Vice-Mayor's salary shall be fixed by ordinance. Council shall not increase or decrease the Vice-Mayor's salary during the Vice-Mayor's term of office.

(Amended 11-6-01)

SECTION 2.08 CLERK OF COUNCIL.

The Clerk of Council shall be appointed by council. The Clerk of Council's duties shall include attending all council meetings, giving notice of Council meetings, taking and maintaining minutes of all council meetings, advertising public hearings, recording of all ordinances and resolutions enacted by Council and having the same published in the manner provided by this Charter.

(Amended 11-6-01)

SECTION 2.09 RULES AND JOURNAL.

The Council shall determine its own rules of procedure in conformity with the provisions of this Charter and shall keep a journal of its proceedings which shall be a public record.
(Amended 11-6-01)

SECTION 2.10 POWERS OF COUNCIL.

Among other powers, the Council shall have the authority to:

1. Adopt ordinances and resolutions on any subject within the scope of its powers;
2. Establish the internal organization, staffing and compensation of the departments, boards and commissions created by this Charter; set up such additional departments, boards or commissions as it may deem necessary and determine their powers and duties;
3. Adopt and modify the master plan and official map of the City, with review by a comprehensive planning commission at least every 10 years;
4. Regulate the use of real estate in the City by establishing zones, limiting the uses in each zone, and limiting the height of buildings and the intensity of land use;
5. Adopt a subdivision platting ordinance and approve subdivision plats which conform thereto;
6. Enact a comprehensive building code;
7. Authorize the levy of taxes and the issuance of bonds as provided in this Charter;
8. Adopt an annual appropriation ordinance based upon the annual budget, and delegate its enforcement to the City Manager.
9. Appoint and remove the City Manager, establish the City Manager's salary and benefits, and appoint an acting City Manager when necessary;
10. Appoint and remove the City Solicitor and establish the City Solicitor's salary and benefits, and appoint an acting City Solicitor when necessary;
11. Inquire into the conduct of any municipal officers or employees in the performance of their public functions;
12. Make investigations of any office, department or agency of the City;
13. Grant public utility franchises by vote of 6/7 of the members of Council;
14. Appoint and remove the members of any board, committee or commission created by this Charter, ordinance or resolution;
15. Employ a public accountant to make an audit of the financial affairs of the City whenever such an audit is deemed necessary;
16. Provide for the employment of engineering and other professional services on a consulting basis when deemed necessary;
17. Appoint and remove the Clerk of Council, establish the Clerk of Council's salary and appoint an acting Clerk of Council when necessary;
18. To exercise all other powers granted to the Council by this Charter and by Ohio law.

(Amended 11-7-00; 11-6-01)

ARTICLE III

ACTION OF COUNCIL

SECTION 3.01 ACTION OF COUNCIL.

The action of Council shall be by ordinance, resolution, or motion. On all matters of a general or permanent nature, or granting a franchise, or levying a tax, or appropriating money, or contracting an indebtedness to be evidenced by the issuance of bonds or notes, or for the purchase, sale, lease or transfer of real property or establishing an offense and fixing the penalty therefore; action shall be taken formally by ordinance, in the manner hereinafter provided. Action on all other matters of a temporary or informal nature may be taken by resolution, or, where not required by Ohio law to be by an ordinance or resolution, by motion approved by a majority of members present at the meeting when the action is taken.

(Amended 11-7-00; 11-6-01)

SECTION 3.02 ENACTMENT OF ORDINANCES AND RESOLUTIONS.

Each proposed ordinance shall be introduced in writing and, in addition to the title, shall contain an opening clause reading as follows: "Be it ordained by the Council of the City of

Loveland, Hamilton, Clermont, and Warren Counties, Ohio. " The action proposed to be taken shall be fully and clearly set forth in the body of the ordinance. Each ordinance shall contain one subject only, which shall be stated clearly in the title. No ordinance shall be passed without the concurrence of a majority of all members of Council, except that emergency ordinances, as hereinafter provided, shall require the concurrence of six (6) members of Council for passage. Every ordinance and resolution shall be read by title only, except that Council may require a full reading by a majority vote of its members. Such readings shall occur on two (2) different days before its enactment, unless an emergency is declared as hereinafter provided, or unless by a vote of six (6) members elected to Council, the reading on two (2) different days in full is dispensed with, in which case such ordinance may be read one (1) time and passed on the day of such reading. Each resolution shall be read on one (1) occasion before its enactment. The Mayor and the Clerk of Council shall certify the final passage of all ordinances and resolutions.

(Amended 11-6-01)

SECTION 3.03 EFFECTIVE DATE.

Ordinances providing for appropriations for current expenses of the City, or for public improvements petitioned for by the owners of a majority of the foot frontage of property benefitted and to be specially assessed for the cost thereof, or ordinances wherein an emergency is declared to exist, shall become effective immediately upon passage or at such later date as may be provided therein, and such ordinances shall not be subject to referendum. All other ordinances shall take effect thirty (30) days after passage. An emergency ordinance as referred to herein is one which must be passed and made effective at once or in less than thirty (30) days to meet a real and present emergency in the operation of the City government, or which is necessary for the immediate preservation of the public peace, health, safety, morals or welfare. Each emergency ordinance shall contain therein a separate section setting forth the reason for and nature of the emergency. No ordinance granting a franchise or fixing a rate to be charged by a public utility shall be passed as an emergency measure.

(Amended 11-6-01)

SECTION 3.04 PUBLICATION OF ORDINANCES.

After passage, ordinances required by law to be published shall be published in summary form, one time, in a newspaper, circular or other publication as determined by Council and on the City's official website. Such summary shall consist of a brief statement of the purpose and effect of the ordinance. A copy of each ordinance shall be posted at least fourteen (14) days in a public place in the City Hall.

(Amended 11-6-01)

SECTION 3.05 INITIATIVE AND REFERENDUM.

Except as otherwise provided in this Charter, ordinances may be proposed and submitted to popular vote by initiative and referendum. Any action taken shall follow the procedure set forth by Ohio law, now in effect or as hereafter amended except that:

1. Initiative and referendum petitions and any other documents required to be filed with the City shall be filed with the Clerk of Council.
2. Submitted petitions must be transmitted along with a certified copy of the text of the ordinance, to the Board of Elections on or before the fifteenth business day after receipt by the Clerk of Council.3. Ordinances proposed by initiative petition and ordinances referred to the electorate by referendum shall be submitted to the electors for approval or rejection at the next succeeding general, primary, or special election occurring subsequent to seventy-five (75) days after the transmission of such petitions to the Board of Elections.

(Amended 11-7-00; 11-6-01)

SECTION 3.06 ADOPTION OF STANDARD CODES BY REFERENCE.

The Council may adopt model or standard codes prepared and published by public or private agencies by reference to the date and source of the code without reproducing the same in full in the ordinance. Copies of all such codes shall be kept in the office of the Clerk of Council for reference and consultation by interested persons during regular office hours, and additional copies shall be available for sale, at cost, by the Clerk of Council. Any standard code adopted in this manner shall not be required to be published at length.

(Amended 11-6-01)

ARTICLE IV THE CITY MANAGER

SECTION 4.01 APPOINTMENT, QUALIFICATIONS, SALARY, AND BENEFITS.

The Council shall appoint, by majority vote of all members, an officer of the City who shall have the title of City Manager. The City Manager shall be chosen by the Council solely on the basis of their executive and administrative qualifications, and adequacy of public administration training and experience. No Council members shall be eligible for appointment as City Manager during the term for which they have been elected, or for one (1) year thereafter. The salary and benefits of the City Manager shall be fixed by ordinance.

(Amended 11-6-01)

SECTION 4.02 DUTIES OF THE CITY MANAGER.

The City Manager shall be the chief executive and administrative officer of the City. The City Manager shall be responsible to the Council for the proper administration of all the affairs of the City, and to that end, subject to the provisions of this Charter, shall have the authority and shall be required to:

1. See that this Charter and the ordinances and resolutions of the City are faithfully observed and enforced;
2. Appoint and remove all officers and employees of the City except those selected or appointed by Council, or as otherwise provided in this Charter;
3. Prepare the annual budget, and submit the same to the Council;
4. Prepare and submit monthly reports to the Council. Prepare and submit to the Council and the public annually, not later than March 31st a complete report on the finances and administrative activities of the City for the preceding year; which report shall be deemed to satisfy the requirements of Ohio law, without separate publication of the financial statement. Such annual report shall be published in the manner provided by ordinance;
5. Formulate and arrange contracts, franchises, and agreements subject to the approval of Council. Sign all contracts, bonds and notes on behalf of the City;
6. Attend meetings of the Council and shall have the right of participating in the discussion of all matters coming before Council, but shall have no vote;
7. Serve as an ex-officio non-voting member of all boards, commissions, and committees authorized under this Charter, except the Civil Service Commission and the Board of Zoning Appeals;
8. Delegate to subordinate officers and employees of the City any duties conferred upon the City Manager by this Charter or by action of the Council, and hold them responsible for the faithful discharge of such duties;
9. Perform such other duties, not inconsistent with this Charter, as may be required by the Council.

(Amended 11-7-00; 11-6-01)

SECTION 4.03 ABSENCE OR DISABILITY OF THE CITY MANAGER.

The City Manager shall notify in writing Council, and the Clerk of Council of the designation of any qualified administrative officer of the City to perform the City Manager's duties during temporary absence or disability. If such designation has not been made and the Manager is unable to perform the City Manager's duties or to make such designation, the Council may, by motion, appoint any qualified administrative officer of the City to perform the duties of the City Manager until the City Manager shall return or their disability ceases.

(Amended 11-6-01)

SECTION 4.04 REMOVAL OF THE CITY MANAGER.

The City Manager shall serve for an indefinite term, subject to removal at any time, with or without cause, by a majority vote of all members of Council. In the case of the voluntary resignation of the City Manager, the Council and the City Manager shall agree upon the effective date and terms of the resignation.

(Amended 11-6-01)

SECTION 4.05 RELATIONSHIP BETWEEN COUNCIL AND THE CITY

MANAGER.

Neither Council, nor any member thereof, shall direct or give orders to any subordinate of the City Manager, or take part in the appointment, discipline or removal of subordinate employees of the City Manager, either publicly or privately. Council, or any member thereof, shall deal with the administrative employees of the City solely through the City Manager. Any member of Council may request information regarding the City directly from any employee.

(Amended 11-6-01)

ARTICLE V ADMINISTRATIVE DEPARTMENTS

SECTION 5.01 CREATION OF DEPARTMENTS.

The administrative functions of the City shall be carried on by a Department of Finance, a Department of Law, a Department of Safety, a Department of Public Works and such other departments as may be created by ordinance, after consultation with the City Manager.

(Amended 11-6-01)

SECTION 5.02 DEPARTMENT DIRECTORS.

Each department of the City government shall be headed by a full-time or part-time director. With the exception of the Department of Law, the City Manager shall appoint and may remove all department directors, subject to approval by the Council. The Department of Law shall be appointed by the Council in accordance with the provisions of this Charter. Each department director shall be an administrative officer of the City. Two or more departments may be headed by the same person and the City Manager may serve as the director of one or more departments except Law, in addition to their duties as Manager, once approved by the Council.

(Amended 11-6-01)

SECTION 5.03 DEPARTMENTAL DIVISIONS.

The work of each department may be distributed among such divisions thereof as may be established by the Administrative Code.

(Amended 11-6-01)

SECTION 5.04 ADMINISTRATIVE CODE.

Subject to the provisions of this Charter, and after consultation with the City Manager, the Council shall adopt an Administrative Code which shall provide in detail the organization of the City government, define the powers and duties of each organization unit and determine the administrative procedures to be followed. Amendments to and revisions of the Administrative Code shall be made by the Council only after consultation with the City Manager. Where the Administrative Code is silent the officers and employees of the City shall have and may exercise all powers and duties provided for similar officers and employees by Ohio law.

(Amended 11-7-00; 11-6-01)

SECTION 5.05 DEPARTMENT OF LAW.

The Director of the Department of Law shall be known as the City Solicitor and shall be an attorney-at law, admitted to the practice of law in the State of Ohio. The City Solicitor shall serve for an indefinite term, subject to removal at any time, with or without cause, by a majority vote of all members of Council.

(Amended 11-7-00; 11-6-01)

SECTION 5.05a POWERS AND DUTIES OF THE CITY SOLICITOR.

The City Solicitor shall be the legal advisor, attorney and counsel for the City and for all offices, departments, divisions, bureaus, boards, commissions and the bodies of the City in connection with municipal affairs. Subject to the direction of Council, the City Solicitor shall represent the City in all proceedings in court, or before any administrative board or body. The City Solicitor shall perform such other duties consistent with the office, as may be required by this Charter, by ordinance or resolution of the Council, or by Ohio law. The City Solicitor shall be the prosecuting attorney on behalf of the City and shall prosecute cases brought before courts of competent jurisdiction.

Council may provide for assistants and special counsel to the City Solicitor. All assistants

and special counsel shall be responsible to the City Solicitor and when authorized by Council, may exercise powers and duties granted to the City Solicitor.
(Amended 11-7-00; 11-6-01)

SECTION 5.06 DEPARTMENT OF FINANCE.

The Department of Finance shall perform those functions customarily performed by the City Auditor and Treasurer under Ohio law. The Director of Finance shall be the fiscal officer of the Municipality and shall be appointed by the City Manager subject to confirmation by the affirmative vote of five members elected to Council; shall serve at the pleasure of the City Manager and may be removed by the City Manager subject to such removal being confirmed by the affirmative vote of five members elected to Council. The Director of Finance shall have knowledge of municipal accounting and taxation and shall have had experience or training in budgeting and financial control. In the event of the removal, resignation, or death of the Finance Director, Council shall order an audit of the Department of Finance.

SECTION 5.06a POWERS AND DUTIES OF THE DIRECTOR OF FINANCE.

The Director of Finance shall be the fiscal officer of the City, shall be responsible for the accounting, collection and custody of public funds, and shall control all disbursements authorized from the City Treasury. The Director of Finance shall submit to the Council and the City Manager, and make available to the public, a complete report on the finances of the City as of the end of each fiscal year. Upon the death, resignation, removal or expiration of the term of office of any officer or employee, the Director of Finance shall examine the accounts of such officer or other person and report the findings to Council and the City Manager. The Director of Finance shall countersign all bonds and notes issued by the City and shall perform such other functions as may be prescribed by this Charter, assigned by ordinance of Council, or by order of the City Manager.
(Amended 11-7-00; 11-6-01)

SECTION 5.07 DEPARTMENT OF SAFETY.

The Department of Safety shall have and perform such functions relative to police protection and fire and emergency medical services as may be assigned by ordinance or by order of the City Manager. Notwithstanding any provisions of state law, the Council may establish a unified police and fire protection service in which both types of service are rendered by the same personnel. The head of this department shall be designated the Director of Safety.
(Amended 11-6-01)

SECTION 5.08 DEPARTMENT OF PUBLIC WORKS.

The Department of Public Works shall have the custody, care and maintenance of the public buildings, grounds, streets, sewers, municipal utilities, and cemeteries owned by the City. The head of this department shall be designated the Public Works Director. The Public Works Director shall perform such functions and duties with reference to the service department as may be assigned by ordinance or by order of the City Manager, in addition to those prescribed in the Administrative Code.
(Amended 11-6-01)

ARTICLE VI

TAXATION AND BORROWING

SECTION 6.01 LEVYING TAXES.

The Council shall have the power to levy and collect taxes in the manner provided by Ohio law, subject to the limitations provided therein, and the limitations expressly set forth in this Charter.
(Amended 11-7-00; 11-6-01)

SECTION 6.02 SUBMISSION OF EXTRA LEVY TO VOTE.

On or before the 15th day of September in any year, the Council may by Ordinance adopted by a majority of the members elected or appointed thereto, declare that the amount of money which may be raised by taxation together with all the funds available during the year will be insufficient for the annual budgeted operational requirements of the City and it is necessary to levy additional taxes and may require the submission of the question of levying such additional tax to the electors

of the City at a primary, special or general election. Such ordinance shall specify the additional rate of the levy and the purpose thereof and the number of years during which such levy shall have effect. Such ordinance shall take effect on its adoption and shall be certified to the election authorities, as prescribed by general law. The election authorities shall place said question upon the ballot in the form prescribed by general law.

The question covered by such ordinance shall be submitted as a separate proposition but may be printed on the same ballot with any other proposition submitted at the same election. If a majority of those voting thereon at a municipal election, or sixty percent of those voting thereon at a special election, vote for the approval of the levy, Council shall immediately make such levy, or such part thereof as it finds necessary, pursuant to such approval, and certify the same to the County Auditor, to be placed on the tax list and collected as other taxes.

(Amended 11-6-01)

SECTION 6.03 POWER TO INCUR DEBT, ISSUE BONDS OR NOTES.

Council may, by ordinance, authorize and issue all types of bonds or notes for any purpose permitted by Ohio law. In issuing such bonds or notes, Council shall be bound by the definitions, limitations and procedures prescribed by Ohio law, except as otherwise provided in this Charter.

(Amended 11-7-00; 11-6-01)

SECTION 6.04 MORTGAGE REVENUE BONDS AND REVENUE BONDS.

The Council may, by ordinance, issue mortgage revenue bonds and/or revenue bonds for any purpose and in any total amount authorized by Ohio law.

(Amended 11-7-00; 11-6-01)

SECTION 6.05 SPECIAL ASSESSMENT BONDS.

The Council may, by ordinance, determine to proceed with a public improvement, all or part of the cost of which is to be assessed against real property specially benefitted by the improvement. Council may establish by ordinance the procedure to be followed in making such assessments and shall determine the proportion of the cost of such improvement which shall be paid by the City from general receipts, taxes, bond or note issues; and the proportion of the cost which shall be assessed against the owners of benefitted property. In all other respects the levying, certification and collection of special assessments by the City shall be in conformity with Ohio law, governing the assessment of the cost of improvements on benefitted property.

(Amended 11-7-00; 11-6-01)

SECTION 6.06 TAX AND REVENUE ANTICIPATION NOTES.

The Council may, by ordinance, issue notes in anticipation of the collection of taxes or other revenue on whatever conditions may seem reasonable. Such notes shall be paid from the tax receipts of the year in which they are issued.

(Amended 11-6-01)

SECTION 6.07 PROCEDURE IN BOND AND NOTE ISSUES.

The procedure followed in authorizing bonds and notes and applying the proceeds therefrom, shall be in accordance with the applicable provisions of Ohio law.

(Amended 11-7-00; 11-6-01)

SECTION 6.08 EMERGENCY BORROWING.

The Council may, by ordinance, borrow money and issue notes in case of public emergency as authorized by Ohio law.

(Amended 11-7-00; 11-6-01)

SECTION 6.09 ADDITIONAL LEVIES.

The authority of the Council to submit additional levies to a vote of the people under authority of the Constitution and laws of the State of Ohio, shall not be deemed impaired or abridged by reason of any provision contained in this Charter.

(Amended 11-6-01)

SECTION 6.10 INCOME TAX MEASURES TO BE APPROVED BY ELECTORS.

No ordinance passed by Council enacting an income tax shall be effective unless and until such ordinance is approved by a majority of the electors of the City voting at a municipal election

or a special election called for that purpose.
(Amended 11-6-01)

SECTION 6.11 SALE OF MUNICIPALLY-OWNED UTILITIES.

No utility owned by the City shall ever be sold without first submitting the question of such sale to the electors for approval. If a majority of the electors voting vote in favor of selling such utility, the Council may proceed with the sale.

(Amended 11-6-01)

ARTICLE VII FINANCE

SECTION 7.01 ANNUAL TAX BUDGET.

On or before the first regularly scheduled Council meeting in June of each year, the Director of Finance shall submit to the Council a tax budget for the ensuing fiscal year. For that purpose, the Director of Finance shall obtain from the director of each department or agency of the City government, plans for the work to be undertaken by such department during the next fiscal year, together with estimates of the cost of performing such work. The Department of Finance shall supply estimates of available revenue. From these data, the Director of Finance shall prepare the consolidated estimates for the annual tax budget. The Council shall consider these estimates, revise and adopt them, with or without amendments, as the tax budget of the City for the ensuing year, and transmit them, on or before the 15th day of July to the County Budget Commission, in the form required by Ohio law.

(Amended 11-7-00; 11-6-01)

SECTION 7.02 REVISION OF TAX BUDGET.

The City Manager shall prepare and submit to the Council each year a budget so revised that the total contemplated work program and expenditures from each fund during the ensuing fiscal year shall not exceed the total recommended appropriations from each fund and the total estimated resources certified by the County Budget Commission and the County Auditor. Such revised budget shall serve as the basis for the annual appropriation ordinance.

(Amended 11-6-01)

SECTION 7.03 OTHER PROCEDURES.

In all other respects the procedure for the preparation, hearing, advertising and adoption of the budget and the appropriation of municipal funds, shall be governed by Ohio law pertaining to such matters.

(Amended 11-7-00; 11-6-01)

SECTION 7.04 FISCAL YEAR.

The fiscal year of the City shall be the calendar year, beginning January 1st and ending December 31st each year.

(Amended 11-6-01)

ARTICLE VIII CIVIL SERVICE

SECTION 8.01 CIVIL SERVICE COMMISSION: MEMBERSHIP.

There shall be a Civil Service Commission consisting of three (3) members, qualified electors of the City, who shall be appointed by the Council for three-year (3) staggered and overlapping terms.

(Amended 11-4-03)

SECTION 8.02 CIVIL SERVICE COMMISSION: POWERS, DUTIES AND JURISDICTION.

The Council shall provide by ordinance the powers, duties and jurisdiction of the Civil Service Commission and shall determine the positions of employment which shall comprise the

classified and unclassified service of the City. The Civil Service Commission shall establish the method and procedure for determining merit and fitness for employment and promotion in the classified service and such other matters relating to classified employment service as may be necessary and proper.

(Amended 11-4-03)

ARTICLE IX BOARDS, COMMISSIONS AND COMMITTEES

SECTION 9.01 CREATION AND ABOLISHMENT OF OFFICES.

Council shall not abolish any office, board, or commission or diminish or transfer any powers or duties prescribed in this Charter. Council may, however, by ordinance, establish, abolish, divide, or combine, and shall determine the functions, compensation, powers, and duties of any office, board, commission, or committee not prescribed in this Charter.

(Amended 11-6-01)

SECTION 9.02 BOARD AND COMMISSION APPOINTMENT AND REMOVAL.

Appointments shall be made by the Mayor with the approval of a majority vote of Council. Council may remove any person appointed, but such removal shall be affected only by an affirmative vote of four (4) or more members of Council at a regular meeting of Council. The action of Council in such matters shall be final, and subject to no appeal. Council may suspend an appointee from office pending a final decision on removal.

(Amended 11-6-01)

SECTION 9.03 PLANNING AND ZONING COMMISSION.

There shall be a City Planning and Zoning Commission consisting of five (5) members. One (1) member shall be a member of Council, to be selected by Council. One (1) member shall be selected by the Board of Education who may or may not be a member of the Board. Council shall select three (3) members who are not Council members. Members of the Commission shall be residents of the City for at least one year prior to their appointment. If the Board of Education and/or the Council shall fail in these appointed duties, for a period of forty-five (45) days, after a vacancy occurs, the Mayor shall make such appointments. The terms of office of a Commission member, who is also a member of Council shall be concurrent. The remaining four (4) members shall be appointed to staggered and overlapping terms of three (3) years each. Any incumbents, as of this Charter's adoption, shall serve out their respective unexpired terms.

(Amended 11-6-01)

SECTION 9.03a POWERS AND DUTIES OF PLANNING AND ZONING COMMISSION.

The Commission shall act as the City's platting commission and shall provide for planning and regulations covering the platting of all lands controlled by the City and may require an official map of such territories to be made. The Commission shall carry out the City planning functions, which includes preparing a master plan, to be updated a minimum of every ten (10) years, and investigate, and make such reports and recommendations relating to planning and zoning, and the physical development of the City; and shall have all the powers granted to and shall perform all the duties imposed on planning commissions by Ohio law, and such other powers and duties as established by Council by ordinance. Meetings of the Commission shall be held as needed but not less than every two (2) months.

(Amended 11-6-01)

SECTION 9.04 BOARD OF ZONING APPEALS.

The Council shall appoint a Board of Zoning Appeals consisting of three (3) residents of the City to serve staggered and overlapping terms of three (3) years each. Any incumbents, as of this Charter's adoption, shall serve out their respective unexpired terms. If Council fails to make an appointment for a period of forty-five (45) days after a vacancy occurs, the Mayor shall make such appointment. The Board shall establish its own rules of procedure and keep a record of its proceedings in all matters coming before the Board.

(Amended 11-6-01)

SECTION 9.04a POWERS AND DUTIES OF BOARD OF ZONING APPEALS.

The Board shall have the powers to hear and decide appeals for exceptions to and variances in, measures and orders of officials and commissions governing zoning, building and floodplain regulations as may be required to afford justice and avoid unreasonable hardship, subject to such reasonable standards as shall be prescribed by Council; and such Board shall have such other powers as may be granted to it by Council.

SECTION 9.05 PARKS AND RECREATION BOARD.

There shall be a Parks and Recreation Board consisting of five (5) members, residents of the City, appointed by the Council for staggered and overlapping terms of three (3) years. One (1) of the five (5) appointees shall be approved by and be a representative of the Board of Education. The Parks and Recreation Board provides oversight for the development, maintenance and operation of parks and recreational facilities and programs for the City. Any incumbents, as of this Charter's adoption, shall serve out their respective unexpired terms.

(Amended 11-6-01)

SECTION 9.06 FINANCE COMMISSION.

There shall be a Finance Commission consisting of five (5) members with one (1) member being a member of City Council and four (4) members, residents of the City, appointed by the Council for staggered and overlapping terms of three (3) years. Any incumbents, as of this Charter's adoption, shall serve out their respective unexpired terms. The Commission shall provide oversight of the annual operating budget and make recommendations to Council. The Commission shall also act in an advisory capacity to the Council in matters pertaining to short and long range financial policy matters and funding for City operations. The Commission shall review and recommend changes to the City's Investment Policy.

SECTION 9.07 OTHER BOARDS AND COMMISSIONS.

Council may create and abolish such other advisory boards, commissions and committees as may be deemed necessary.

(Amended 11-6-01)

SECTION 9.08 CITY MANAGER - EX OFFICIO MEMBER.

The City Manager shall be an ex officio, non-voting member of all boards, commissions, and committees created by or under authority of this Charter, except the Civil Service Commission and the Board of Zoning Appeals.

(Amended 11-6-01)

ARTICLE X NOMINATIONS AND ELECTIONS

SECTION 10.01 MUNICIPAL ELECTIONS.

The regular election for the choice of members of the Council shall be held at the general election in the odd-numbered years. This shall be known as the Municipal Election. The Council may, by resolution, order a Special Election at any time, the purpose of which shall be set forth in the resolution.

(Amended 11-6-01)

SECTION 10.02 CONDUCT OF ELECTIONS.

All elections shall be conducted under the provisions of this Charter by the Board of Elections of the respective counties in which the City lies. Where the Charter is silent, the provisions of Ohio law shall be followed.

(Amended 11-7-00; 11-6-01)

SECTION 10.03 NOMINATIONS.

No primary election shall be held for the nomination of candidates for Council. Nominations for the office of Council member shall be made by petition signed by not less than twenty-five (25) nor more than fifty (50) electors of the City. Petitions shall be the standard forms for the nomination of individual nonpartisan candidates for such office. Group petitions shall not be used. Petitions shall be filed with the Board of Elections within the time period and in the county

specified by the Ohio Revised Code. An elector may sign only as many petitions as there are Council members to be elected at the Municipal Election for which the nominations are made.
(Amended 11-6-01)

SECTION 10.04 SPONSORS, ACCEPTANCE, VERIFICATION.

Each candidate shall have a sponsoring committee of five (5) qualified voters, whose names and addresses shall appear on each copy of the petition. The petition may be in a number of parts, but each part shall be verified under oath by the circulator, as required by law.
(Amended 11-6-01)

SECTION 10.05 BALLOTS.

The names of all nominated candidates shall be printed on the official ballot without party designation. The resident addresses of candidates with the same surname, or with names likely to cause confusion shall be placed below their respective names on the ballot. The names of all candidates shall be rotated on the ballot as provided by Ohio law.
(Amended 11-7-00; 11-6-01)

SECTION 10.06 WRITE-INS.

Write-in candidates shall be permitted as provided by Ohio law.
(Amended 11-6-01)

SECTION 10.07 WATCHERS AND CHALLENGERS.

Watchers and challengers shall be permitted as provided by Ohio law.
(Amended 11-6-01)

SECTION 10.08 ELECTION.

The candidates for member of Council at the regular municipal election, equal in number to the seats to be filled on Council, who receive the highest number of votes shall be declared elected.
(Amended 11-6-01)

SECTION 10.09 RECALL.

Members of Council may be removed from office before the expiration of their terms by the qualified voters of the City. The procedure for such recall shall be that provided by Ohio law.
(Amended 11-7-00; 11-6-01)

ARTICLE XI GENERAL PROVISIONS

SECTION 11.01 OATH OF OFFICE.

Every officer and employee of the City shall, before entering upon their duties, take and subscribe to the following oath or affirmation which shall be filed and kept in the office of the Clerk of Council:

"I (name) solemnly swear (or affirm) that I will support the Constitution of the United States, the Constitution of the State of Ohio, the Charter and Ordinances of the City of Loveland, and will obey the laws thereof and will faithfully discharge the duties of (_____) upon which I am about to enter."

(Amended 11-6-01)

SECTION 11.02 OFFICIAL BONDS.

As designated by Council or Ohio law, officers and employees of the City, whose duties require them to handle municipal and other public money or property, shall be covered by a corporate bond issued by a company authorized to do business in Ohio, to protect the City against loss due to their acts. The amount of the bond in each case shall be determined by Council and the premium on such bonds shall be paid from the funds of the City. All such bonds shall be filed with the Clerk of Council.

(Amended 11-6-01)

SECTION 11.03 PERSONAL INTEREST.

No member of the Council or any officer or employee of the City shall have any financial interest, direct or indirect, in any contract with or sale to the City of any materials, supplies, or services, or any land or interest in land. A person who knowingly and willfully violates this section shall be guilty of malfeasance in office and upon conviction thereof, shall be removed from office. Any contract or agreement made in violation of this section shall be voidable by action of Council. (Amended 11-6-01)

SECTION 11.04 REMOVAL FROM OFFICE - DISQUALIFICATION.

Whenever, in this Charter, certain acts on the part of City officials are described as constituting malfeasance in office, the procedure for complaint, trial and judgment thereon shall be that prescribed by Ohio law.

(Amended 11-7-00; 11-6-01)

SECTION 11.05 AMENDMENTS.

Any section of this Charter may be amended to meet changing conditions as the Municipality develops, in order that the best interests of those who live and work in the City may continue to be served. Amendments may be submitted to electors by five (5) votes of the Council, or shall be submitted upon petition signed by ten (10%) percent of the electors of the City voting at the last preceding Municipal Election. Copies of the proposed amendments shall be mailed to the electors not less than thirty (30) days prior to the date of an election at which such amendments are to be voted on. If any such amendment is approved by a majority of the electors voting thereon, it shall become a part of the Charter of this Municipality.

(Amended 11-6-01)

SECTION 11.06 SEVERABILITY CLAUSE.

If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter, which would have been adopted without the invalid portion if such invalidity could have been known at the time of its original adoption.

(Amended 11-6-01)

ARTICLE XII

TRANSITIONAL PROVISIONS

SECTION 12.01 FISCAL SUCCESSION.

The City, under this Charter, is hereby declared to be the only legal successor of the City of Loveland under its former charter and Ohio law. As such, the City has title to all property, real and personal, owned by its predecessor, including all monies on deposit and all taxes in the process of collection, together with all accounts receivable and rights of action. The City is liable for all outstanding orders, contracts and debts of its predecessor and for any other obligations for which it may be held liable, as such successor, by any court of competent jurisdiction.

(Amended 11-7-00; 11-6-01)

SECTION 12.02 CONTINUATION OF ORDINANCES AND RESOLUTIONS.

All ordinances and resolutions of the City in effect at this Charter's adoption shall remain in effect, except as amended and superseded by this Charter's provisions, until they are amended or repealed.

(Amended 11-6-01)

SECTION 12.03 CONTINUATION OF OFFICES.

Every person holding an office of the City government when this Charter takes effect shall be retained except as superseded by this Charter's provisions.

(Amended 11-6-01)

SECTION 12.04 CONTINUANCE OF EMPLOYEES.

Every employee of the City government when this Charter takes effect shall be retained in

employment except as superseded by this Charter's provisions.

(Amended 11-6-01)

SECTION 12.05 TRANSFER OF RECORDS AND PROPERTY.

All public records and property in the custody of officers and employees of the City shall be transferred and delivered promptly to their successors, upon termination of tenure of office or employment.

(Amended 11-6-01)

SECTION 12.06 CONTINUANCE OF CONTRACTS AND PUBLIC IMPROVEMENTS.

All contracts entered into for the City or for its benefit, prior to the taking effect of this Charter, shall continue in full force and effect. Public improvements for which legislative steps have been taken under laws existing at the time this Charter takes effect shall be completed, as nearly as practicable, under the provisions of such laws.

(Amended 11-6-01)

SECTION 12.07 PENDING ACTIONS AND PROCEEDINGS.

No action or proceeding, civil or criminal, pending at the time when this Charter shall take effect, brought by or against the City or any office, agency or officer thereof, shall be abated or affected by anything herein contained, but all such actions shall be prosecuted or defended under the laws in effect when they are filed.

(Amended 11-6-01)

SECTION 12.08 REVISED CHARTER; WHEN AMENDMENTS THERETO TAKE EFFECT.

The proposed amendments shall be voted upon at the general election on November 5, 2019 and, if approved by a majority of the electorate voting, shall take effect and be in force from and after certification by the Board of Elections. Except as amended, all other provisions of the Revised Charter approved on November 5, 1991 and thereafter shall remain unchanged.

(Amended 11-7-00; 11-6-01)

SECTION 12.09 CHARTER REVIEW.

At least every ten (10) years, the Council shall appoint no more than seven (7) qualified electors of the Municipality as members of a Charter Review Commission. Such Commission shall review the Charter of the Municipality, and within eighteen (18) months after such appointment, recommend to Council any alterations, revisions, and amendments. The Council shall submit to the electors any such proposed alterations, revisions, or amendments in accordance with Ohio law. The members appointed to the Charter Review Commission shall serve without compensation. Meetings of the Charter Review Commission shall be open to the public.