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SUBJECT FILE
ORDINANCES - CLEVELAND

A Citizen's Guide to City Council Proceedings



CLEVELAND HAS BROUGHT INTO BEING, IN THE
FINEST TRADITION OF LOCAL SELF-GOVERNMENT, A
COMMUNITY SELF DISCIPLINED WHERE THOSE OF
EVERY RACE, OF ALL CREEDS AND OF WHATSOEVER
NATIONAL ORIGIN, LIVE AND WORK IN HARMONY SO
THAT THEY MAY TRANSMIT TO POSTERITY A CITY
WITH AN ENLIGHTENED VISION AND A CIVIC SOUL.

J. H. Crowley, Author
Inscription in Council Chamber

THE OFFICIAL PROCEEDINGS OF CLEVELAND CITY COUNCIL

The official proceedings of Council follows the format established by the City Charter and the Rules of Council

Roll Call
Opening Prayer
Pledge of Allegiance
Communications
Condolence Resolutions
Congratulatory Resolutions

FIRST READING

Emergency Ordinances Referred
Ordinances Referred
Emergency Ordinances Read in Full and Passed
Ordinances Read in Full and Passed
Emergency Resolutions Referred
Emergency Resolutions Read in Full and
Adopted

THIRD READING

Emergency Ordinances Passed
Ordinances Passed
Emergency Resolutions Adopted

SECOND READING

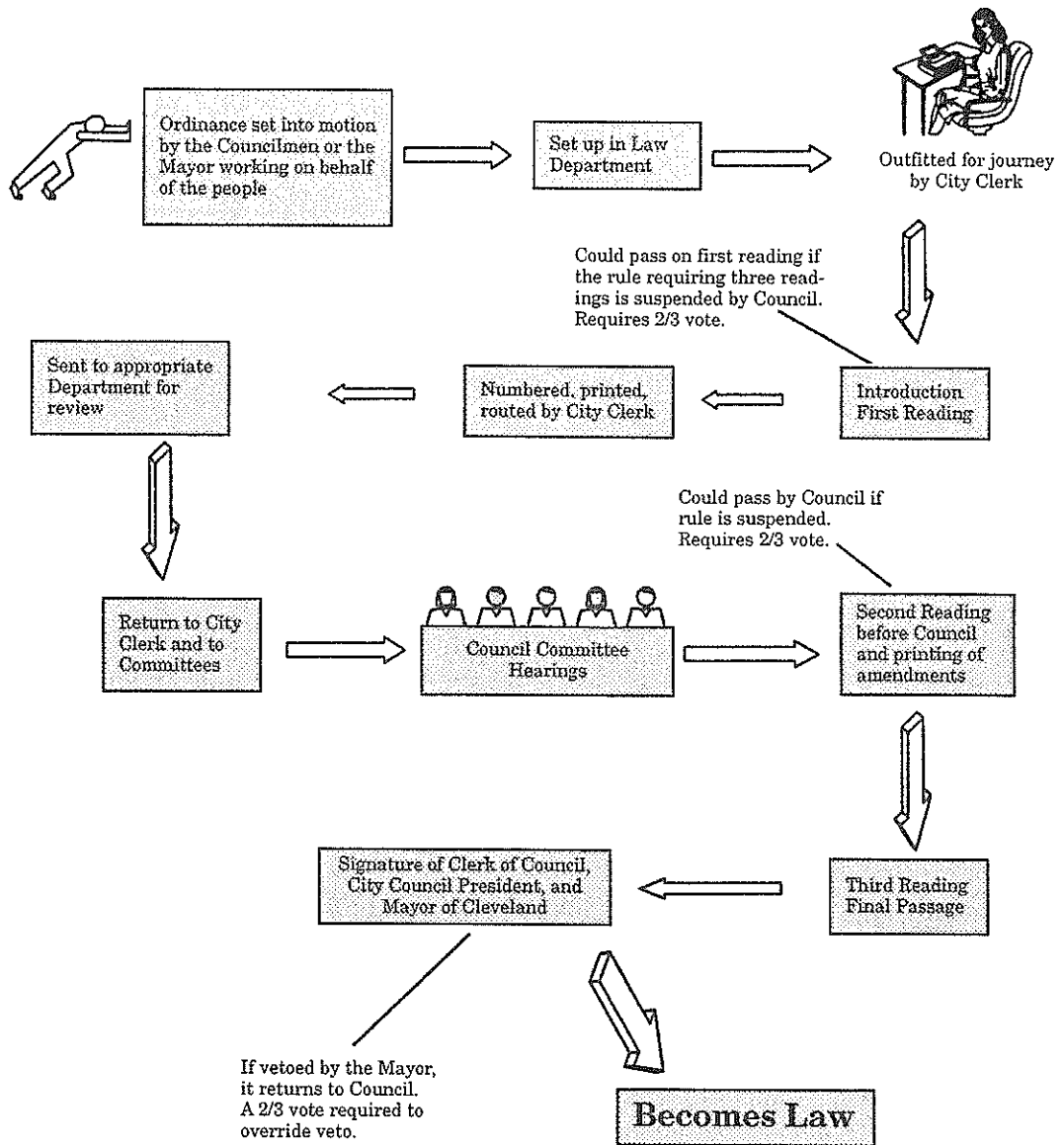
Emergency Ordinances
Emergency Ordinances Passed
Ordinances
Ordinances Passed
Emergency Resolutions
Emergency Resolutions Adopted
Ordinances Passed

(official proceedings of Council is complete)

Introductions
Announcements
Miscellaneous
Adjournment

*A record of all Council meetings is published in the City Record.
The City Record is made available by the Clerk of Council.*

HOW AN ORDINANCE BECOMES LAW



THE COUNCIL LEADERSHIP



Michael D. Polensek
Council President



Nelson Cintron, Jr.
Majority Leader



William Patmon
Majority Whip



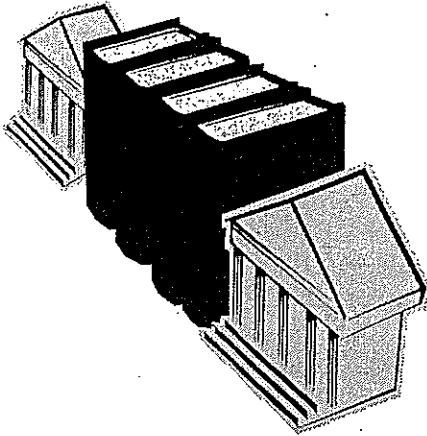
Ruby Moss
Clerk of Council

YOUR CITY COUNCIL MEMBERS

- | | |
|---|---|
| Ward 1 - Joseph T. Jones
664-4944 | Ward 12 - Edward W. Rybka
664-4233 |
| Ward 2 - Robert J. White III
664-4237 | Ward 13 - Joe Cimperman
664-2691 |
| Ward 3 - Odelia V. Robinson
664-4945 | Ward 14 - Nelson Cintron, Jr.
664-3706 |
| Ward 4 - Kenneth L. Johnson
664-4941 | Ward 15 - Merle R. Gordon
664-4238 |
| Ward 5 - Frank G. Jackson
664-2309 | Ward 16 - Michael C. O'Malley
664-2943 |
| Ward 6 - Patricia J. Britt
664-4234 | Ward 17 - Timothy J. Melena
664-4235 |
| Ward 7 - Fannie M. Lewis
664-2908 | Ward 18 - Jay Westbrook
664-4230 |
| Ward 8 - William W. Patmon
664-4231 | Ward 19 - Dona Brady
664-3708 |
| Ward 9 - Craig E. Willis
664-4252 | Ward 20 - Martin J. Sweeney
664-2942 |
| Ward 10 - Roosevelt Coats
664-4743 | Ward 21 - Michael A. Dolan
664-4239 |
| Ward 11 - Michael D. Polensek
664-4236 | |

Clerk of Council
Ruby Moss
664-4551





THERE OUGHTA BE A LAW

By Barbara Langhenry

You know the saying: Laws are like sausage; you don't want to see how either is made. Well; keep your eyes open and steel yourself, if you must, because you need to know how laws in the City are made.

City laws may be codified or uncoded.

The codified laws are contained in the City's Codified Ordinances and are, generally, the laws that are *continuing*, such as traffic laws, crimes, the creation of departments and their duties, and some standing authority for City administrators to enter into contracts, charge fees, or take certain actions.

Uncodified ordinances are, generally, laws that give authority for a specific purpose or to take a specific action. Uncodified ordinances are usually used to make purchases for the City and to enter into contracts for public construction. Once the action authorized by an uncodified law is taken, the ordinance has been used and is of no more use. On the other hand, codified ordinances may be used again and again.

Usually, to bind or obligate the City, an ordinance is necessary. The City is obligated when it is bound to take some action or to spend funds in exchange for goods or services. A City administrator should always consider what authority gives the administrator the right to take a certain action. The Department of Law is happy to help an administrator ponder his or her authority.

Getting Started

Only councilmembers and the Mayor may introduce legislation, or ordinances, to the Council. The Council rules, however, allow City administrators to request that legislation be introduced.

If a department wants to ask Council to introduce legislation, the department must complete a Request for Legislation Form commonly known as an RL, write a grant memo to Finance, or write an interoffice memo to the Director of Law. An RL is used if the legislation requires the spending of money, such as legislation authorizing requirement contracts, public-improvement contracts, purchase contracts or professional-service contracts. This form goes to the Finance Department first and the Finance Department directs it to the Law Department.

A grant memo to the Finance Department is used for legislation to accept a grant. Again, the Finance Department then directs the memo to the Law Department. All other legislation, including legislation to amend an existing ordinance, is requested through a memo to the Director of Law. RLs, grant memos, and memos should include as much information about what is desired, including prior examples.

The Law Department tries to use those requests to draft the legislation. The process is slowed if we have to call to ask further questions. Also remember that each piece of legislation is limited to one subject.

Timing

To have legislation introduced on a particular Monday, the request should be in the Law Department ten days before that Monday. The Law Department sends legislation to the Council Clerk by noon on the Thursday before the Monday Council meeting at which it is to be introduced. If there are documents to be placed in a file that is created with the legislation, then those documents must be available to be delivered to the Council Clerk with the legislation.

Getting it through Council, Part I

The Council meets almost every Monday from September through early June. An ordinance must be read at three separate Council meetings. The Council, by a vote of two-thirds of its members, may suspend this rule to omit the second or the third reading of an ordinance. Thus, it is possible for an ordinance to be passed the day that it is introduced if the Council votes to suspend its own rules.

Certain types of legislation may not be passed upon the first reading because the Charter requires that the City Planning Commission consider them prior to passage. Generally, this requirement includes zoning laws, public-improvement authority and any legislation that affects the land in the City.

cont'd on page 4



Administrative Review

After legislation is read for the first time, the Clerk sends it for "administrative review." The Clerk will send the legislation to the director who requested it, other departments that are affected by the legislation, the Finance Director and, always, the Director of Law. The directors then have a chance to comment on the legislation and recommend changes to the legislation.

The director stamps his or her approval or disapproval on the back of the legislation. If the legislation involves the spending of money, the Finance Director states whether there is or may be money available in the Treasury. If a director wants changes to legislation, the director may send a memo to the Law Director outlining the changes that the director wants.

The Law Director is the last administrative stop for the legislation. The Law Director determines whether there is a legal objection to the legislation. For example, if the legislation is a police regulation that directly conflicts with State law, then it would be legally objectionable. The Law Department drafts any changes to the legislation that a particular director may recommend.

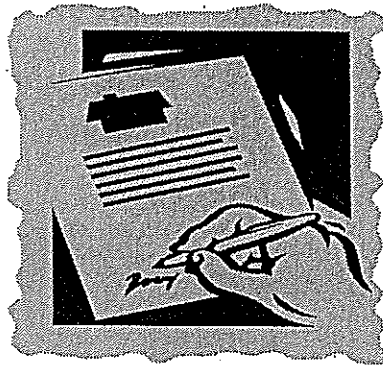
Getting it through Council, Part II

The Law Director then sends the legislation to the Clerk of Council, who places the legislation in the box for the first committee to which the legislation has been assigned. At introduction, the Clerk determined which Council committees would consider the legislation.

The Clerk publishes a calendar con-

taining the committee agendas on the Thursday before the following week of committee hearings. To be considered for a committee agenda, legislation must be returned to the Council after its administrative-review voyage by noon on the Wednesday before the calendar is published.

At a committee hearing, the councilmembers who are members of a par-



ticular committee expect a presentation about the legislation from the director who requested the legislation. The councilmembers will ask the director questions and may ask that the legislation be amended in a particular way. A director may also ask the committee to consider a certain amendment.

The Council Finance Committee is usually the last committee to consider a piece of legislation. After the legislation has been heard by all of the committees to which it was assigned, the legislation will be read before the entire Council for a second time. At that time the Council may vote to suspend its rules to forego the third reading and then pass the legislation. If this action is not taken, the legislation is brought before the Council at its next meeting for a third reading and a vote on its passage.

On to the Mayor

If the Council passes the legislation, then it is sent to the Mayor. The Mayor may approve, veto, or take no action on

a piece of legislation. If the Mayor approves the legislation, it will become effective as allowed by law.

Generally, if the ordinance is what is known as an emergency measure, then it will take effect upon the Mayor's signature. Other legislation is effective forty days after its passage.

If the Mayor wants to veto the legislation, then the Mayor does not sign the legislation and returns it to the Council within ten days after its passage with objections noted. The Council may override the Mayor's veto with a vote of two-thirds of the members of Council. If the Council takes this action, then the legislation takes effect.

If the Mayor takes no action on a piece of legislation within ten days after its passage by neither approving nor vetoing the piece, then it takes effect as if it had been approved.

All actions taken by the Council at its meetings are published in the *City Record*, which is published every Wednesday. Usually, legislation is published in its final form in the *City Record* that is published nine days after the meeting at which the legislation was passed.

There you have it—the description of the making of a law and, most likely, you are not even queasy! If you have questions, please contact Chief Assistant Director of Law for Legislation and Finance Barbara Langhenry at ext. 2893, Julie Lady at ext. 2569, or Nancy Zebrasky, the administrative officer for legislation, at ext. 2818. •

Dear Karen,

In response to your request this is what I believe to be a fairly accurate recollection of the project that I completed for City Council between 1976 and 1978.

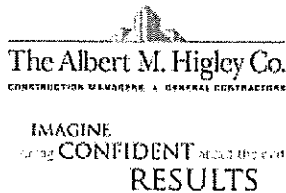
In 1976 City Council approved a re-codification of the Cleveland Municipal Codified Ordinances. This involved re-numbering code sections from a 1951 base year to a 1976 base year. I took over the project as a intern in 1976 from Don Spears who was then First Assistant Clerk of Council. At that time the project was not more than 10% complete. The work involved updating 6 x 8" index cards which included the 1951 section number and title, by adding the correlative 1976 section number and title. As I recall it these cards also had previous base year correlatives which traced the section in many cases to its original passage date. I seem to remember that I glued actual copy of the section to each card, but I am not 100% certain. I typed all of the data on each card using an IBM Selectrix typewriter.

When the cards were completed, I created a cross reference table that reflects the data on the cards, cross-referencing the 1976 code section to the previous 1951 code section. When I left City Hall in 1989, the green file cabinet was housed in the Council offices and still in active use.

Sincerely,

Jon Ferrell

Jon Ferrell
Vice President
2926 Chester Avenue
Cleveland, Ohio 44114
p. 216-861-2050
f. 216-861-0038



THIS IS A COPY OF THE
TABLE OF THE FINAL
WORK PRODUCT.

1951 to 1976 (Disposition of 1951 Code with exception
of Fire Prevention and Building Codes.)

CLEVELAND

JON FEDELL

COMPARATIVE SECTION TABLE

(Indicating disposition of 1951 Code Substance
excluding Fire Prevention and Building Codes)

<u>1951 Section</u>	<u>1976 Section</u>	<u>Ord. No.</u>	<u>1.050%</u> <u>1951 Section</u>	<u>305.08</u> <u>1976 Section</u>	<u>Ord. No.</u>
1.0301	103.001		1.0358	575.23	1946-A-48
1.0302	103.002	991-51	1.0359	575.24	1598-69
1.0303	103.01	867-71	1.0360	573.07	1484-54
1.0304	103.02	867-71	1.0363	553.01	1595-44
1.0305	103.03	867-71	1.0501	305.01	72366
1.0306	103.04	867-71	1.0502	305.02	
1.0307	103.05	867-71	1.0503	305.03	
1.0308	103.06	867-71	1.0504	305.04	88316
1.0309	103.07	867-71	1.0505	305.05	88316
1.0310	103.08	867-71	1.0506	305.06	72366
1.0311	103.09	867-71	1.0507	305.07	
1.0312	103.10	867-71	1.0509	305.09	535-51
1.0313	103.11	867-71	1.0510	305.99	535-51
1.0314	103.12	867-71	1.0701	105.01	
1.0315	103.13	867-71	1.0702	105.04	
1.0316	103.14	867-71	1.0703	105.05	
1.0317	103.15	867-71	1.0704	105.99(a)	
1.0318	103.16	867-71	1.0705	105.06	1277-39
1.0319	103.17	867-71	1.0706	105.07	1277-39
1.0320	103.18	867-71	1.0707	105.08	1277-39
1.0321	103.19	867-71	1.0708	105.09	1277-39
1.0322	103.20	867-71	1.0709	105.99(b)	1277-39
1.0323	103.21	867-71	1.070901	105.10,	1161-70
1.0324	103.22	867-71		105.99(c)	
1.0325	103.23	867-71	1.0710	105.11	1033-47
1.0326	103.24	867-71	1.0711	105.02	685-60
1.0327	103.25	867-71	1.0712	105.03	2025-73
1.0328	103.26	867-71	1.1101	113.01	975-66
1.0329	103.27	867-71	1.1102	113.02	
1.0330	103.28	867-71	1.1103	113.03	
1.0331	103.29	867-71	1.1104	113.04	
1.0332	103.30	867-71	1.1105	113.05	
1.0333	103.31	867-71	1.1106	113.06	663-66
1.0334	103.32	867-71	1.110601	111.03	1817-54
1.0335	103.33	867-71	1.110602	111.04	1669-68
1.0338	105.12	781-41	1.1107	113.07	476-40
1.0340	575.05	1213-51	1.110701	113.08	672-52
1.0341	575.06		1.1108	113.09	1796-42
1.0342	575.07		1.1109	113.10	476-40
1.0344	575.09		1.1110	113.11	476-40
1.0345	575.10		1.1301	115.01	
1.0346	575.11		1.1302	115.02	
1.0347	575.12	859-44	1.1303	115.03	2578-75
1.0348	575.13		1.1304	115.04	1861-39
1.0349	575.14		1.1305	115.05	473-40
1.0350	575.15		1.1306	115.06	473-40
1.0351	575.16		1.1307	115.99	473-40
1.0352	575.17	91407	1.1309	111.05	
1.0353	575.18		1.1310	111.06	
1.0355	575.20		1.1311	111.07	
1.0356	575.21	1946-A-48	1.1703	111.08,	81-56
1.0357	575.22	76-62		111.99	
1.0354	575.19				

1976 CODIFIED ORDINANCES

<u>1976 Section #</u>	<u>1951 Section #</u>	<u>Ordinance #</u>	<u>Volume</u>	<u>Page</u>
101.01	*	2924-76	63	2237
101.02	*	2924-76	63	2237
101.03	*	2924-76	63	2237
101.04	*	2924-76	63	2237
101.05	*	2924-76	63	2237
101.06	*	2924-76	63	2237
101.07	*	2924-76	63	2237
101.08	*	2924-76	63	2237
101.99	*	2924-76	63	2237
103.001	1.0101	63410-A	1924 Code	3
103.002	1.0302	991-51	38	1041
103.01	1.0303	867-71	58	912
103.02	1.0304	867-71	58	912
103.03	1.0305	867-71	58	912
103.04	1.0306	867-71	58	912
103.05	1.0307	867-71	58	912
103.06	1.0308	867-71	58	912
103.07	1.0309	867-71	58	912
103.08	1.0310	867-71	58	912
103.09	1.0311	867-71	58	912
103.10	1.0312	867-71	58	912
103.11	1.0313	867-71	58	912
103.12	1.0314	867-71	58	912
103.13	1.0315	867-71	58	912
103.14	1.0316	867-71	58	912
103.15	1.0317	867-71	58	912
103.16	1.0318	867-71	58	912
103.17	1.0319	867-71	58	912
103.18	1.0320	867-71	58	912
103.19	1.0321	867-71	58	912
103.20	1.0322	867-71	58	912
103.21	1.0323	867-71	58	912
103.22	1.0324	867-71	58	912
103.23	1.0325	867-71	58	912
103.24	1.0326	867-71	58	912
103.25	1.0327	867-71	58	912
103.26	1.0328	867-71	58	912
103.27	1.0329	867-71	58	912
103.28	1.0330	867-71	58	912
103.29	1.0331	867-71	58	912
103.30	1.0332	867-71	58	912
103.31	1.0333	867-71	58	912
103.32	1.0334	867-71	58	912
103.33	1.0335	867-71	58	912
105.01	1.0701	63410-A	1924 Code	30
105.02	1.0711	685-60	47	853
105.03	1.0712	2028-73	60	1754
105.04	1.0702	63410-A	1924 Code	30
105.05	1.0703	63410-A	1924 Code	30
105.06	1.0705	1277-39	26	1797
105.07	1.0706	1277-39	26	1797
105.08	1.0707	1277-39	26	1797
105.09	1.0708	1277-39	26	1797
105.10	1.070901	1161-70	57	1347
105.11	1.0710	1033-47	34	1577
105.12	1.0338	781-41	28	1309-1310
105.13	13.0945	63410-A	1924 Code	453
105.99(a)	1.0709	63410-A	1924 Code	30
105.99(b)	1.0704	1277-39	26	1797
105.99(c)	1.070901	1161-70	57	1347
105.99(d)	13.0945	63410-A	1924 Code	453

* -- enacted 1976 no old section number (after)

Sections or chapters of the City Code

Enacted after 1976

1977

- THESE SECTIONS WILL NOT HAVE OLD SECTION NUMBERS -

<u>Section #</u>	<u>Ordinance #</u>	<u>Volume</u>	<u>Page</u>
135.37 - .40	1126-75	64	1622
607.071	2440-77	64	1867
607.091	2440-77	64	1867
607.111	2440-77	64	1867
135.011	2742-77	64	2058
325.01	2113-A-76	64	1095
(325.01 renumbered by Ord. 2454-77 to 137.021)			
171.52	403-77	64	549
(171.52 renumbered by Ord. 565-77 to 171.55)			

1978

455.061	970-A-77	65	594
127.37, .38	1828-77	65	1186
443.011, .012	1828-77	65	1186
443.021, .022, .023	1828-77	65	1186
443.131	1828-77	65	1186
443.281, .282	1828-77	65	1186
443.321	1828-77	65	1186
135.041	1173-78	65	1255
3167.01-.05	1335-78	65	1699
611.01-.10	1475-78	65	1774
607.12	1475-78	65	1774
615.091	1475-78	65	1774
615.17	1475-78	65	1774
629.07	1475-78	65	1774
631.99 (h)	1240-A-78	65	1899 (by implication)
473.14	1459-78	65	2127
183.0401	3049-78	65	2268
(183.0401 renumbered by Ord. 830-79 to 183.041)			