



Charter  
For the  
Village of Granville  
Licking County  
Ohio

## CHARTER OF GRANVILLE, OHIO

EDITOR'S NOTE: The Granville Charter was approved by the voters on May 5, 1964. Dates appearing in parentheses following section headings indicate those sections were subsequently amended, added or repealed on the date given.

### TABLE OF CONTENTS

#### PREAMBLE.

#### ARTICLE I. INCORPORATION, POWERS AND FORM OF GOVERNMENT.

- Sec. 1.01. Incorporation.
- Sec. 1.02. Name.
- Sec. 1.03. Powers. (11-6-01)
- Sec. 1.04. Manner of Exercise of Powers. (11-6-01)
- Sec. 1.05. Form of Government.

#### ARTICLE II. THE COUNCIL.

- Sec. 2.01. Number, Term. (11-6-01)
- Sec. 2.02. Election. (11-6-01; 11-8-11)
- Sec. 2.03. Qualifications. (11-6-01; 11-8-11)
- Sec. 2.04. Incompatible Offices. (11-5-91)
- Sec. 2.05. Vacancies. (11-6-01)
- Sec. 2.06. Vacancies, How Filled. (11-8-11)
- Sec. 2.07. Salary. (11-5-91)
- Sec. 2.08. Powers of the Council. (11-5-91; 11-6-01)
- Sec. 2.09. Meetings of Council. (11-6-01)
- Sec. 2.10. Special Meetings. (11-6-01; 11-8-11)
- Sec. 2.11. Rules, Journal, Committees. (11-6-01)
- Sec. 2.12. Election Contests. (11-6-01)
- Sec. 2.13. Clerk of Council. (11-6-01)
- Sec. 2.14. Mayor. (11-6-01)
- Sec. 2.15. Vice-Mayor. (11-6-01)

#### ARTICLE III. ORDINANCES AND RESOLUTIONS.

- Sec. 3.01. Action of Council. (11-5-91)
- Sec. 3.02. Introduction of Ordinances.
- Sec. 3.03. Passage of Ordinances. (11-3-81)
- Sec. 3.04. Adoption of Ordinances. (11-3-81)
- Sec. 3.05. Emergency Ordinances.
- Sec. 3.06. Publication of Notices and Ordinances. (11-5-91; 11-8-11)
- Sec. 3.07. Effective Date of Ordinances; Exceptions to Referendum. (11-2-04)
- Sec. 3.08. Initiative and Referendum. (11-6-01)
- Sec. 3.09. Adoption of Ordinances by Reference.
- Sec. 3.10. Resolutions. (11-3-81)
- Sec. 3.11. Administrative Code. (11-6-01)
- Sec. 3.12. Codification.

ARTICLE IV. THE MANAGER.

- Sec. 4.01. Appointment of Manager. (11-6-01)
- Sec. 4.02. Qualifications of Manager. (11-6-01)
- Sec. 4.03. Council's Relation to Manager. (11-6-01)
- Sec. 4.04. Powers and Duties of the Manager. (11-6-01)
- Sec. 4.05. Temporary Absence of Manager. (11-6-01)
- Sec. 4.06. Removal of Manager.

ARTICLE V. ADMINISTRATIVE DEPARTMENTS.

- Sec. 5.01. Creation of Departments.
- Sec. 5.02. Department Heads. (11-6-01)
- Sec. 5.03. Departmental Divisions.
- Sec. 5.04. Central Purchasing.
- Sec. 5.05. Competitive Bidding. (11-6-01)
- Sec. 5.06. Overexpenditures. (11-3-81)
- Sec. 5.07. Personal Interest. (11-6-01)
- Sec. 5.08. Illegal Contracts Voidable.

ARTICLE VI. FINANCE.

- Sec. 6.01. Department of Finance. (11-6-01)
- Sec. 6.02. Annual Tax Budget. (11-6-01)
- Sec. 6.03. Public Hearing on Tax Budget.
- Sec. 6.04. Tax Levies.
- Sec. 6.05. Performance Budget.
- Sec. 6.06. Annual Appropriation Ordinance.
- Sec. 6.07. Effect of Appropriation Ordinance.
- Sec. 6.08. Availability of Funds.
- Sec. 6.09. Allotments.
- Sec. 6.10. Accounting. (11-6-01)
- Sec. 6.11. Fees. (11-6-01)
- Sec. 6.12. Capital Improvement Reserve Fund.

ARTICLE VII. BORROWING.

- Sec. 7.01. Power to Incur Indebtedness.
- Sec. 7.02. Special Assessments.

ARTICLE VIII. BOARDS AND COMMISSIONS.

- Sec. 8.01. Planning Commission. (11-7-89; 11-8-11)
- Sec. 8.02. Board of Zoning and Building Appeals. (11-5-91)
- Sec. 8.03. Other Boards and Commissions.

ARTICLE IX. NOMINATIONS AND ELECTIONS.

- Sec. 9.01. Municipal Elections.
- Sec. 9.02. Conduct of Elections.
- Sec. 9.03. Nominations. (11-5-91)
- Sec. 9.04. Candidates for Council. (11-5-91; 11-8-11)
- Sec. 9.05. Recall. (11-6-01)

- ARTICLE X. GENERAL PROVISIONS.
- Sec. 10.01. Oath of Office. (11-6-01; 11-8-11)
  - Sec. 10.02. Official Bonds.
  - Sec. 10.03. Removal from Office.
  - Sec. 10.04. Fair Employment Practices. (11-6-01)
  - Sec. 10.05. Political Neutrality. (11-5-91)
  - Sec. 10.06. Soliciting Contributions for Political Purposes.
  - Sec. 10.07. Enforcement of Subpoenas.
  - Sec. 10.08. Incorporation of General Law.
  - Sec. 10.09. Severability Clause.
  - Sec. 10.10. Amendments to the Charter.
  - Sec. 10.11. Charter Review Commission. (11-6-01; 11-8-11)

- ARTICLE XI. TRANSITIONAL PROVISIONS.
- Sec. 11.01. Fiscal Succession.
  - Sec. 11.02. Continuation of Ordinances.
  - Sec. 11.03. Continuation of Contracts and Public Improvements.
  - Sec. 11.04. Pending Actions and Proceedings.
  - Sec. 11.05. Continuation of Officers.
  - Sec. 11.06. Continuance of Employees.
  - Sec. 11.07. Transfer of Records and Property.
  - Sec. 11.08. When Charter Takes Effect.
  - Sec. 11.09. First Election.
  - Sec. 11.10. Terms of Existing Officers. (11-2-82)
  - Sec. 11.11. When Charter Becomes Fully Effective.



CHARTER OF THE MUNICIPALITY  
OF  
GRANVILLE, OHIO

PREAMBLE

We the people of Granville, Ohio, desirous of securing for our municipality and for ourselves and our children the advantages of self-government conferred by the home rule provisions of the Ohio Constitution, do hereby ordain and establish the following Charter:

ARTICLE I  
INCORPORATION, POWERS AND FORM OF GOVERNMENT

SECTION 1.01. INCORPORATION.

The inhabitants of the Village of Granville, Licking County, Ohio, within the corporate limits as established at the time of the adoption of this Charter, or as thereafter established in the manner provided by law, shall be continued to be a municipal corporation in perpetuity.

SECTION 1.02. NAME.

The corporation created and continued by this Charter shall be known as the Village of Granville. If and when the Village of Granville becomes a city under the Constitution and laws of the State of Ohio, this Charter shall continue in full force and effect without change except as may be made by formal amendment, and the municipality shall be known as the City of Granville. The corporation will be referred to hereafter in this Charter as “the municipality”.

SECTION 1.03. POWERS.

The municipality may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever, except as prohibited by the Constitution of the United States, or the Constitution of the State of Ohio, or as limited or restrained by this Charter or by the general statutes of the state of Ohio relating to matters of statewide concern. The enumeration of specific powers in this Charter is not exclusive. In addition to the powers enumerated or implied from, or appropriate to the exercise of such enumerated powers, the municipality may exercise all additional powers that this Charter could have specifically enumerated. (Amended 11-6-01)

SECTION 1.04. MANNER OF EXERCISE OF POWERS.

All powers of the municipality shall be vested in the officers provided in this Charter, or in the people. Where any existing or future acquired power is not assigned by this Charter to a specific officer, it shall be deemed to be among the powers of Council. All powers shall be exercised as prescribed by Charter, or if not prescribed by Charter, then as prescribed by ordinance, or if not prescribed by Charter or ordinance, then as provided by the general state law, until a different procedure is provided by Charter or ordinance. (Amended 11-6-01)

SECTION 1.05. FORM OF GOVERNMENT.

The form of government provided for by this Charter shall be known as “The Council-Manager Plan.”

## ARTICLE II THE COUNCIL

### SECTION 2.01. NUMBER, TERM.

Council shall consist of seven members, elected at large. They shall serve for four-year terms beginning on the date of the first regular meeting in December following their election, as provided in this Article. (Amended 11-6-01)

### SECTION 2.02. ELECTION.

Candidates for Council shall file nominating petitions with the Licking County Board of Elections prior to the general election, not later than a date and time specified by the Board of Elections. Such petitions shall contain the signatures of not fewer than twenty-five qualified electors of the municipality.

The number of candidates receiving the highest number of votes for the number of vacancies on Council shall be elected, except as otherwise provided in the Charter, such an election shall be conducted in accordance with Title 35 of the Ohio Revised Code. (Amended 11-6-01; 11-8-11)

### SECTION 2.03. QUALIFICATIONS.

Any qualified elector who has resided in the municipality, or any area annexed thereto, for one year by the date of filing his or her nominating petition shall be qualified to serve as a member of Council. (Amended 11-6-01; 11-8-11)

### SECTION 2.04. INCOMPATIBLE OFFICES.

No holder of an incompatible office under national, State, County, regional or local government shall be eligible for nomination or election to Council. (Amended 11-5-91)

### SECTION 2.05. VACANCIES.

Any Council member who ceases to be a qualified elector in the municipality, or who enters upon the performance of the duties of an incompatible office, shall automatically vacate his or her office as a Council member. The Council may, by resolution, declare vacant the seat of any Council member who is absent, without excuse acceptable to Council, from as many as one-third of the regular meetings of Council in any calendar quarter. (Amended 11-6-01)

### SECTION 2.06. VACANCIES, HOW FILLED.

Any vacancy in the office of Council member shall be filled within forty-five days by the selection of some qualified person, by vote of a majority of the remaining members of the Council. A Council member chosen to fill a vacancy shall serve until the next municipal election and until a successor is elected and has qualified, either for a full term or for a partial term. (Amended 11-8-11)

### SECTION 2.07. SALARY.

Council members shall serve without compensation, unless and until this rate is changed by ordinance. No such salary may be changed except by ordinance, passed by Council at least one hundred days before a municipal primary election, and no such ordinance shall become effective until after the reorganization of the Council following the next succeeding regular municipal election. (Amended 11-5-91)

### SECTION 2.08. POWERS OF THE COUNCIL.

All powers of the municipality not specifically vested in other offices by this Charter reside in Council, which shall determine all matters of general policy by ordinance or resolution, and may delegate the administration of municipal affairs to the Manager holding him or her responsible for his or her performance. The Manager shall be accountable to the Council and the Council to the citizens. Among other powers, Council may:

- (1) Appoint and remove the Manager and establish his or her salary by ordinance and appoint an acting Manager when necessary.
- (2) Adopt an Administrative Code to establish administrative departments and define their duties and procedures, and after consultation with the Manager to adopt a personnel classification and salary plan for all municipal employees.
- (3) Adopt an annual appropriation ordinance based on the municipal budget and delegate its enforcement to the Manager.
- (4) Authorize the levy of taxes and the issuance of municipal bonds, as provided in this Charter.
- (5) Inquire into the conduct of any officer or employee in his or her public duties and make investigation of an office, department or agency of the municipality, and for these purposes Council may issue subpoenas and require the production of books and papers.
- (6) Appoint and remove for cause the members of all boards and commissions created by this Charter.
- (7) Create any additional board or commissions it considers necessary or desirable and appoint and remove for cause the members thereof.
- (8) Adopt and modify a comprehensive plan for the municipality.
- (9) Adopt and amend an official map of the municipality.
- (10) Regulate the use of real estate in the municipality in the interests of the health, safety, morals, welfare and convenience of its inhabitants.
- (11) Regulate subdivision platting and development.
- (12) Employ a Certified Public Accountant to audit the municipal accounts or those of any officer, when such audit is considered necessary, except that a general audit of the municipal accounts shall be made at least annually. The audit made by the Auditor of State may be accepted as satisfying the audit requirement.
- (13) Grant public utility franchises by ordinance passed by a vote of not less than five-sevenths of the members of the Council. No such ordinance shall be passed as an emergency ordinance.
- (14) Promote moderately priced housing within the municipality.
- (15) Authorize the rehabilitation of blighted areas, in cooperation with federal, state or municipal authorities, on recommendation of and according to plans prepared by the Municipal Planning Commission.
- (16) Appropriate and expend public funds to pay the cost of providing information to the public in connection with elections on tax levies, bond issues, Charter amendments and other public questions.  
(Amended 11-5-91; 11-6-01)

#### SECTION 2.09. MEETINGS OF COUNCIL.

Council shall hold its organizational meeting as its first order of business of the first meeting following each municipal election. At this meeting newly elected members shall take the oath of office, and Council shall elect one of its members as Mayor and another as Vice-Mayor to serve for terms of two years and select a Clerk of Council from outside its membership. It may transact such further business as it sees fit. At or before the organizational meeting, the Clerk shall provide new members with copies of this Charter and the current rules of Council adopted under Section 2.11. Regular meetings of Council shall be held, as prescribed in the rules of Council, but not less frequently than twice in each calendar month, except that Council may dispense with two regular meetings in each calendar year. All meetings of Council shall be open to the public except that executive sessions shall be permitted as set forth in Section 121.22 of the Ohio Revised Code, and for discussion by Council of the negotiation of any contract.

A majority of the members elected constitutes a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members as provided in the rules of Council. (Amended 11-6-01)



**SECTION 2.10. SPECIAL MEETINGS.**

Special meetings of Council may be called as provided by its rules, or by a vote of Council taken at any regular meeting, or by the Clerk of Council upon the written request of the Mayor or any three members of Council. Notice, in writing, of each such special meeting called at the request of the Mayor or three members of Council shall state the date and time, and subject or subjects to be considered, and no other subject or subjects shall be considered at the meeting. Such written notice shall be served upon each member of Council either personally, electronically, or by leaving a physical copy at his or her usual place of residence not less than twelve hours preceding the time of the meeting. (Amended 11-6-01; 11-8-11)

**SECTION 2.11. RULES, JOURNAL, COMMITTEES.**

Council shall adopt its own rules, in conformity with the provisions of this Charter. At or before the first regular meeting in February immediately following an organizational meeting described in Section 2.09, Council shall review its rules and revise, amend or readopt, publish and make them available to the public at the municipal office. This requirement does not restrict Council from revising or amending its rules at other times. The rules may provide for the creation of *ad hoc* and standing committees and may prescribe the procedure to be followed by such committees.

Committees shall keep minutes, which shall be public records. The Clerk of Council shall keep a journal of the proceedings of Council, which shall be a public record. (Amended 11-6-01)

**SECTION 2.12. ELECTION CONTESTS.**

Council shall be the judge of the election and qualification of its own members and for such purpose may issue subpoenas to compel the attendance of witnesses, and the production of ballots and records. (Amended 11-6-01)

**SECTION 2.13. CLERK OF COUNCIL.**

The Clerk of Council shall serve for a two-year term and until his or her successor is chosen and enters upon the duties of the office. He or she shall give notice of Council meetings, keep the journal, advertise public hearings, record in a separate book and cause to be published ordinances adopted by Council, and perform such other duties as may be required by this Charter, ordinance, or rules of Council. He or she may be appointed to serve full time or part time, and Council may assign the duties of Clerk of Council to any employee of the municipality as an additional duty. The Clerk of Council shall receive a salary for services as Clerk, as established by Council. Council may designate a temporary clerk whenever the regularly designated Clerk is unable to be present at a Council meeting. (Amended 11-6-01)

**SECTION 2.14. MAYOR.**

The Mayor shall serve as the official and ceremonial head of the municipal government and as presiding officer at meetings of Council, and shall exercise the judicial powers conferred upon mayors by state law. The Mayor shall receive a salary as magistrate of Mayor's Court of fifty dollars per session to be paid quarterly, to a maximum of twenty-five hundred dollars per year. He or she shall also receive a salary of six hundred dollars per year so long as he or she continues to perform judicial functions. Council may change the salary of the Mayor by ordinance. (Amended 11-6-01)

**SECTION 2.15. VICE-MAYOR.**

The Council member designated as Vice-Mayor shall succeed to all the powers and duties of the Mayor when the Mayor is unable, for any reason, to perform his or her duties. Whenever the Vice-Mayor presides over Mayor's Court, the Vice-Mayor shall be compensated as Mayor. If the Mayor and Vice-Mayor are absent from a meeting of Council, the remaining members shall choose one of their number to preside. If, in the judgment of Council, the Mayor is permanently incapacitated, the Vice-Mayor shall become Mayor and receive the salary and honorarium assigned to that office. (Amended 11-6-01)

ARTICLE III  
ORDINANCES AND RESOLUTIONS

SECTION 3.01. ACTION OF COUNCIL.

Action of Council shall be by ordinance or resolution. Every action of a general and permanent nature, or granting a franchise; or authorizing a development plan; 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, lease or transfer of public property; or establishing an offense and fixing the penalty therefor shall be taken by ordinance, in the manner hereinafter provided. All other action may be by resolution. (Amended 11-5-91)

SECTION 3.02. INTRODUCTION OF ORDINANCES.

Each proposed ordinance shall be introduced in writing, by a member of the Council, and shall contain a title, an opening clause reading, "Be it ordained by the Council of Granville, Ohio," and a body in which there shall be set forth at length the action proposed to be taken. Each ordinance shall contain but one subject, which shall be clearly set forth in its title.

SECTION 3.03. PASSAGE OF ORDINANCES.

No ordinance shall be passed without the affirmative vote of four members of Council, except that emergency ordinances shall require concurrence of five members of Council. Upon introduction, each ordinance shall be read once at length before the Council by the Clerk of Council or a Council member, if there is any request to do so. It shall then lie over for at least fourteen days, or until the next regular meeting of the Council, unless an emergency is declared, as hereinafter provided. In this interval, and at least one week before the next meeting of the Council, the Clerk shall cause a summary of such ordinance to be published with a notice of the place where the text of the ordinance is available for reading by the public, which shall be in the office of the Manager, and of the time and place of the Council meeting at which it will be next considered, inviting interested persons to attend such meeting and to express their opinions thereon. At the time and place so advertised the Council shall convene. The ordinance shall be given a second reading and the persons present who desire to be heard for or against its adoption shall be heard, under such rules as the Council may provide. Written arguments and briefs for or against may also be filed at this hearing for consideration by the Council. The hearing may be continued from day to day until concluded. (Amended 11-3-81)

SECTION 3.04. ADOPTION OF ORDINANCES.

After the hearing, or if the waiting period and hearing are omitted due to a declaration of an emergency, then the Council shall act not later than the next regular meeting of Council and shall vote by roll call on whether the ordinance shall be adopted, with or without amendment, or rejected. Final passage shall be certified by the signatures of the Mayor, Vice-Mayor, or other presiding officer, and the Clerk. The Clerk shall see that the new ordinance is published within one week after its passage.

SECTION 3.05. EMERGENCY ORDINANCES.

Any ordinance which must be made effective at once in order to meet an emergency in the operation of the municipal government, or which is necessary for the immediate preservation of the public peace, safety, health, morals or welfare, may be passed without the delay provided in Section 3.03, provided the Council shall, in a separate section thereof, declare that such an emergency exists, giving reasons therefore, and adopt such section by a vote of five members of Council. Summaries of emergency ordinances shall be published within one week after their passage. No ordinance granting a franchise or fixing a rate to be charged by a public utility corporation shall be passed as an emergency ordinance.

**SECTION 3.06. PUBLICATION OF NOTICES AND ORDINANCES.**

Whenever publication of any summary, notice or ordinance is required under this Charter, it may be accomplished either:

- (1) By publication in a news or advertising medium, which is distributed to all homes in the municipality at least once in two weeks, or
- (2) By publication in a newspaper of general circulation in the municipality, which appears at least weekly, or
- (3) By posting on a bulletin board at the municipal building and on similar boards in conspicuous places in the municipality. This method shall not be utilized as the sole method of publication unless neither of the above methods is available. In addition to the above methods of notice, Village staff immediately shall send out electronic notices such as via the Village's email system.  
(Amended 11-5-91; 11-8-11)

Publication of new matter in a code of revised ordinances shall be deemed sufficient public notice of its contents. Appropriation ordinances shall be reproduced and distributed to the members of Council, to department heads, to municipal boards and commissions and to such citizens as may apply for copies thereof at the office of Clerk of Council or at the office of the Manager. All ordinances and resolutions shall be recorded in the office of the Clerk of Council and shall be available for public examination during regular office hours upon application either to the Clerk of Council or to the Manager. When a code of revised or compiled ordinances is published, copies shall be deposited in all public offices, in local libraries and in such other public places as may be designated by Council.

**SECTION 3.07. EFFECTIVE DATE OF ORDINANCES; EXCEPTIONS TO REFERENDUM.**

Emergency ordinances, except an emergency ordinance for the acquisition of real property, not including roadways and/or utility easements, ordinances raising revenue, except an ordinance which directs the sale or delivery of the product of any public utility to anyone outside the Municipality, or for street improvements petitioned for by sixty percent or more of the owners or by the owners of a majority of the feet front property benefited and to be specially assessed for the cost thereof, and those making appropriations for current operating expenses of the Municipality, shall take effect upon passage, and shall not be subject to referendum. Whenever Council is required to pass more than one ordinance to complete a public improvement project, a referendum may be held on the first ordinance passed, but not on any subsequent ordinance in the series. All other ordinances shall take effect thirty days after passage in order to afford an opportunity for the filing of referendum petitions. (Amended 11-2-04)

**SECTION 3.08. INITIATIVE AND REFERENDUM.**

(A) Except as otherwise provided in this Charter, ordinances may be proposed or submitted to popular vote by initiative and referendum petition. Petitions are subject to the procedures of this section and not Sections 731.28 to 731.35 of the Ohio Revised Code. However, petitions are subject to Sections 731.36, 731.38, 731.40, 731.99, and 3501.38 of the Ohio Revised Code and to other sections of the Ohio Revised Code generally applicable to municipal elections and electors. Petitions and the signatures on petitions are presumed, *prima facie*, to be sufficient. No petition shall be declared invalid in its entirety when one or more signatures are found to be invalid, except when the total number of valid signatures is found to be less than fifteen percent of the number of municipal electors who voted for the office of Governor at the last gubernatorial election. After the Board of Elections certifies the results of an election held under this section, the election shall not be set aside, and no ordinance submitted to and approved by the electors under this section shall be held ineffective or void, on account of insufficiency or defect of the petition by which the submission of the ordinance was procured.

(B) To initiate an ordinance or submit an ordinance to referendum, before collecting signatures:

- (1) Initiative petitioners must file a written notice with the Clerk of Council or other person designated to receive notices on behalf of Council, or if there is no Clerk or designee, with the Village Manager. The notice must state intent to file an initiative petition and identify by name, address and telephone number a designated representative of the petitioners. The petitioners must also attach a copy of the proposed ordinance to be initiated to the notice. A proposed ordinance must contain a title and body and contain only one subject clearly set forth in the title, as ordinances proposed by members of Council under Section 3.02 of this Charter. The ordinance may contain an opening clause reading, "*Be it ordained by the people of Granville, Ohio,*" or words of similar meaning, but this is not required.
- (2) Referendum petitioners must file a written notice of intent to circulate a referendum petition with the Clerk, designee, or Manager stating the number and title of the ordinance. The Clerk, designee, or Manager shall immediately obtain a copy of the ordinance identified in the notice from the village files and attach it to the notice.
- (3) The Clerk, designee, or Manager shall stamp or mark either type of notice of intent and attached ordinance or proposed ordinance with the date and time it is received, make a copy of the notice and ordinance, stamp or mark the copy with the same date and time as the original, give the copy to the person who files the notice, and publish a notice under Section 3.06 of this Charter that the notice and ordinance have been filed and are available for public inspection at the municipal office.
- (4) Petitioners may change designation of a representative at any time by filing a notice of change with the Clerk, designee, or Manager, stating the name, address, and telephone number of the new designated representative.

(C) After the date and time of the filing of the notice of intent, petitioners may collect signatures of qualified municipal electors on the petition. A petition may be circulated in parts, but each part must contain the title of the ordinance or resolution to be initiated or referred. When they are finished collecting signatures, petitioners must file all parts of the petition together with the Clerk, designee, or Manager, who shall immediately publish notice under section 3.06 of this Charter that the petition is now available for public inspection at the municipal office.

(D) Except as provided in division (H) of this section, a referendum petition must be filed within thirty days after Council approves the ordinance to be referred. If a referendum petition is filed, the ordinance challenged does not take effect until:

- (1) if the thirty-day period is extended under division (H) of this section for the collection of additional signatures but the petitioners file no additional signatures, the day after the date to which the time for collection of additional signatures was extended under division (H);
- (2) when an insufficient number of additional signatures are obtained under division (H) of this section, five days after the Board of Elections certifies that the number of signatures is insufficient to place the issue on the ballot;
- (3) thirty days after the petition is rejected by the municipality and the petitioners fail to bring a legal action to reinstate it under division (K) of this section;
- (4) thirty days after the Board of Elections or a court rejects or rules against the referendum petition in an action brought under division (F) or (K) of this section, or any other action to defeat the petition, and no appeal or other legal action has been filed to contest the decision; or
- (5) five days after the results of the election are certified, as provided in division (J) of this section.

(E) The petition and notice of intent and the attached ordinance or proposed ordinance filed under division (B) of this section shall be kept together in the municipal office for public inspection for ten days after the first publication of notice under Section 3.06 (1) or 3.06 (2) of this Charter or the first posting of notice under section 3.06 (3) if no medium for publication is available under Section 3.06 (1) or (2). The municipality may make additional copies available for public inspection if demand requires and shall take care to preserve the security and integrity of all documents.

(F) The municipality may reject an initiative or referendum petition only for failure to file a notice under division (B) (1) of this section or to attach an ordinance with a title and body to that notice, for failure to file a notice of referendum under division (B) (2) of this section, or because the petition does not contain on its face signatures equaling or exceeding fifteen percent of the number of municipal electors who voted for the office of Governor at the last gubernatorial election. To reject a petition for any other reason, the municipality must apply to the Board of Elections in a case where it has jurisdiction to review the petition, or to a court of competent jurisdiction where the board lacks jurisdiction. If the municipality takes such an action, the petitioners have standing as a party to the action.

(G) On the eleventh day after the publication of notice required by division (B) of this section, the Clerk, designee, or Manager shall transmit the petition to the Board of Elections for validation of signatures. The Board of Elections shall examine the signatures on the petition, determine the number that are valid, notify the Clerk, designee, or Manager in writing of that number and whether it equals or exceeds fifteen percent of the number of municipal electors who voted for Governor at the last gubernatorial election, and return the petition to the Clerk, designee, or Manager as soon as possible.

(H) If the Clerk, designee, or Manager receives written notice from the Board of Elections that a petition does not have sufficient, valid signatures to submit it to the electors, or if the municipality rejects the petition for that reason, the Clerk shall immediately notify the representative of the petitioners identified in the notice filed under division (B) of this section by telephone, if possible, and by written notice mailed with return receipt requested. Petitioners shall have ten days after the representative receives the written notice to file additional signatures on additional part-petitions. The additional part-petitions are subject to division (C) of this section. This additional ten-day period applies to a referendum petition even if it extends the time for filing the final petition beyond the thirty-day time limit of division (D) of this section. The Clerk, designee, or Manager shall publish notice, as under division (C) of this section, that additional signatures are now available for public inspection at the municipal office. On the tenth day after the first publication of this notice, the Clerk, designee, or Manager shall transmit the entire petition to the Board of Elections for validation of the additional signatures. The board shall examine and return the entire petition, as under division (G) of this section.

(I) If the Board of Elections determines that a petition contains valid signatures equaling or exceeding fifteen percent of the number who voted for Governor at the last gubernatorial election, it shall submit the ordinance to the electorate at the next primary or general election occurring more than ninety days after the board declares the number of signatures sufficient, unless within ten days after the date the Board notifies the Clerk, designee, or manager that the petition contains sufficient signatures, the municipality rejects the petition or takes legal action to reject it , as provided in division (F) of this section.

(J) Initiated ordinances approved and ordinances submitted to referendum and sustained by a majority of those voting take effect on the fifth day after the day on which the Board of Elections certifies the official vote on such question.

(K) Failure of the municipality or any of its officers, employees, divisions, departments, or agencies, or of the Board of Elections to comply exactly with the requirements of this section does not invalidate a petition. If the municipality or any of its officers, employees, divisions, departments, or agents, or the Board of Elections, fails or refuses to comply with a requirement of this section, he, she, or it may be compelled to do so by writ of mandamus. If the municipality wrongfully rejects a petition, it may be compelled to reinstate it by writ of mandamus.

(L) As used in this section:

- (1) “general election” and “primary election” have the same meanings as in section 3501.01 of the Ohio Revised Code;
- (2) “valid signature” means the signature of a qualified elector that meets the requirements of this section and general election law; and
- (3) “qualified elector” means a person who meets the requirements of Section 1 of Article V of the Constitution of Ohio and Section 3503.01 of the Ohio Revised Code.  
(Amended 11-6-01)

#### SECTION 3.09. ADOPTION OF ORDINANCES BY REFERENCE.

The Council may adopt model or standard codes prepared and published by public or private agencies on such matters as fire prevention, building construction, electrical wiring, plumbing, heating, ventilating, air conditioning and other similar topics by reference to the date and source of the code without reproducing it at length in the ordinance. However, if the Council desires to modify, add to or eliminate from any such code any section or part thereof, such addition, modification or omission shall be clearly stated in the ordinance. In all cases in which such a code is adopted by reference, publication of the code, at length, by the municipality shall not be required. However, at least six copies of all such codes so adopted shall be kept in the office of the Clerk of Council for consultation by interested persons, during regular office hours, and additional copies shall always be available for sale, at cost, by the Clerk of Council.

#### SECTION 3.10. RESOLUTIONS.

Action by Council which is not required by this Charter to be taken by ordinance, or which is not of general public application or interest, may be taken by resolution. Such a resolution shall be introduced by a member of Council and may be adopted by a voice vote of a majority of the members present. If adopted it shall be assigned a resolution number and reduced to writing. No waiting period, notice, hearing or publication shall be required, and a resolution shall become effective upon its adoption. The Clerk of Council shall record resolutions by number, at length, in a separate book, which shall be a public record. (Amended 11-3-81)

#### SECTION 3.11. ADMINISTRATIVE CODE.

Subject to this Charter, and after consultation with the Manager, Council shall adopt an Administrative Code that provides in detail the organization of the municipal government, defines the powers and duties of each organizational unit, and determines the administrative procedures to be followed. Council may delegate to the Manager, and he or she to the heads of departments, power to make rules and regulations to govern management practices, consistent with the Administrative Code. All such rules and regulations shall be filed with the Manager and shall be a public record. They shall be given such publication as Council considers necessary. Amendments to and revisions of the Administrative Code shall be made only after consultation between Council and the Manager. (Amended 11-6-01)

#### SECTION 3.12. CODIFICATION.

Within three years after the adoption of this Charter, and at least every ten years thereafter, the Council shall provide for the preparation of a general codification of all municipal ordinances of permanent value and effect. This codification shall be adopted by Council, after due consideration and amendment if necessary, and published in bound or loose-leaf form, together with the Charter and any amendments thereto adopted by the voters. Copies shall be made available to public officers and to citizens for consultation and purchase at a price fixed by Council.

ARTICLE IV  
THE MANAGER

SECTION 4.01. APPOINTMENT OF MANAGER.

The Council shall appoint, by majority vote of all members, an officer of the municipality with the title of Manager who shall have the powers and perform the duties set forth in this Charter or by ordinance. No member of Council shall be eligible for appointment as Manager during the term for which he or she was elected, or for one year thereafter. (Amended 11-6-01)

SECTION 4.02. QUALIFICATIONS OF MANAGER.

Council shall choose the Manager solely on the basis of his or her executive and administrative qualifications in the profession of management, as judged by the adequacy of his or her technical training or successful experience in administration, or both. At the time of appointment, the Manager need not be a resident of the municipality, but during his or her tenure of office, he or she shall reside in the municipality, unless authorized by Council to reside elsewhere. The Manager shall serve for an indefinite term. (Amended 11-6-01)

SECTION 4.03. COUNCIL'S RELATION TO THE MANAGER.

Except as provided in this Charter, neither Council nor any of its members shall in any manner dictate the appointment or removal of any municipal officer or employee whom the Manager or his or her subordinates are empowered to appoint, but Council while in open session may express fully its views and fully and freely discuss with the Manager anything pertaining to appointment and removal of such officers and employees. Except for the purpose of official investigations, Council and its members shall deal with municipal officers and employees who are subject to the direction and supervision of the Manager solely through the Manager, and neither Council nor any of its members shall give orders to any such officer or employee, either publicly or privately. (Amended 11-6-01)

SECTION 4.04. POWERS AND DUTIES OF THE MANAGER.

The Manager is the chief administrative officer of the municipality and is responsible to the Council for the administration of all municipal affairs assigned to the Manager by or under this Charter and as may be conferred on him by ordinance. The Manager shall:

- (1) With the advice and consent of Council, appoint a Finance Director, Law Director, Safety Director, and Service Director.
- (2) Appoint, and when necessary for the good of the service, suspend or remove all municipal employees and other appointive administrative officers provided for, by and under this Charter, except as otherwise provided by law, by this Charter or by personnel rules adopted pursuant to this Charter. The Manager may authorize any administrative officer subject to his or her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.
- (3) Direct and supervise the administration of all departments, offices and agencies of the municipality, except as otherwise provided by law, and except for any department, office or agency whose head is not appointed by the Manager.
- (4) Attend Council meetings and may take part in discussion, but may not vote.
- (5) Faithfully execute the laws, provisions of this Charter and actions of the Council, assigned to the Manager or to officers subject to the direction and supervision of the Manager\*.
- (5a) Faithfully execute the duties assigned to him or her by law and see that the duties assigned by law to officers subject to his or her discretion and supervision are faithfully executed.\*
- (6) Prepare and submit the annual budget and capital improvements program to Council and administer the appropriations Council makes.
- (7) Submit to Council and make available to the public a complete report on the finances and administrative activities of the municipality as of the end of each fiscal year, not later than March 31.

- (8) Make other reports Council requires concerning the operations of departments, offices and agencies subject to his or her direction and supervision.
- (9) Keep Council fully advised as to the financial condition and future needs of the municipality and may make recommendations to the Council concerning public affairs.
- (10) Perform other duties specified by Charter or required by Council.  
(Amended 11-6-01)

\*Subsection 5 is shown as amended by Ordinance No. 21-01. Subsection 5A is shown as amended by Ordinance No. 28-01. Both Ordinances amended former Section 4.04(4) of the Village Charter, and Village Council passed both Ordinances on August 15, 2001. The voters then approved both Ordinances on November 4, 2001, as part of the 2001 Charter Amendments.

#### SECTION 4.05. TEMPORARY ABSENCE OF MANAGER.

By letter filed with the Clerk of Council, the Manager may designate, subject to the approval of Council, a qualified administrative officer of the municipality to exercise the powers and perform the duties of the Manager during his or her temporary absence or disability. Council, itself, may make such a designation whenever the Manager is unable or refuses to do so. Council may terminate such a designation at any time and make a new designation.  
(Amended 11-6-01)

#### SECTION 4.06. REMOVAL OF MANAGER.

The Council may remove the Manager from office at any time in accordance with the following procedures:

- (1) Council may adopt, by affirmative vote of a majority of all members, a preliminary resolution, which must state the reason for removal and may suspend the Manager from duty for a period not to exceed forty-five days. A copy of this resolution shall be delivered promptly to the Manager.
- (2) Within five days after a copy of the resolution is delivered to the Manager, he or she may file with the Clerk of Council a written request for a public hearing. This hearing shall be held at a Council meeting not earlier than fifteen days nor later than thirty days after the request is filed. The Manager may file with the Clerk a written reply to the charges not later than five days before the hearing and may be represented by counsel.
- (3) The Council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members, at any time after five days from the date when a copy of the preliminary resolution was delivered to the Manager, if he or she has not requested a public hearing, or at any time after the public hearing has been terminated.
- (4) The Manager shall be paid his or her salary until the effective date of the final resolution of removal.
- (5) The action of Council in suspending or removing the Manager shall not be subject to review by any court or agency.  
(Amended 11-6-01)



ARTICLE V  
ADMINISTRATIVE DEPARTMENTS

SECTION 5.01. CREATION OF DEPARTMENTS.

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

SECTION 5.02. DEPARTMENT HEADS.

At the head of each department there shall be a full-time or part-time director appointed by the Manager, as provided in Section 4.04 of this Charter. Each director shall be an administrative officer of the municipality and shall have supervision and control of his or her department, subject to the direction of the Manager. Two or more departments may be headed by the same person and the Manager may serve as director of one or more departments, in addition to his or her duties as Manager, if Council approves. (Amended 11-6-01)

SECTION 5.03. DEPARTMENTAL DIVISIONS.

The work of each department shall be distributed among such divisions thereof as may be established by the Administrative Code. Pending the adoption of such a Code by the Council, the Manager may establish temporary divisions by administrative order.

SECTION 5.04. CENTRAL PURCHASING.

The Council shall establish a purchasing agency either as a separate office or as a division of one of the departments created by Charter or ordinance, whose duty it shall be to contract for, purchase, store, and distribute all supplies, printing, materials, equipment and contractual services required by any agency of the municipality, within the appropriations made by Council. The Manager shall be responsible for supervising the purchasing function.

SECTION 5.05. COMPETITIVE BIDDING.

Purchase of all supplies, materials and equipment for the municipality shall be made pursuant to specifications through open, competitive bidding under such rules consistent with this Charter and as the Council may establish by ordinance. Formal advertising, bidding and public opening and tabulation of bids shall be required only as to purchases estimated to exceed fifteen thousand dollars or such greater amount as may be established by state law. In the case of public disaster or other urgent necessity, declared by resolution approved by five-sevenths vote of the Council, purchases, in any amount, may be made in the open market without competition. (Amended 11-6-01)

SECTION 5.06. OVEREXPENDITURES.

No officer, department or agency of the municipality shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money on behalf of the municipality, for any purpose, which will exceed the amount appropriated for such expenditures and obligations except as authorized by Council. Any officer or employee who knowingly creates or attempts to create such an obligation shall be guilty of malfeasance in office and upon conviction thereof shall be removed from office. However, nothing in this section shall prevent the making of contracts not to be fully performed within a single fiscal year, when specifically authorized by the Council. (Amended 11-3-81)

SECTION 5.07. PERSONAL INTEREST.

Any municipal officer or employee who has a substantial financial interest, direct or indirect or by reason of ownership of stock in any corporation, in any contract with the municipality or in the sale of any land, material, supplies or services to the municipality, shall make known that interest and shall refrain from voting upon or otherwise participating, in his capacity as such officer or employee, in the making of such sale or in the making or performance of such contract. Any officer or employee who willfully conceals such a substantial financial interest or willfully violates the requirements of this section is guilty of malfeasance in office and upon conviction shall forfeit

his or her office or position. (Amended 11-6-01)

#### SECTION 5.08. ILLEGAL CONTRACTS VOIDABLE.

Whenever any contract is found to be illegal for the reasons described in Section 5.06 or Section 5.07 and the municipality has received the goods or property involved the Council may, by resolution, elect to rescind the contract, and return the goods or property. If it elects to retain them, they shall be paid for not at the contract price, but at their fair value, provided such value is not in excess of the contract price. If payment has already been made, the municipality shall be entitled to recover the excess, if any, over the fair value.

### ARTICLE VI FINANCE

#### SECTION 6.01. DEPARTMENT OF FINANCE.

The Department of Finance shall perform those functions relating to finance allocated to village clerks and to city auditors and city treasurers under the Ohio Revised Code, except as may be otherwise provided by the Administrative Code. The Director of Finance shall be the fiscal officer of the municipality and shall be responsible for the collection, custody and disbursement of public funds, including funds related to and derived from, the operation of the Mayor's Court. He or she shall also keep the accounts, which shall reflect the financial status of the municipality, on an accrual basis. He or she shall countersign all bonds and notes issued by the municipality and shall perform such other functions as may be assigned by ordinance or by order of the Manager. (Amended 11-6-01)

#### SECTION 6.02. ANNUAL TAX BUDGET.

On or before the first day of June of each year, the Manager shall submit to Council a tax budget for the next ensuing fiscal year. For that purpose, at such date as he or she shall determine, the Manager shall obtain from the head of each department or agency of the municipality plans for the work to be undertaken by such department or agency during the next fiscal year, together with estimates of the cost of performing such work. The Department of Finance shall supply the Manager with estimates of available revenue. From these data, the Manager shall prepare the consolidated estimates for the annual tax budget. Council shall consider such estimates and adopt them, after a hearing with or without amendments, as the tax budget estimates for the ensuing year, and transmit them to the County Budget Commission in the form and at the time required by law. (Amended 11-6-01)

#### SECTION 6.03. PUBLIC HEARING ON TAX BUDGET.

At least two copies of the tax budget estimates shall be placed on file in the office of the Director of Finance for public inspection. The Council shall set a date, and advertise and hold a public hearing on the tax budget before taking final action thereon.

#### SECTION 6.04. TAX LEVIES.

Upon receipt of advice of action by the County Budget Commission, and the certificate of the County Auditor as to estimated resources, the Council shall pass and certify to the County Auditor an ordinance levying the necessary general property taxes, to be placed on the tax duplicate.

#### SECTION 6.05. PERFORMANCE BUDGET.

The Manager shall prepare and submit to Council on or before December 1 of each year a budget setting forth the contemplated work program for the next fiscal year, expressed in terms of the work units to be performed and the cost of performing them. This program and the recommended appropriations from each fund shall not exceed the total estimated resources thereof. This is the municipal budget.

**SECTION 6.06. ANNUAL APPROPRIATION ORDINANCE.**

At the meeting of Council at which the municipal budget is submitted, the Council shall, by resolution, fix the date and place for a public hearing thereon. This resolution shall be published at least one week prior to the date fixed for the hearing and shall also state that the budget is on file in the office of the Director of Finance and open to public inspection during regular office hours. At the time and place fixed, the Council shall hold a public hearing on the budget, and may continue such hearing from day to day as may be necessary. After the hearing, the Council shall adopt the budget as submitted, or as amended, as the appropriation ordinance of the municipality for the ensuing fiscal year. Such ordinance shall be adopted not later than December 31.

**SECTION 6.07. EFFECT OF APPROPRIATION ORDINANCE.**

Upon adoption, the appropriation ordinance shall become effective as of the first day of January and shall constitute an appropriation of the several items and approval of the work projects without further legislation. A copy of the ordinance, certified correct by the Manager and the Mayor and Clerk of Council, shall be filed with the Director of Finance, official copies transmitted to each organization unit of the municipal government and to such interested citizens and public offices as may be required or requested.

**SECTION 6.08. AVAILABILITY OF FUNDS.**

The appropriations made by the appropriation ordinance for debt service and other fixed charges shall become available for expenditure upon the filing of the certified copy of the ordinance with the Director of Finance. Appropriations for capital outlays for construction shall become available in two stages: (1) Not more than ten per cent of each item shall be available for the preparation of detailed plans and specifications upon the filing of the certified copy of the ordinance with the Director of Finance; (2) The remaining ninety per cent of the appropriation for each such item shall become available for encumbrance upon approval of the plans and specifications therefore, after report thereon by the Manager.

**SECTION 6.09. ALLOTMENTS.**

Appropriations for current operation of the organization units of the municipality shall become available for encumbrance only when allotted by the Manager, based currently on valid work plans for each agency, in conformity with the appropriation ordinance. The details of the allotment system shall be fixed by the Council in the Administrative Code, which shall also provide rules for the transfer of funds among the items provided in the appropriation ordinance.

**SECTION 6.10. ACCOUNTING.**

The Director of Finance shall establish and maintain an accrual system of accounting which shall reveal at all times not only the cash position of the municipality, but also the revenue and income anticipated and the obligations outstanding and unpaid. No public official or employee may create an obligation against the municipality by oral agreement. Purchases shall be made by written purchase order, signed by the purchasing agent, and agreements for construction work or for personal services shall be by written contract or appointment signed by the Manager or an administrative official of the municipality designated by the Manager. No purchase order or contract shall be valid as an obligation of the municipality unless it bears a certificate signed by the Director of Finance that the estimated amount thereof has been entered as an encumbrance in the accounts against an allotment based on a valid appropriation. (Amended 11-6-01)

**SECTION 6.11. FEES.**

All fees received by any officer or employee of the municipality by virtue of his or her employment with the municipality shall be accounted for and paid into the municipal treasury. (Amended 11-6-01)

**SECTION 6.12. CAPITAL IMPROVEMENT RESERVE FUND.**

Council shall create and maintain a Capital Improvement Reserve Fund, and may from time to time transfer or appropriate thereto moneys accruing to any other fund of the municipality not needed for the purposes of such fund and available for transfer under general law, and also the unencumbered balance remaining in the General Fund of the municipality at the end of any fiscal year. Moneys in the Capital Improvement Reserve Fund shall not be expended for any purpose except to purchase equipment, apparatus or other property, or to construct buildings, structures, roads and other public improvements needed for the use of the municipality, or to pay bonded obligations of the municipality by means of transfer to its bond and interest retirement fund.

**ARTICLE VII  
BORROWING****SECTION 7.01. POWER TO INCUR INDEBTEDNESS.**

The municipality may incur indebtedness upon authorization by the Council, by ordinance, or any purpose authorized by law. The procedure in authorizing and issuing bonds and notes shall be prescribed by the Uniform Bond Law of the State of Ohio, in effect at the time.

**SECTION 7.02. SPECIAL ASSESSMENTS.**

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 benefited thereby. The Council may establish, by ordinance, the procedure to be followed in making such assessments and may determine the proportion of the cost of such improvement which shall be paid from municipal revenues, and that which shall be assessed. It may also fix the manner and duration of the payment of such special assessments.

**ARTICLE VIII  
BOARDS AND COMMISSIONS****SECTION 8.01. PLANNING COMMISSION.**

There shall be a Municipal Planning Commission consisting of five (5) members. All members shall be electors who hold no other public office or employment, appointed by the Council to serve for overlapping terms of three (3) years; either a member of Council or a designee, designated annually by Council, shall serve as an ex-officio member of the Planning Commission. Further, either a member of the Granville Exempted Village School District Board of Education or a designee, as designated by the Granville Exempted Village School District Board of Education, shall also serve as an ex-officio member of the Planning Commission. Minutes of all Planning Commission meetings shall be available for public examination during regular office hours. The Commission shall adopt its own rules and elect its officers annually. It shall have all the power and authority conferred upon planning commissions by State law and such other duties as may be imposed upon it by ordinance. Its members shall serve as such without compensation. (Amended 11-7-89; 11-8-11)

**SECTION 8.02. BOARD OF ZONING AND BUILDING APPEALS.**

There shall be a Board of Zoning and Building Appeals consisting of five electors who hold no other public office or employment, appointed by Council, for overlapping terms of three (3) years, to be determined by Council. The Board shall adopt its own rules and elect its officers annually. It shall have the power to hear and decide applications for exceptions to, and variances in the application of resolutions, ordinances, regulations governing zoning and building in the Municipality, and to hear and decide appeals from orders of administrative officials or agencies governing zoning and building in the Municipality, all as may be required for justice and avoid unreasonable hardship, subject to such reasonable standards and procedures as shall be prescribed by ordinance. Its members shall serve as such without compensation. (Amended 11-5-91)

**SECTION 8.03. OTHER BOARDS AND COMMISSIONS.**

Whenever the municipality shall become a city under the State law, the Council shall establish by ordinance whatever additional boards and commissions may be required by State law in municipalities which attain city status, unless the Council shall make other provision for the performance of such functions as are customarily performed by a Board of Health, a Civil Service Commission and a Board of Trustees of the Police Relief and Pension Fund.

**ARTICLE IX  
NOMINATIONS AND ELECTIONS****SECTION 9.01. MUNICIPAL ELECTIONS.**

The regular election for members of the Council shall be held on the first Tuesday after the first Monday in November in the odd-numbered years. The Council may, at any time, by resolution, order a special election, the purpose of which shall be set forth in the resolution.

**SECTION 9.02. CONDUCT OF ELECTIONS.**

Both regular and special municipal elections shall be conducted by the Board of Elections of Licking County under the provisions of this Charter, so far as they are applicable. Where the Charter is silent, the provisions of the Ohio Election Laws shall be followed unless and until these have been superseded by ordinance.

**SECTION 9.03. NOMINATIONS.**

(EDITOR'S NOTE: The provisions of Section 9.03 were repealed on November 5, 1991.)

**SECTION 9.04. CANDIDATES FOR COUNCIL.**

Any qualified voter, who is eligible to vote in the primary election, may file a petition with the Board of Elections for a candidate for Council (See Sections 2.02 and 2.03). Such petition shall be signed by not less than twenty-five qualified voters. An elector may sign the petitions of more than one Council candidate.

The number of candidates receiving the highest number of votes for the number of vacancies on the Council shall be elected. Except as otherwise provided in the Charter, such an election shall be conducted in accordance with Title 35 of the Ohio Revised Code, and as such title may be hereafter amended. (Amended 11-5-91; 11-8-11)

**SECTION 9.05. RECALL.**

Any member of Council may be removed from office before the expiration of his or her term by the electors of the municipality. The procedure for such recall shall be that provided in Section 705.92 of the Ohio Revised Code. (Amended 11-6-01)

ARTICLE X  
GENERAL PROVISIONS

SECTION 10.01. OATH OF OFFICE.

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

“I solemnly swear (or affirm) that I will support the Constitution of the United States and that of the State of Ohio and will obey the laws thereof, and that I will, in all respects, uphold and enforce the provisions of the Charter and ordinances of this municipality, and will faithfully discharge the duties of \_\_\_\_\_ upon which I am about to enter.”

(Amended 11-6-01; 11-8-11)

SECTION 10.02. OFFICIAL BONDS.

All officers and employees of the municipality whose duties require that they handle or be concerned with the management of its money or property, and any other employee required by Council to file a bond shall furnish to the Clerk of Council, before entering upon their duties, a corporate surety bond, issued by a company authorized to do business in Ohio, to protect the municipality against loss due to their acts or omissions. The amount of such bond shall in each case be fixed by resolution of Council. The premium on such bonds shall be paid from the funds of the municipality.

SECTION 10.03. REMOVAL FROM OFFICE.

Whenever in this Charter certain acts by municipal officials or employees are described as constituting malfeasance or misfeasance in office, the procedure for complaint, trial and judgment thereon shall be that prescribed in Sections 733.72 to 733.77 of the Ohio Revised Code.

SECTION 10.04. FAIR EMPLOYMENT PRACTICES.

No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any municipal office or employment because of race; color; sex or gender; sexual orientation; age; disability status; marital status; ethnic, national, or Appalachian regional origin; or religious opinions or affiliations. (Amended 11-6-01)

SECTION 10.05. POLITICAL NEUTRALITY.

No person who holds any compensated appointive municipal office or employment shall solicit or receive any contribution to the campaign funds of any political party or any candidate for public office or take part in the management, affairs or political campaign of any political party, but he may exercise his rights as a citizen to express his opinions and to cast his vote. Whoever shall violate this section shall be guilty of misfeasance in office. (Amended 11-5-91)

SECTION 10.06. SOLICITING CONTRIBUTIONS FOR POLITICAL PURPOSES.

No person shall solicit or assist in soliciting any assessment, subscription, donation or contribution for any party or political purpose whatsoever from any person holding any compensated appointive municipal office or employment. Whoever shall violate this section shall be guilty of a misdemeanor, the penalty for which shall be a fine of not less than fifty nor more than five hundred dollars or imprisonment for not less than ten days nor more than six months or both.

SECTION 10.07. ENFORCEMENT OF SUBPOENAS.

Whenever in this Charter or in the ordinances passed there under, the Council or any other agency of the municipal government is given authority to issue subpoenas or to require the attendance of witnesses or the production of books and papers, the same shall be issued and enforced in the manner provided in Section 705.21 of the Ohio Revised Code.

**SECTION 10.08. INCORPORATION OF GENERAL LAW.**

Whenever reference is made in this Charter to sections of the Ohio Revised Code as governing organization or procedure of municipal agencies or officials, it is declared to be the intention of the voters in approving this Charter that if such sections should be amended in the future by the Ohio General Assembly, such amendments shall be incorporated into this Charter also, unless the people amend the Charter to provide a different organization or procedure from that established by State law. If a code section referred to in this Charter is repealed, the Council may, by ordinance, establish the rule to be followed in the matter to which such code section referred.

**SECTION 10.09. SEVERABILITY CLAUSE.**

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

**SECTION 10.10. AMENDMENTS TO THE CHARTER.**

Any provision of this Charter may be amended as provided in Article XVIII, Section 9, of the Ohio Constitution, by submission of a proposed amendment to the voters of the municipality and approval by a majority of those voting on the question of its adoption. Such amendment may be initiated either by a two-thirds vote of the Council or by petition to the Council signed by ten per cent of the electors.

**SECTION 10.11. CHARTER REVIEW COMMISSION.**

In December 2020, and each ten years thereafter, the Council shall appoint a commission of seven electors of the municipality, holding no other public office or employment, as members of a Charter Review Commission. The Commission shall examine this Charter, hold hearings to secure suggestions thereon and, not later than June 1 of the year following their appointment, report to Council their recommendations for amendments, if any, to this Charter, which in their judgment, are conducive to the public interest. The Commission shall serve without compensation. The Council shall vote on those amendments suggested by the Commission. With a two-thirds majority approval by Council, the amendments will then be submitted to a public vote at the next November election. (Amended 11-6-01; 11-8-11)

**ARTICLE XI  
TRANSITIONAL PROVISIONS****SECTION 11.01. FISCAL SUCCESSION.**

The Village of Granville under this Charter is hereby declared to be the only legal successor of The Village of Granville under the general law and as such The Village has title to all property, real and personal, owned by its predecessor, including all moneys on deposit and all taxes in the process of collection together with all accounts receivable and rights of action. The municipality is also 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.

**SECTION 11.02. CONTINUATION OF ORDINANCES.**

All ordinances of The Village of Granville in effect at the time this Charter becomes effective shall remain in effect, except as superseded by the provisions of this Charter, until they are amended or repealed.

**SECTION 11.03. CONTINUATION OF CONTRACTS AND PUBLIC IMPROVEMENTS.**

All contracts entered into by The Village of Granville, 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 far as practicable, under the provisions of such laws.

**SECTION 11.04. 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 Village or any 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 were filed.

**SECTION 11.05. CONTINUATION OF OFFICERS.**

Each person holding office in The Village at the time this Charter takes effect shall continue in office and in the performance of his duties until provision shall have been made, in conformity with the Charter, for the performance of such duties by a successor, or the office is abolished.

**SECTION 11.06. CONTINUANCE OF EMPLOYEES.**

Every employee of The Village when this Charter takes effect shall be retained in his employment unless and until the Council shall otherwise provide.

**SECTION 11.07. TRANSFER OF RECORDS AND PROPERTY.**

All public records and property in the custody of officers and employees of The Village at the time this Charter becomes effective shall be transferred and delivered promptly to their successors, when such successors have been designated by ordinances passed by Council under this Charter.

**SECTION 11.08. WHEN CHARTER TAKES EFFECT.**

This Charter shall be voted upon at an election to be held on May 5, 1964. If approved by a majority of those voting thereon, it shall go into effect on July 1, 1964, for the purpose of electing the first Council thereunder. The first Council shall be nominated by petitions only, without a primary election, which petitions shall be filed with The Board of Elections of Licking County at least ninety days before the November election. Petitions for Council member shall contain not less than twenty-five and not more than fifty signatures of qualified voters. The names of all candidates who are so nominated shall be printed on the ballot, with indication of their status, whether party or independent.

**SECTION 11.09. FIRST ELECTION.**

The first election for Council members under this Charter shall take place on November 3, 1964. The seven candidates who receive the highest number of votes shall be elected. The four highest shall serve for a term of three years, the three next highest for a term of one year. Beginning in November 1965, an election shall be held each two years, in the odd-numbered years, and successors to those whose terms expire shall be nominated and elected under the provisions of this Charter for a full four year term.

**SECTION 11.10. TERMS OF EXISTING OFFICERS.**

The terms of office of the Mayor, the Council members, the Clerk, the Treasurer and the members of the Board of Public Affairs who are in office when this Charter goes into effect shall cease and terminate at noon on December 1, 1964, at which time the first Council elected under this Charter shall take office. Such officers shall, as soon as possible thereafter, turn over public property and effects in their possession to their successors. All members of Council holding office upon the effective date of this amendment shall serve until the expiration of the term to which they were elected, but beginning in November, 1983 successors to those whose terms expire shall be nominated and elected under the provisions of amended Sections 2.02 and 2.03 of this Charter. (Amended 11-2-82)



**SECTION 11.11. WHEN CHARTER BECOMES FULLY EFFECTIVE.**

For all purposes other than election of the first Council under this Charter, the Charter shall take effect and be in force from and after noon, Eastern Standard Time, on the first day of December 1964.