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Lakewood City Council
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Issued 05/12/23

PUBLIC NOTICE – RULES & ORDINANCES

Rules & Ordinances Committee will meet Monday May 15, 2023 at 6:30 p.m. in the Auditorium of Lakewood City Hall at 12650 Detroit Avenue. The meeting is open to the public.

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least 3 business days ahead of the scheduled meeting. Contact Michelle Nochta at (216) 529-5906 michelle.nochta@lakewoodoh.net.

The meeting will be livestreamed on the City's website at the following link:

www.lakewoodoh.gov/councilvideos

PUBLIC COMMENT PROTOCOL (Updated 6/21)

The public is invited to comment on agenda items in person or by submitting a written comment in advance of the meeting using the eComment platform available [HERE](#). New users must create an eComment account.

The agenda is as follows:

Approval of the minutes of the April 4, 2022 meeting of the Rules & Ordinances Committee.

RESOLUTION 2023-20 - A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the amended bylaws of the Lakewood Youth Council. (*Referred to Rules & Ordinances 4/17/23*)

ORDINANCE 11-2023 - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to amend Chapter 505.13, Barking or Howling Prohibited, of the Codified Ordinances of the City of Lakewood for the purpose of changing the penalty for repeat offenses of this section and adding gender neutral language. (*Referred to Rules & Ordinances 5/1/23*)

Cindy Marx, Chair
Kyle Baker, Tristan Rader; Members
RULES & ORDINANCES COMMITTEE

RESOLUTION NO. 2023-20

BY:

A RESOLUTION to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, approving the amended bylaws of the Lakewood Youth Council.

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments, in that the City seeks to amend the bylaws to ensure greater efficiency in operations of the Lakewood Youth Council; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD:

Section 1. Pursuant to Article VI, Section 1 of the Lakewood Youth Council bylaws, Council hereby approves the amendments to the bylaws attached as Exhibit A.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution occurred in open meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted _____

Sarah Kepple, Acting President of Council

Maureen M. Bach, Clerk of Council

Approved _____

Meghan F. George, Mayor

Exhibit A

Proposed Amended By-Laws

Article I: Purpose

The Lakewood Youth Council (LYC), established in 2019, aims to provide a voice for youth in the community, allow students to interact and inform the community leaders, provide opportunities for youth development, and allow for engagement with topics regarding youth health and safety, youth advocacy, community relations, and community outreach. This Council is a core group of diverse students and advisors interested in leadership and commitment to meaningful community change. This body further aims to establish public-private partnerships between this Council and local enterprises, engage and create a presence in the community, and collaborate with non-profit organizations all with the overarching intent of serving youth in the community.

Article II: Membership

Section 1. Composition of the Council. The Council is composed of fifteen (15) members. The Council should strive for a composition that reflects the diversity of the youth population.

- a. Together, the Council membership should be representative of all Lakewood residents and be comprised of students from some or all of the following educational types: public, private school, homeschool, or an alternative education path.
- b. Council members must be students with good integrity, entering the eighth grade (8th) through their freshman year of college in the fall of that year.
- c. Council members must be current residents of Lakewood.

Section 2. Appointment of Council Members. All applicants will be considered by the full Lakewood Youth Council, and finalists will be selected from among them for in-person interviews

- a. The Chair, Vice Chair, Secretary, and Vice Secretary will conduct the in-person interviews and will decide on the final slate of candidates. The final slate of candidates is subject to approval by a quorum of the Lakewood Youth Council.
- b. The Council will submit the slate of nominees to the City Council and Mayor, in writing, for their ratification

Section 3. Terms. Members of the Council serve two (2) year terms. Council members may serve additional consecutive terms as long as they meet eligibility requirements (section 1.b and 1.c)

- a. Members who wish to re-apply at the end of their term are subject to an informal evaluation by the Chair, Vice Chair, Secretary, and Vice Secretary.

Section 4. Vacancies.

- a. Vacancies will occur when a Council member:
 1. Resigns;
 2. Relocates out of Lakewood;
 3. No longer meets criteria under which they were appointed (which then will be requested to leave by quorum);
 4. Misses multiple meetings over a short period of time;

- a. A total of two (2) unexcused absences consecutively
- b. Excused absences will be dealt with on a case by case basis

Section 5. Duration. The Council will operate from the middle of August through June

Section 6. Applicants. Applicants will be inaugurated at the first meeting of the year and elections will be at the end of every expiring term.

- a. Applications for membership on the Council shall open following the final meeting of the council in June.
- b. Applications will be collected and reviewed and interviews scheduled during the first meeting in August.
- c. Applicants will be inaugurated no later than October.

Article III: Election and Duties of Officers of the Council

Section 1. Elections.

- a. The elected officers for the Council will be the Chair, Vice-Chair, Secretary, and Vice-Secretary.
- b. Elections will occur at the year ~~beginning~~ **end** meeting in the middle of ~~August~~ **June**. At the year ~~beginning~~ **end** meeting, the Council will elect from its membership a new Chair, Vice-Chair, Secretary, and Vice-Secretary to serve for a two (2) year term. Those members will serve in such a capacity unless they resign or are removed from office.
- c. Votes will first be taken for the Chair, then for the Vice-Chair, then Secretary, followed by the Vice-Secretary.
- d. Accepted applicants will be inaugurated at first meeting
 - i. **New officers shall be inaugurated at first meeting and invested as such with their duties at the last meeting in June.**

Section 2. Duties of Officers.

- a. The Chair will preside over the meetings of the Council, with the same powers and duties as the other members, with voting, but no veto power. The affairs of the Council will be under the general direction of the Chair. The Chair will seek to guide the work of the Council in ways that build consensus among Council partners and members. The Chair will call the meetings to order promptly at the hour for holding such meetings.
- b. The Chair can appoint ad-hoc committees to address specific issues,
- c. The Vice-Chair, in the absence or disability of the Chair, and while acting as Chair, will be invested with all the authority and duties of the Chair.
- d. In the absence of the Chair and Vice-Chair, then Secretary, then Vice-Secretary, will preside over the meeting and, while acting as Chair, will be invested will all the authority and duties of the Chair.
- e. The Secretary is responsible for recording all meeting minutes, attendance, and creating sign-in sheets for events hosted by the Youth Council. The Secretary will keep a record of votes when Council votes.
- f. The Vice-Secretary, in the absence of disability of the Secretary, and while acting as Secretary, will be invested with all the authority and duties of the Secretary.

Section 3. Removal from Leadership.

- a. A vote of no confidence may be called by a quorum of Council members to discuss the removal of a member from their leadership position. Any officer position is subject to a vote of no confidence.
- b. An informal discussion and debate may follow in order to evaluate the removal of a member from leadership duties and title of officer.
- c. A two-thirds ($\frac{2}{3}$) majority vote is required to remove a member from their leadership duties and title of officer.
- d. In the event of a member having their leadership duties relieved and title for officer revoked, see Article 3, Section 2 for reference.

Article IV: Meetings of the Council

Section 1. Public. The meeting of the Council will be open to the public. Meetings will be documented and minutes will become public record.

Section 2. Year-End. The year-end meeting will be held in June, which will be the last meeting Council calls for the year.

Section 3. Special Meetings. The Chair, or any three (3) members of Council may call a special meeting of the Council at a time upon at least five (5) days' notice to each member. Members who can not attend will not be penalized and an RSVP is required.

Section 4. Procedure.

- a. Eight (8) members will constitute a quorum for the transaction of business. Although the first priority in the work of the Council is to strive for consensus, votes of the Council will be valid when authorized by an affirmative vote of a majority of those present and voting.
- b. In the absence of a quorum, at the time appointed for the meeting, a work session will be convened. At the expiration of fifteen (15) minutes from the time appointed for the meeting, if the quorum is present the regular meeting will be convened. In the absence of quorum at the expiration of fifteen (15) minutes from the time appointed for the meeting, the Secretary will enter upon the minutes the names of members present, and the meeting will stand ipso facto adjourned until the next regular meeting or until a new call is issued in the regular way, if it be a special meeting, the work session will continue.
- c. If a meeting is to continue beyond one hundred and twenty (120) minutes, a motion to continue must be made.
- d. Vote of the Council will be by voice vote. The role of the Council will be entered in rolling alphabetical order, except with respect to the chair who will be last. This roll will be used in the above order in recording all votes, which are required to be recorded.

- e. Any member wishing to abstain from voting on any matter before the body will state for the record during roll call the reason for such abstention. Members must submit written or verbal reasoning.
- f. Upon all procedural questions not covered by the By-laws or State Law, the general rules of parliamentary procedure will govern.

Section 5. Advisory. The Lakewood Community Relations Advisory Commission will serve as advisors to the Lakewood Youth Council.

Article V: Committees

Section 1. Standing Committees

- a. Standing Committees will include those deemed necessary by the Council for the fulfillment of its duties. The function and composition of such committees and the condition under which they operate will be stipulated at the time of their creation by the Council. Standing Committees will be composed by quorum approval. All members of Standing Committees, whether elected or appointed serve two (2) year terms, or will serve until their terms of office have expired.
- b. Each Chair of Standing Committees will be a Council member, appointed by a quorum of the Council for a two (2) year term, or will serve until their term of office has expired or the Standing Committee Chairs for additional terms.
- c. The members of Standing Committees may include non-Council members. Members will be appointed by the Chair of the Council, based on the recommendations of the Standing Committee members.
- d. The council reserves the right to create a standing Finance Committee which will be responsible for the finances of the Council and include five (5) members which will be approved by a quorum of the Council.

Section 2. Special Committees.

- a. The full Council will create and dissolve Special Committees as they deem necessary to further the work of the Council. The functions and composition of such committees and the conditions under which they operate will be stipulated at the time of their creation by the Council.
- b. The Chair of all Special Committees will be a Council member, appointed by the Chair of the Council for a two (2) year term, or will serve until their term of office has expired or the tenure of the Special Committee has come to an end. The Chair of the Council may re-appoint Special Committee Chairs for additional terms.
- c. The members of Special Committees may include non-Council members. Members will be appointed by the Chair of the Council, based on the recommendations of the Special Committee chairs.

Section 3. Restrictions of Committees.

- a. Standing and Special Committees shall not speak on behalf of the Council. Standing and Special committees shall report directly to the Council and Council Chair.
- b. The chair of the Council may not hold the position of chair on a standing or special committee.
- c. No member may be a Chair of more than one committee.

Article VI: Amendments

Section 1. Process.

- a. The by-laws for the Youth Council may be amended with the approval of a quorum of Council members.
- b. The amendment must be considered by the entire Youth Council, and reasoning for the amendment must be provided.
- c. Following the approval of the amendment by a quorum of the Youth Council, the amendment and its reasoning is subject to final approval by a quorum of the City Council and by the Mayor.
- d. Once the amendment is approved by all the necessary parties, it will formally become apart of the Youth Council by-laws.

Ordinance No: 11-2023

By:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least five (5) members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, to amend Chapter 505.13, Barking or Howling Prohibited, of the Codified Ordinances of the City of Lakewood for the purpose of changing the penalty for repeat offenses of this section and adding gender neutral language.

Whereas, the Lakewood Animal Safety and Welfare Advisory Board (LASWAB) has met, researched, and proposed the following recommended change to the Administration; and

Whereas, Lakewood is a densely populated city and accordingly barking/howling animals are substantially disruptive to a greater number of citizens than surrounding, less populous municipalities; and

Whereas, currently, the legislation only makes this offense a minor misdemeanor, which is waivable without a court appearance; and

Whereas, the City desires to have greater leverage and earlier intervention with regard to resolving recurring violations of this ordinance; and

Whereas, after a review, the City supports the recommendation of LASWAB and believes that the recommendation is the least restrictive of rights that allows accomplishment of the City's goals and furtherance of the intent of LASWAB; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that these provisions should be enacted to increase the penalty for repeat offenses; now therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Section 505.13, Barking or Howling Prohibited, of the Codified Ordinances of the City of Lakewood, currently reading as follows:

505.13 BARKING OR HOWLING PROHIBITED.

(a) No person shall keep or harbor any animal, livestock or poultry within the municipality which, by frequent and habitual howling, yelping, barking or other activity, creates unreasonably loud and disturbing noises of such character, intensity and duration as to disturb the peace and quiet of the community or as to annoy, disturb or endanger the comfort, repose or health of persons occupying property in the neighborhood. Any person who shall allow any animal habitually to remain, be lodged or fed within any dwelling, building, yard or enclosure, which he occupies or owns, shall be considered as harboring such animal.

(b) Whoever violates this section is guilty of a minor misdemeanor.

is hereby repealed.

Section 2. That new Section 505.13, Barking or Howling Prohibited, of the Codified Ordinances of the City of Lakewood is hereby enacted to read as follows:

505.13 BARKING OR HOWLING PROHIBITED.

(a) No person shall keep or harbor any animal, livestock or poultry within the municipality which, by frequent and habitual howling, yelping, barking, or other activity, creates unreasonably loud and disturbing noises of such character, intensity, and duration as to disturb the peace and quiet of the community or as to annoy, disturb, or endanger the comfort, repose, or health of persons occupying property in the neighborhood. Any person who shall allow any animal habitually to remain, be lodged or fed within any dwelling, building, yard, or enclosure, which he or she occupies or owns, shall be considered as harboring such animal.

(b) Whoever violates any provision of this section is guilty as follows:

(1) Except as otherwise provided in subsection (b)(2) of this section, a minor misdemeanor.

(2) If, within one year of the offense, the offender has been convicted of or pled guilty to two or more violations of this section, a misdemeanor of the fourth degree.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least five (5) members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Adopted _____

John Litten, President of Council

Maureen M. Bach, Clerk of Council

Approved _____

Meghan F. George, Mayor