

ORDINANCE NO. 140-2025(AS), *First
Reading (Amended 07.07.2025)*

By Councilmember Cobb

An Ordinance amending Section 121.05 “Rules and Regulations” relating to the Mayor’s authority over city property; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the existing Section 121.05 of the Codified Ordinances of the City of Cleveland Heights grants the Mayor broad authority to establish rules and regulations concerning the care, control, and use of all City property; and

WHEREAS, it is the intent of the City Council to maintain appropriate checks and balances on executive authority, and to ensure transparency and accountability in the use of City property; and

WHEREAS, concerns have arisen regarding actual, potential or perceived misuse of this authority, warranting a mechanism for Council oversight.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that

SECTION 1. Section 121.05, “Rules and Regulations” is hereby amended as set forth in Exhibit 1 attached hereto and incorporated herein.

SECTION 2. The prior version of Section 121.05, as it existed heretofore, is hereby repealed in its entirety.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and 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. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights or by posting the full text of this Resolution to the City of Cleveland Heights website.

SECTION 5. It is necessary that this Ordinance become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to ensure only appropriate uses of all City Property and to prevent potential violations of Ohio Revised Code Section 2921.04, and the intimidation, or hindering of a public servants and officials in the discharge of their duties. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage;

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otherwise, it shall take effect and be in force from and after the earliest time allowed by law.



TONY CUDA
President of Council



ADDIE BALESTER
Clerk of Council

PASSED: July 7, 2025

Presented to Mayor: 07/08/2025 Effective Date: 07/18/2025

KAHLIL SEREN
Mayor

*Effective date per Article IV, Section 5 of the Codified Ordinances of the City of Cleveland Heights

EXHIBIT 1

121.05 RULES AND REGULATIONS.

(a) The Mayor is hereby authorized and directed to establish rules and regulations governing the conduct and performance of all City employees, and the care, control and use of all City property, both real and personal, provided such rules and regulations are not inconsistent with the Charter and City ordinances.

Notwithstanding the foregoing and Ordinance 135.03, any use, rule or regulation established by the Mayor or Department of Parks and Recreation relating to the care, control, or use of City property shall be subject to override by a vote of five (5) City Council members, through duly adopted resolution. Upon such vote, the specified use, rule or regulation shall be deemed null and void to the extent of the Council's resolution."

(b) Such rules and regulations shall be in written form and on file in the office of the Mayor.