

AN ORDINANCE AMENDING SECTIONS 206.01, 206.03, 206.05, 206.06, AND 206.07 OF CHAPTER 206, "PUBLIC MEETINGS", OF THE CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.

WHEREAS, due to the recent move of the City's administrative offices, including the Clerk of Council's office, from the Town Hall in downtown Hudson to the Municipal Services Center at 115 Executive Parkway, Suite 400, in Hudson, and as result of technological advances over the past few years, the City Manager's Office and the Clerk of Council have reviewed existing language in Chapter 206 of the Codified Ordinances regarding public meeting notifications and has proposed the amendments to Chapter 206 in this Ordinance for adoption by City Council; and

WHEREAS, the Ohio Revised Code requires that the City have rules establishing a reasonable method whereby a member of the public may determine the time and place of regular meetings of all City boards, commissions, committees and City Council; and

WHEREAS, this Council determines that the following amendments establish a reasonable method whereby a member of the public may determine the time and place of such meetings.

NOW, THEREFORE, BE IT ORDAINED by the Council of Hudson, Summit County, State of Ohio, that:

Section 1. Section 206.01, "DEFINITIONS", of Chapter 206, "Public Meetings", of the Codified Ordinances is amended at subsections (f) and (j) only to hereinafter read as follows:

* * *

(f) "Post" means to post on the City's website (www.hudson.oh.us) ~~in an area accessible to the public during the usual business hours at the City Hall (27 East Main Street, Hudson, OH 44236 3099).~~

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(j) "Written notification" means notification in writing mailed, ~~telegraphed~~, faxed or delivered to the address of the person for whom such notification is intended as shown on the records kept by the Clerk under this chapter, or in any way delivered to such person. If mailed, such notification shall be mailed by first-class mail, deposited in a U.S. postal service mailbox no later than the fourth day preceding the day of the meeting to which such notification refers. Written notification may be accomplished by giving advance written notification by copies of the agendas of all pertinent meetings.

Section 2. Section 206.03, “POSTING NOTICE.”, of Chapter 206, is amended to hereinafter read as follows:

206.03 POSTING NOTICE.

The Clerk shall, no later than forty-eight hours before the time of a regular meeting, post notice of the time and place of such regular meeting on [the City’s website](#) ~~a bulletin board at the City Hall~~. In the event of a special meeting, the Clerk shall, no later than twenty-four hours before the time of a special meeting, post notice of the time, place and purposes of such special meeting. Upon the adjournment of any regular or special meeting to another day, the Clerk shall promptly post notice of the time and place of such adjourned meeting. In case of an emergency requiring immediate official action, the Clerk shall immediately post notice of the time, place and purposes of such special meeting and the general nature of the emergency requiring immediate official action.

Section 3. Section 206.05, “REQUESTS FOR NOTIFICATION; FEE”, of the Codified Ordinances is amended to hereinafter read as follows:

206.05 REQUESTS FOR NOTIFICATION; FEE.

Any person may, upon [subscribing to electronic mail notifications for calendar events on the City’s website or upon](#) written request to the Clerk, obtain reasonable advance notification of all regular Council meetings, of any meeting of each public body of the City or any special meeting of Council at which any specific type of public business is to be discussed.

Such person may file a written request with the Clerk specifying the person's name and the addresses and telephone numbers at which the person can be reached during and outside of business hours; the specific type of public business the discussion of which the person is requesting advance notification for; and the number of calendar months (not to exceed twelve) which the request covers. Such request may be canceled by request from such person to the Clerk.

Each such written request shall be accompanied by stamped self-addressed envelopes sufficient in number to cover the number of meetings during the time period covered by the request. The Clerk shall notify in writing the requesting person when the supply of envelopes is running out, and if the person desires notification after such supply has run out such person must deliver to the Clerk an additional reasonable number of stamped self-addressed envelopes as a condition to receiving further notifications.

The Clerk shall, if possible, give such advance notification under this section by written notification. If such written notification cannot be given or has not been given, the Clerk shall give oral notification. There shall be no fee charged for such advance notification.

Section 4. Section 206.06, “NOTICE TO NEWS MEDIA OF SPECIAL OR EMERGENCY MEETINGS”, of the Codified Ordinances is amended to hereinafter read as follows:

206.06 NOTICE TO NEWS MEDIA OR SPECIAL OR EMERGENCY MEETINGS.

Any news medium organization that desires to be given advance notification of special meetings shall file with the Clerk a written request therefor. Except in the event of an emergency requiring immediate official action, a special meeting shall not be held unless at least twenty-four hours advance notice of the time, place and purposes of such special meeting is given to the news media that have requested such advance notification.

News media requests for advance notification of special meetings shall specify the name of the medium; the name of and address of the person to whom written notifications to the medium may be transmitted via electronic mail, facsimile, mail or delivery, ~~mailed, telegraphed or delivered~~; and the names, addresses and telephone numbers (including addresses and telephone numbers at which notifications may be given either during or outside of business hours) of at least two persons to either one of whom oral notifications to the medium may be given.

Any such request shall be effective for one year from the date of the filing with the Clerk or until the Clerk receives written notice from such medium canceling or modifying such request, whichever is earlier. Each requesting news medium shall be informed of such period of effectiveness at the time it files its request. Such requests may be modified or extended only by filing a complete new request with the Clerk. The Clerk shall maintain a current list of all news media that have requested such advance notification.

The Clerk shall give such oral notification or written notification, or both, as the Clerk determines, to the news media that have requested such advance notification of the time, place and purposes of each special meeting, at least twenty-four hours prior to the time of such special meeting.

In the event of an emergency requiring immediate official action, a special meeting may be held without giving twenty-four hours advance notification thereof to the requesting news media. The Clerk shall immediately give oral notification or written notification, or both, as the Clerk may determine, of the time, place and purposes of such special meeting to such news media that have requested such advance notification. The notification shall state the general nature of the emergency requiring immediate official action.

A reasonable effort at notification shall constitute notification in compliance with this section.

Section 5. Section 206.07, “ASCERTAINING NOTIFICATION”, of the Codified Ordinance is amended to hereinafter read as follows:

206.07 ASCERTAINING NOTIFICATION.

Any person may ascertain the time and place of all then-known regular meetings, the time, place and purposes of all then-known special meetings and whether the available agenda of any future meeting states that any specific type of public business, identified by such person, is to be discussed at such meeting, by:

(a) Writing to:

Clerk of Council
City of Hudson [Municipal Services Center](#)
[115 Executive Parkway, Suite 400](#)
~~27 East Main Street~~
Hudson, OH [44236-1693](#) ~~44236-3099~~

(b) Telephoning the office of Clerk of Council, during its normal business hours, at [330-342-1795](#) or 330-650-1799.

(c) Consulting the [City’s website \(www.hudson.oh.us\)](#) ~~bulletin board located in the lobby at the Hudson City Hall, 27 East Main Street, Hudson, OH. 44236 3099.~~

Section 6. Subsections 206.01 (f) and (j), and Sections 206.03, 206.05, 206.06 and 206.07 of Chapter 206, “Public Meetings”, of the Codified Ordinances as they existed prior to the effective date of this Ordinance are hereby repealed.

Section 7. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public welfare and for the further reason that it is immediately necessary to amend the Sections of the Codified Ordinances related to notification of public meetings since the location of the City administrative offices, including the Clerk of Council’s Office, has moved and recent technological advances demand more appropriate means of notification to the public of public meetings; therefore, this Ordinance shall take effect and be in force immediately upon its passage provided if it receives the affirmative vote of five members elected to Council, except that six affirmative votes shall be required if all members are present; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

PASSED: _____

William A. Currin, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance was duly passed by the Council of said Municipality on _____, 2013.

Elizabeth Slagle, Clerk of Council