

**CHARTER  
OF THE CITY OF  
GRANDVIEW HEIGHTS, OHIO**

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**(EDITOR'S NOTE: This Charter was approved by voters on March 7, 2000.)**

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**CHARTER OF  
THE CITY OF  
GRANDVIEW HEIGHTS, OHIO**

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**PREAMBLE**

We, the people of the City of Grandview Heights of the County of Franklin, State of Ohio, in order to secure for ourselves the benefits of municipal home rule and exercise the powers of local self-government under the Constitution of the State of Ohio, do ordain and establish this Charter for the government of the City of Grandview Heights.

**POWERS**

**Section 1. Corporate Powers.**

The municipal corporation now existing and known as the City of Grandview Heights shall have full power and authority to change its boundaries and enlarge its corporate limits by the annexation or detachment of territory in the manner authorized by State law. The City shall have all the powers granted to cities by the Constitution and laws of Ohio. All such powers, whether expressed or implied, shall be exercised and enforced in the manner provided by ordinance or resolution of Council or, absent such provision, by State law.

**Section 2. Nonexclusivity of Powers.**

The enumeration of particular powers in this Charter shall not be deemed to be exclusive of other powers, and the City shall have all other powers granted to cities under the Constitution and laws of Ohio.

**MAYOR**

**Section 3. Executive Powers of the Mayor.**

The executive and administrative powers of the City shall be vested in a Mayor, and such other administrative officers and boards as may be provided for in this Charter or by ordinance. The Mayor shall be the chief executive officer of the City.

**Section 4. Term and Qualifications of Mayor.**

The Mayor shall be elected for a term of four years and shall assume the office on the first day of January next following the election. The Mayor shall be an elector of the City and not otherwise employed by the City, and shall have all other qualifications, and be subject to the disqualifications, that are prescribed by State law. If the Mayor ceases to possess these qualifications, then the office shall be forfeited.

**Section 5. Office and Compensation of the Mayor.**

The office of the Mayor shall be in the Municipal Building of the City. The compensation of the Mayor shall be set, increased or decreased by ordinance, provided that such ordinance shall be passed not less than one year prior to the beginning of the term to be affected.

**Section 6. General Powers and Duties of the Mayor.**

It shall be the duty of the Mayor to act as chief conservator of the peace within the City; to see that all ordinances of the City are in force and enforced; to supervise the administration of the affairs of the City; to recommend to Council for its adoption such measures deemed necessary or expedient; to keep Council advised of the condition and needs of the City; to prepare and submit to the Council such reports as may be required by Council; and to exercise such powers and perform such duties as are conferred or required by this Charter, by ordinance or resolution of Council, or by State law insofar as it is consistent with this Charter, or by such State law as is beyond the power of this Charter to supersede.

The Mayor shall have and exercise all powers and perform all duties that are delegated to and conferred upon directors of public safety and directors of public service of cities by State law not inconsistent with the provisions of this Charter.

**Section 7. Appointing Power of Mayor.**

The Mayor shall have the power to appoint, subject to confirmation by Council, the following officers:

- (a) Chief of Police;
- (b) Chief of the Fire Department;
- (c) Members of the Civil Service Commission; and
- (d) Members of the Board of Health.

The Mayor shall have the power to appoint all other officers, superintendents and heads of administrative departments, whose positions may be created by Council and for whose appointment no other provision is made. Unless otherwise provided by this Charter or by ordinance, all such appointees shall serve at the pleasure of the Mayor.

**Section 8. Removal Power of Mayor.**

The Mayor may remove any officer or member of any board or commission, appointed under the authority of subsection (a) to (d) inclusive of Section 7 hereof, for neglect of duty, malfeasance in office, or for other just cause, having first given such person a copy of the charges and an opportunity to be heard in person or by counsel, before Council. Such removal when concurred in by Council shall be final.

**Section 9. Investigation by Mayor.**

The Mayor may, with notice to either the President of Council or the City Attorney, appoint one or more persons to examine into the affairs and condition of any department or the conduct of any officer or employee of the City. In furtherance of an investigation, the Mayor shall have the power to compel the attendance of witnesses, the production of books, papers, records, and other evidence, and to punish witnesses for contempt, as may be provided by law.

**Section 10. Mayor's Court.**

The Mayor shall have the same jurisdiction in prosecutions for violations of ordinances of the City as is conferred by State law upon mayors of cities.

**Section 11. Mayoral Succession.**

If the Mayor dies, resigns, fails to meet the qualifications of office, is removed by the Governor of the State, or is recalled, the President of Council shall immediately become the Mayor. If the vacancy occurs during the final two years and six months of the term, the succeeding Mayor shall complete the original term. Otherwise, the succeeding Mayor shall serve until the first day of January following the next regular municipal election that occurs after the vacancy. The unexpired term shall then be filled by the successful candidate for such term in that regular municipal election. If a mayor-elect dies or fails to meet the qualifications of office before assuming office, Council shall at its first meeting in the following January elect one of its members to serve as Mayor until the next regular municipal election, at which time a Mayor shall be elected for the unexpired term. Any Council member becoming Mayor ceases to be a member of Council.

**Section 12. Acting Mayor.**

In the event of the Mayor's inability to perform mayoral duties, the President of Council shall serve as Acting Mayor.

The President of Council, as Acting Mayor, retains all powers and duties as President of Council and shall exercise the power and duties of both offices, except that person shall not have the power to veto ordinances or resolutions.

**Section 13. Rights of Mayor and Officials at Council Meetings.**

The Mayor shall attend regular meetings of Council and may introduce ordinances and take part in Council proceedings and deliberations on all questions. The heads of departments shall be entitled to take part in proceedings and deliberations on all questions relating to their respective departments. Neither the Mayor nor the head of any department shall have the right to vote.

**COUNCIL MEMBERS****Section 14. Members and Term of Council.**

The legislative powers of the City, except as are reserved to the people by this Charter and the Constitution of the State, shall be vested in a Council consisting of seven members elected at large. Terms of Council shall be for four years.

**Section 15. Qualifications of Council Members.**

Each member of Council shall be an elector of the City and not otherwise employed by the City. Any member who ceases to possess these qualifications, or who is absent for three successive regular meetings without authorization by Council, shall forfeit office. Council shall by rule determine and list conditions and circumstances which constitute good cause for absence. If a vacancy occurs during the final two years and six months of a term, Council may fill the vacancy by appointment for the remainder of the term. Otherwise, Council may fill the vacancy on a temporary basis by appointment, effective until the first day in January following the next regular municipal election that occurs after the vacancy. The unexpired term shall then be filled by the successful candidate for such term in that regular municipal election. Any vacancy remaining for more than 60 days shall be filled by the Mayor.

**Section 16. Council Meetings.**

At the first regular meeting in January following a regular municipal election, Council, including its newly-elected members, shall elect one of its members President, who shall preside at meetings of Council and perform such duties as required by Rules of Council. Thereafter, Council shall meet at such times as may be prescribed by resolution, but shall meet at least once each month. The Mayor, President of Council, or any four members may call special meetings of Council upon written notice to a local newspaper of general circulation and public posting at least 24 hours previous to the time fixed for such meeting. Council members shall be given notice of such meetings pursuant to Rules of Council. Any request for a special meeting and the notice calling same shall state the subjects to be considered, and such meeting shall be limited to a consideration of such subjects.

**Section 17. Quorum and Records of Council Meetings.**

Four members of Council shall constitute a quorum to transact business at a meeting. Council shall determine and publish its own rules and order of business and shall keep minutes of its proceedings. All meetings of Council or its committees shall be public, except executive sessions of Council which may be held pursuant to State law. Any citizens shall have access to the public records at all reasonable times.

**Section 18. Officers and Employees of Council.**

Council shall appoint a Director of Finance and a City Attorney as officers of the City. Council shall also appoint a Clerk of Council and such other employees as necessary to serve at its pleasure.

Subject to the provisions of this Charter, the compensation of the Council Members shall be set, increased or decreased by ordinance, provided that such ordinance shall be passed not less than one year prior to the beginning of the term to be affected. Council shall fix by ordinance the compensation of all Council Members, officers and employees of the City. However, the compensation of an officer or employee who has been elected or appointed for a definite term shall not be increased or diminished during the term.

**Section 19. Authority of Council.**

Council shall have authority to provide by ordinance or resolution for carrying into effect any and all powers conferred upon municipalities or their residents by the Home Rule provisions of the Ohio Constitution. Council shall perform the duties imposed and exercise the powers conferred upon councils of cities by State law not in conflict with this Charter or the ordinances and resolutions of Council.

**ORDINANCES AND TAX LEVIES****Section 20. Enactment of Ordinances.**

Each proposed ordinance or resolution shall be introduced in written form, and the adoption, revision or amendment, signing and publication thereof, shall be in the manner provided by State law. The Mayor shall have veto power over such ordinances and resolutions subject to the limitations and provisions of State law.

**Section 21. Annual Appropriation Ordinance and Expenditures.**

An annual appropriation ordinance shall be prepared by Council from estimates submitted by the Mayor. For the purpose of preparing such ordinance, the Mayor shall receive from each office or department for which appropriations are made a statement of expenses for the previous year and estimated expenses for

the next year. The annual appropriation ordinance shall be submitted to Council in time for passage at its meeting in December of the proceeding year. Supplemental appropriation may be made by Council as needed. The total of all appropriation ordinances passed shall not exceed the total balances carried over from the previous year plus the estimated revenue of the current year. All unexpended balances of appropriations not encumbered for future needs shall revert to the respective funds from which they were appropriated and shall then be subject to future appropriations.

The Mayor and Director of Finance shall supervise all departmental expenditures so that all expenditures are kept within appropriations.

**Section 22. Property and Income Tax Levies.**

Council shall not enact any ordinance levying a tax on property which is taxable according to value or an income tax except upon approval by a majority of electors of the City voting thereon at a general or special election held not less than 75 days after the adoption by Council of a resolution calling for such election, which resolution shall set forth the rate of the proposed tax and its purposes. This section shall not restrict Council's authority to enact ordinances providing for the issuance of bonds or notes supported by property taxes.

**DUTIES OF OFFICERS**

**Section 23. Director of Finance.**

Council shall appoint a Director of Finance for a one-year term. The Director of Finance shall perform all duties and exercise all powers conferred upon the Director of Finance by this Charter, City ordinances and State law defining the duties of city finance directors. These duties shall include but not be limited to:

- (a) Serving as custodian of all monies of the City and keeping the monies in such manner and in such places as determined by this Charter, City ordinances and State law;
- (b) Keeping the financial records of the City;
- (c) Auditing the accounts of the several departments and offices and auditing all other accounts in which the City is interested;
- (d) Administering the income tax collections of the City;
- (e) Keeping Council fully advised of the financial conditions of the City and its future needs; and
- (f) Performing such other duties as Council determines by ordinance or resolution.

**Section 24. City Attorney.**

The City Attorney shall be an attorney-at-law admitted to practice in the State of Ohio and may have assistants as Council may authorize. Council shall appoint a City Attorney for a one-year term. The City Attorney shall serve as the Chief Legal Officer for the City, and shall serve as legal counsel for all its officers and departments in all matters relating to their official duties. The City Attorney shall attend all regular Council meetings, unless excused. The City Attorney shall perform additional duties as imposed by City ordinance and State law.

## BOARDS AND COMMISSIONS

### Section 25. Board of Control.

The Mayor, Director of Finance and President of Council shall constitute the Board of Control which shall have the powers and perform the duties imposed upon boards of control of cities by State law or by City ordinance.

### Section 26. Board of Health.

The Board of Health shall be composed of five members, electors of the City, who shall serve without compensation. Members shall be appointed by the Mayor, subject to the approval of Council, each to serve a term of three years and until a successor has been appointed and qualified. A vacancy may be filled for the unexpired term by appointment in the same manner in which original appointments are made. At least two members shall have a bio-medical background. During its first meeting of each calendar year, the Board shall elect one of its members as President.

The Board of Health shall have the powers and perform the duties as may be imposed upon boards of health of cities by State law or by City ordinance.

### Section 27. Civil Service Commission.

The Mayor, with the concurrence of Council, shall appoint three electors of the City to serve on the Civil Service Commission. The term of each member shall be for six years. Members shall receive no compensation for their services. During its first meeting of each calendar year the Commission shall choose one of its members as President. A vacancy shall be filled for the unexpired term in the same manner in which original appointments are made.

The Clerk of Council shall serve as Secretary to the Civil Service Commission, with responsibilities to include scheduling and providing notice of meetings, scheduling and administering examinations, maintaining records of the Commission, and performing other duties as requested by the Commission to promote a fair and efficient civil service system.

### Section 28. City Employees Exempt from Classified Civil Service.

The following officers and employees of the City shall be exempt from classified service:

- (a) All officers elected under this Charter;
- (b) All officers and members of boards or commissions whose appointment is subject to concurrence by Council or who are appointed by Council;
- (c) The Chief of Police and the Chief of the Fire Department;
- (d) The heads of any departments or sub-departments that may be created by Council under this Charter;
- (e) All unskilled labor; and
- (f) All employees whose service is but casual.

### Section 29. Classified Civil Service Employment.

The classified service shall comprise all positions not specifically exempted by this Charter. In the classified service there shall be two classes. The competitive class shall include all positions and employments for which it is practicable to determine the merit and fitness of applicants by competitive examination. The non-competitive class shall consist of all positions requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character to be determined by the rules of the Commission.

**Section 30. Powers of Civil Service Commission.**

The Commission shall have power to prescribe, amend and enforce rules for the classified service. Such rules may be in direct conflict with State law and shall prevail over State law in all areas pertaining to civil service, including but not limited to civil service examinations, eligible lists, appointments, promotions, disciplinary procedures, probation, disability leave, layoff procedures, sick leave, appeal procedures, definitions, and job classifications. The Secretary of the Commission shall keep minutes of its proceedings and records of its examinations. The Commission shall make investigations concerning the enforcement and effect of the Civil Service provisions and of its rules to ensure compliance.

**Section 31. City Planning Commission.**

The City Planning Commission shall consist of the following members: the Mayor, one member of Council, and three electors of the City. The Council President shall designate the member of Council to serve during such member's term on Council. The Mayor shall appoint the electors with the concurrence of Council for staggered terms of three years each (or such shorter term as may be initially necessary to achieve staggered terms). All members appointed by the Mayor shall possess specific knowledge in one or more of the following areas: urban planning, architecture, engineering, historic preservation, and real estate development. Planning Commission members shall elect the Chair of the Planning Commission from the three electors. No compensation shall be paid for service on the City Planning Commission.

**Section 32. Duties, Powers and Limitations of City Planning Commission.**

The duties, powers and limitations of the City Planning Commission shall be prescribed by City ordinance, and in the absence of such ordinance it shall perform the duties and exercise the powers conferred upon city planning commissions by State law not in conflict with this Charter.

**CONTRACTS****Section 33. Contracts.**

All contracts of the City shall be signed by the Mayor and Director of Finance after being approved, as to form, by the City Attorney. By signing a contract, the Director of Finance certifies that funds have been appropriated and are available.

**ETHICS IN GOVERNMENT AND RECALL****Section 34. Ethics in Government.**

No officer or employee of the City shall have any interest, direct or indirect, in any contract with or for the City or be interested directly or indirectly in the sale to the City of any thing of value. Nor shall any officer or employee of the City accept, in connection with such person's duties, any gratuity of substantive value or commit any theft of Municipal property. Any violation of this section shall constitute malfeasance in office, and any such officer or employee shall thereby forfeit office or employment.

**Section 35. Initiative and Referendum.**

Initiative and referendum powers are hereby reserved to the people of the City on all questions which the City may be authorized by this Charter, by City ordinance or by State law to control by legislative action, and such powers shall be exercised in the manner prescribed by State law. No measure initiated by the people and adopted by popular vote shall be repealed by Council, or so amended by it as to destroy the effectiveness thereof, within two years after it takes effect.

**Section 36. Recall.**

Any member of Council or the Mayor may be recalled from office by the voters of the City before such official's term expires. The procedures to effect such removal shall be:

- (a) A petition signed by registered electors equal to at least 25%, subject to subsection (e), of the total votes cast at the last preceding regular municipal election, and demanding the recall of a specified Council member or the Mayor, shall be filed with the Board of Elections. Such petition shall contain a general statement in not more than 200 words of the grounds upon which the recall of such person is sought. The form, sufficiency, and regularity of any such petition shall be determined as provided in the general election laws. The Board of Elections shall have no authority to determine the validity or sufficiency of the grounds specified in the petition.
- (b) If the petition is sufficient, and if the person whose recall is sought does not resign within five days after the sufficiency of the petition has been determined, Council shall thereupon order and fix a day for holding an election to determine the question of the recall. Such election shall be held not less than 30 nor more than 60 days from the time of the finding of the sufficiency of such petition. The Board of Elections shall publish notice and make all the arrangements for holding such election, which shall be conducted and the results thereof returned and declared in all respects as are results of regular municipal elections.
- (c) The ballots at such recall election shall, with respect to each person whose removal is sought, submit the question: "Shall (name of person) be removed from the office of (name of office) by recall?"  
Immediately following each such question, there shall be printed on the ballots, the two propositions in the order set forth:  
"For the recall of (name of person)."  
"Against the recall of (name of person)."
- (d) In any such election, if a majority of the votes cast on the question of recall are affirmative, the person whose recall is sought shall be removed from office upon the certification of the election results. Any vacancy created shall be filled in the manner provided in this Charter.
- (e) Except upon filing with the Board of Elections a petition signed by qualified electors equal in number to at least 50% of the total votes cast at the last preceding regular municipal election, the question of removal of any officer shall not be submitted to the electors if such officer was the subject of recall within the past year or has served less than one year of the current term.

**UTILITY****Section 37. Public Utility Franchises.**

All grants, renewals of franchises or permits to construct or operate any public utilities on, under or above the streets of the City shall in all respects be governed by ordinance or federal and/or State law. Subject to the rights of property holders under the Constitution of Ohio, Council at all times may direct the distribution of space in, over, under or across all streets or public grounds occupied by public utility fixtures. Council shall have the continuing right to pass reasonable regulations for the operation of City utilities including the right to require construction, relocation, or discontinuance of appliances used by the utilities in the streets or public grounds.

## ELECTIONS AND HOLDING OFFICE

### Section 38. Time for Holding Elections.

Regular municipal elections shall be held pursuant to State law. Special elections shall be held pursuant to ordinance or as otherwise provided for in this Charter.

### Section 39. Nominations.

Candidates for any elective office shall be nominated by petition. Each petition shall be in the format and meet requirements provided by State law for petitions for independent candidates. It shall be signed by not less than 50 registered electors of the City. A nominating petition may consist of one or more separate petition papers, each of which shall be substantially in the form prescribed in this section. Each petition shall be signed not more than 100 days prior to the day of the general election and shall be filed with the Board of Elections before 4:00 p.m. of the 75th day before the day of the general election.

### Section 40. Candidates.

No person shall be a candidate for any elective office without having been a resident of the City for a period of one year immediately prior to the date of filing a petition for office.

### Section 41. Nonpartisan Ballots.

The ballots used in all elections provided for in this Charter shall be nonpartisan.

### Section 42. Continuance of Present Officials.

All persons holding office at the time this amended Charter takes effect shall continue their current terms of office.

### Section 43. Oath of Office.

Every officer of the City shall, upon assuming office, take and subscribe to an oath or affirmation, as required by State law, to be filed and kept in the office of the City Attorney.

### Section 44. State Law to be Applicable.

State law applicable to municipal corporations, now in force or hereafter enacted, and which is not in conflict with this Charter, or with ordinances or resolutions here before or hereafter enacted by the Council, shall be applicable to this Municipality. Nothing contained in this Charter shall be construed as limiting the power of Council to enact any ordinance or resolution in conflict with the Constitution of the State or with the express provisions of this Charter.

### Section 45. Severability Clause.

Any section or part of a section of this Charter held invalid by a court of competent jurisdiction shall not affect the remainder.

### **CHARTER REVIEW PROCESS**

#### **Section 46. Charter Review Commission.**

During the month of September, 2007, and every ten years thereafter, the Council shall appoint nine electors of the City, holding no other office or employment with the City, as members of a Charter Review Commission to serve until their duties are completed. Council may appoint a Charter Review Commission at other times as needed. The members shall serve without compensation.

The Charter Review Commission shall, in meetings open to the public, review the Charter and no later than June 30 of the following year report its findings and conclusions to Council. Said report shall transmit recommended amendments, if any.

Council shall act upon any such proposed amendments to this Charter. Those proposed amendments upon which there is agreement between the Commission and Council shall be placed before the electors as provided for in this Charter.

#### **Section 47. Amendments.**

Proposed amendments to this Charter may be submitted to the electors of the City by a two-thirds vote of Council. Amendments shall be submitted by Council upon a petition, signed by at least ten percent of the number of electors voting at the last regular municipal election.

Any ordinance shall provide for the submission of any such amendments to the electors at the next regular municipal election, if one shall occur not less than 60 days nor more than 120 days after its passage. Otherwise an ordinance shall provide for the submission of the amendments at a special election to be called and held within said time. Not less than 30 days prior to such election the Clerk of Council shall advertise the proposed amendments according to State law. If such amendments are approved by a majority of the electors voting, the amendments shall become a part of the Charter at the time stated in the amendments. If no time is stated, such approved amendments shall take effect immediately upon certification of the election results.

#### **Section 48. Effective Date.**

Amendments to this Charter shall take effect on the 1st day of July, 2000.