

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0011

Sponsored by: County Executive FitzGerald	An Ordinance establishing that the person hired by the Department of Public Works to perform the duties declared by general law to be done by a County Engineer shall possess the credentials required of County Engineers by the Ohio Revised Code, which are currently that the County Engineer be both a registered professional engineer and a registered surveyor, licensed to practice in the State of Ohio, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Ohio Constitution, Section 10.03, permits the people of any county to frame and adopt or amend a charter affording the assumption of home rule powers;

WHEREAS, Section 10.03 of the constitution states that a county charter “shall provide for the exercise of all powers vested in, and the performance of all duties imposed upon counties and county officers by law” and also explicitly states that a county charter may “alter the form and offices of county government,” and,

WHEREAS, Section 1.01 of Charter of the Cuyahoga County states that the County is responsible within its boundaries for the exercise of all powers vested in and the performance of all duties imposed upon counties and county officers by general law; and,

WHEREAS, the Charter of Cuyahoga County places the duties of the former Office of the County Engineer within the Department of Public Works; and,

WHEREAS, the County Executive is recommending that an ordinance be passed requiring that the person hired by the Department of Public Works to perform the duties declared by general law to be done by a County Engineer shall possess the credentials that are required by the Ohio Revised Code, which are currently that the County Engineer be both a registered professional engineer and a registered surveyor, licensed to practice in the State of Ohio; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order to provide for the usual, daily operation of a County department.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. The person hired by the Department of Public Works to perform the duties declared by general law to be done by a County Engineer shall possess the credentials for a County Engineer that are required by the Ohio Revised Code, which are currently that the County Engineer be both a registered professional engineer and a registered surveyor, licensed to practice in the State of Ohio.

SECTION 2. It is necessary that this Ordinance become immediately effective in order to continue the usual and daily operation of the County. Provided that this Ordinance receives the affirmative vote of eight members elected to Council, this Ordinance shall become immediately effective upon the signature of the County Executive.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this 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, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Schron, seconded by Mr. Rogers, the foregoing Ordinance was duly enacted.

Yeas: Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones and Connally

Nays: None

County Council President _____
Date

County Executive _____
Date

Clerk of Council _____
Date