

ORDINANCE NO. 2013-3

**AN ORDINANCE
AMENDING SECTION 121.02 OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF WAITE HILL, OHIO, TO
PROVIDE REGULATIONS FOR THE PUBLICATION AND
POSTING OF VILLAGE ORDINANCES.**

WHEREAS, the Internet provides the opportunity for immediate and low cost distribution of information in a manner that has eclipsed other media; and

WHEREAS, Article III, Section 3.19, of the Charter of the Village of Waite Hill provides, in pertinent part: "The Council shall, by ordinance, make provision for *** the method of giving public notice of its ordinances and resolutions and any other of its acts or proceedings which it deems proper to publish, ***"; and

WHEREAS, the Council finds and determines that the posting of Village ordinances on the Village's website, which is accessible by anyone with an internet connection, will save the Village taxpayers money, while also making the information regarding the Village's business more transparent and accessible to the public.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAITE HILL, LAKE COUNTY, STATE OF OHIO:

SECTION 1. That existing Section 121.02, Posting and Publication, of the Codified Ordinances of Waite Hill, Ohio, be and the same hereby is amended to read as follows:

"121.02 PUBLICATION AND POSTING.

- (a) Publication. ~~Public notice of the passage of ordinances or resolutions by Council shall be made by posting a copy of the ordinance or resolution on the Village's website indefinitely, but for not less than thirty (30) days. The Clerk-Treasurer shall maintain evidence of the posting required herein, which may include an electronic time stamp, metadata of the website or other commonly used proof of the creation of an electronic record. Public notice of passage of ordinances or resolutions by Council shall be by title or caption only, without publishing the text thereof, in any newspaper of general circulation in the Village once each week for two consecutive weeks. However, †~~ This rule shall not apply to ordinances and resolutions required to be published in full by the mandatory provisions of the State Constitution. Nor shall this rule apply when ordinances are revised, codified, rearranged, published in book form and certified as correct by the Clerk of Council. In the latter case, such publication in book form shall be a sufficient publication. The ordinances so published under appropriate titles, chapters and sections, shall be held the same in law as though they had been published in a newspaper. ~~Such ordinances shall be made available for public~~

~~viewing in the office of the Clerk of Council, or such other Village office as the Clerk of Council shall designate.~~

- (b) Posting. In addition to publication ~~on the Village's website in a newspaper~~, the Clerk of Council shall cause an authenticated copy of each ordinance and resolution passed by Council to be posted on the Village Hall bulletin board for a period of one calendar month following such passage or adoption. The certificate of the Clerk of Council to the fact of such posting shall be conclusive evidence of the fact of such posting and any defect, error or omission in or of such posting shall not constitute any error in any proceeding involving such legislation. Such act of posting shall be for the convenience of the public."

SECTION 2. That existing 121.02 of the Codified Ordinances of Waite Hill, Ohio, and any ordinances in conflict herewith, be and are hereby repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the Village of Waite Hill.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2013

Council President

Submitted to the Mayor
for his approval on this
_____ day of _____, 2013

Approved by the Mayor

ATTEST: _____, 2013

Clerk-Treasurer

Mayor