

**ORDINANCE NO. 2019 - 56**

**AN ORDINANCE AMENDING SECTION 135.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED “ASSISTANT DIRECTORS: APPOINTMENT; DUTIES”, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kent wishes to amend Section 135.02 of the Codified Ordinances to allow for the elimination of the following language:

**135.02 ASSISTANT DIRECTORS: APPOINTMENT; DUTIES.**

(a) The Law Director is hereby authorized to appoint an Assistant Law Director whose primary function, duty and responsibility shall be the prosecution of all misdemeanor cases in Portage County Municipal Court; however, this Assistant Director shall perform any other duties assigned to him or her by the Law Director. The Assistant shall serve at the pleasure of the Law Director. Nothing herein contained shall prohibit or restrict the Law Director of this City from the prosecution of any misdemeanor case in the Portage County Municipal Court should he or she determine such prosecution is necessary or advisable.

~~(a) Should the Law Director also perform the functions, duties and responsibilities of the prosecution of all the misdemeanor cases filed under the Kent Codified Ordinances, he or she shall be entitled to all of the pay and benefits of the Law Director as established in the City's General Compensation Plan, and shall also be paid the wages of the Assistant Law Director/Prosecutor, which includes Public Employees Retirement System~~

(b) The Law Director is hereby authorized to appoint an Assistant Law Director whose primary function, duty, and responsibility shall be to advise the Planning Commission, Board of Zoning Appeals and Board of Health. The Assistant shall attend each meeting of the Planning Commission, Board of Zoning Appeals, and upon request, the Board of Health. The Assistant shall perform such other duties assigned him or her by the Law Director which shall include but not necessarily be restricted to discussion and consultation with City officials in their official capacities and the disposition of residents' complaints on matters not relating to criminal prosecution. The Law Director may assign this Assistant Law Director to the prosecution of misdemeanor cases in Portage County Municipal Court should he or she deem it necessary or advisable to do so. The Assistant shall serve at the pleasure of the Law Director.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (7) of all members elected thereto concurring:

**SECTION 1.** That Council does hereby amend Section 135.02 of the Codified Ordinances of the City of Kent titled “Assistant Directors: Appointment; Duties” in order to authorize the changes listed above.

**SECTION 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance 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 in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: May 15, 2019  
Date

J. Fiala  
Jerry T. Fiala

Mayor and President of Council

EFFECTIVE: May 15, 2019  
Date

ATTEST: Dawn Bishop  
Dawn Bishop  
Interim Clerk of Council

I, DAWN BISHOP, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE* No. \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

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DAWN BISHOP  
INTERIM CLERK OF COUNCIL