

# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2021-33

By Bick Skoczen Sponsored By Mayor Cyril M. Kleem

## AN ORDINANCE

### PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF BEREA, OHIO AN AMENDMENT TO THE CHARTER OF THE CITY OF BEREA BY AMENDING THE PREAMBLE, AND DECLARING AN EMERGENCY.

**BE IT ORDAINED** by the Council of the City of Berea, Cuyahoga County, Ohio, two-thirds of all members concurring:

**SECTION 1.** That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Section XVI, Item 4 of the Charter of the City of Berea, this Council hereby authorizes and directs the submission to the electors of the City of Berea at an election to be held at the usual places of voting in said City on the First Tuesday after the First Monday in November, 2021, the following proposal to amend the Charter of the City of Berea:

That the existing Charter PREAMBLE be amended to highlight that the choice of pronouns in the Charter reflects the inclusion of all genders and will read as follows:

#### PREAMBLE

In order that we may exercise our duties as responsible citizens to the full extent and secure for ourselves the full benefits of self-government available to us under the Constitution and laws of the State of Ohio, we, the people of the City of Berea, in the County of Cuyahoga and State of Ohio, do hereby adopt this Charter for the government of our City. Berea strives to be an inclusive and welcoming community. Whenever in this Charter the male gender pronoun is used, it is understood that it reflects and includes all gender pronouns.

**SECTION 2.** That if the foregoing proposal receives the affirmative vote of a majority of electors voting thereon, then the existing PREAMBLE shall be, and the same hereby is, amended, effective as of the date on which such amendment becomes effective.

**SECTION 3.** That it is the desire of the Council that the ballot for said question shall be in the following form:

#### PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall the PREAMBLE of the Charter of the City of Berea be amended by highlighting that when the use of the male gender pronoun is used therein, it is understood that it reflects and includes all gender pronouns?

Yes  
 No

**SECTION 4.** That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County on or before July 30, 2021.

**SECTION 5.** That the Board of Elections of Cuyahoga County, Ohio, shall cause an appropriate notice to be duly given of the elections to be held on November 2, 2021, on the foregoing amendment to the Charter of the City of Berea, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

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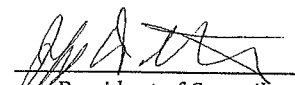
**SECTION 6.** That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published as set forth by law, with the first publication to be made at least fifteen days prior to the election to be held on November 2, 2021, as provided by Article XVIII, Section 9 of the Constitution of the State of Ohio and in Section 731.211 of the Ohio Revised Code.

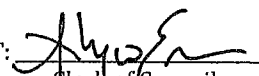
**SECTION 7.** That there is hereby appropriated from the general fund a sufficient sum of money to pay the costs of carrying out the authorizations and directions of this Ordinance.

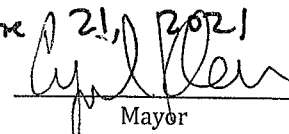
**SECTION 8.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and Chapter 109 of the Berea Codified Ordinances.

**SECTION 9.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that the City must act immediately for the purpose of consistency, clarity, and a standardization of City law. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage an approval by the Mayor; otherwise, from and after the earliest period allowed by law.

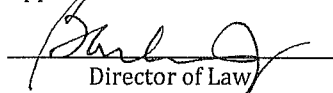
PASSED: June 21, 2021

  
President of Council

ATTEST:   
Clerk of Council

APPROVED: June 21, 2021  
  
Mayor

Approved as to Form:

  
Director of Law