

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading <u>X</u>	Waiver 3-Reading Rule <u>X</u>
ORDINANCE NO: 2026-5-1	Yes	Second Reading	Yes
INTRODUCED BY _____	No	Third Reading	No

**ORDINANCE AMENDING SECTIONS 145.02 AND 951.01 OF THE  
CODIFIED ORDINANCES TO CREATE COUNCIL MEMBERSHIP  
POSITIONS IN THE PARK ADVISORY COMMITTEE AND THE  
CEMETERY BOARD OF TRUSTEES; AND DECLARING AN  
EMERGENCY.**

**WHEREAS**, Council wishes to develop a closer relationship and understanding with the Park Advisory Committee and the Cemetery Board of Trustees; and

**WHEREAS**, to accomplish the foregoing, the foregoing bodies' membership shall include a member of Council.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Boston Heights, Summit County, Ohio, as follows:

**Section 1.** That Section 145.02 of the Codified Ordinances of the Village of Boston Heights be amended, with additions in bold and underlines and deletions being stricken and underlined, as follows:

(a) The Recreation Advisory Commission shall have not more than nine members who shall be appointed by the Mayor, **except for one member who shall be a Councilmember whom shall be appointed by a majority of Council.** The terms of the **non-Councilmember** Commission members shall be for a period of four years, with the exception of the year 1987, in which three members of the Commission shall be appointed for a term of four years, and four members of the Commission shall be appointed for a term of two years. Thereafter, all members of the Commission shall be appointed for a term of four years.

(b) In the event a **non-Councilmember Commission** member may be unable to serve his or her full term, the Mayor shall appoint a person to complete that term. If the Mayor fails to make an appointment within thirty days of the vacancy, Council shall then appoint a person to complete the term of the Commission member. **In the event a Councilmember Commission Member may be unable to serve his or her full term, a majority of Council shall appoint another Councilmember to serve as a member of the Commission.**

(c) The Mayor and the three members of the Lands and Buildings Committee of the Council shall sit as ex-officio members of the Recreation Advisory Commission. The ex-officio members shall attend meetings and may add their input, however,

they shall have no vote on the Recreation Advisory Commission, **except for any Councilmember who serves both on the Recreation Advisory Commission and as a member of the Lands and Buildings Committee of the Council.**

**Section 2.** That Section 951.01 of the Codified Ordinances of the Village of Boston Heights be amended, with additions in bold and underlines and deletions being stricken and underlined, as follows:

(a) The Board of Cemetery Trustees is hereby established. Such Board consists of three members, **one of whom shall be a Councilmember.** Each **non-Councilmember** member shall serve for a six-year term. Each **non-Councilmember** member shall be appointed by the Mayor, and approved by a majority of Council. **Said Councilmember shall be appointed by a majority of Council, who shall serve at the pleasure of Council until removed from the Board or vacates his/her position on Council.** At the first regular meeting of Council, each year in which a vacancy exists, the Mayor shall appoint one new member, biennially as the position becomes vacant.

(b) In the case of a vacancy in the Board of Cemetery Trustees by reason of death, disability or removal from office of a **non-Councilmember** member, the Mayor shall appoint a member to fill such vacancy. An appointment to fill a vacancy shall be made at the first meeting of Council after such vacancy has been brought to the attention of the Mayor and Council. **In the case of a vacancy in the Board of Cemetery Trustees by reason of death, disability or removal from office of the Councilmember member, the vacancy shall be filled by a majority of Council**

(c) The Mayor may remove from office any **non-Councilmember** member of the Board of Cemetery Trustees for misconduct, neglect of duty or malfeasance in office.

**Section 3.** That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

**Section 4.** That it is found and determined that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 5.** That this Ordinance is hereby declared to be an emergency measure necessary to allow for the expeditious and efficient use of time and taxpayer resources, and preservation of the public peace, health, safety of the Village residents, and shall, therefore, take effect and be enforced from and immediately after its passage.

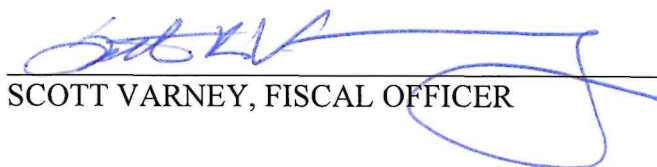
PASSED:



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DAVID MACCARONE, COUNCIL PRESIDENT PRO TEMPORE

ATTEST:

I, Scott Varney, Fiscal Officer and Clerk of the Council for the Village of Boston Heights, Summit County, Ohio, do hereby certify that the foregoing **Ordinance 2026-5-1** duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this **12<sup>th</sup> day of May, 2026**.



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SCOTT VARNEY, FISCAL OFFICER

