

ORIGINAL

IN THE SUPREME COURT OF OHIO
ORIGINAL ACTION FOR A WRIT OF QUO WARRANTO

STATE *ex rel.*,)
PAUL CALVARUSO,)
et al.,)
Relators,)
v.)
CHARLES BROWN)
Respondent.)

CASE NO: 2013-0280

STIPULATION, JOINT STATEMENT OF FACTS
AND
JOINT EXHIBITS

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RECEIVED
JUN 25 2013
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SUPREME COURT OF OHIO

FILED
JUN 25 2013
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SUPREME COURT OF OHIO

STIPULATION

- 1) By agreement of Relators Paul Calvaruso, Elizabeth A. Daugherty, Michael G. Prebonick, Martha L. Sullivan, Sylvia D. Trundle and Daniel D. Zampelli; Respondent Charles Brown; and, Intervenor City of Akron, (Collectively hereinafter "Parties"), all social security information, home addresses, personal phone numbers and other information precluded from disclosure under Ohio's Public Records Act (R.C. 149.43), shall be redacted from exhibits filed with the Court.

JOINT STATEMENT OF FACTS

Supreme Court Rule of Practice 12.06 states "counsel should submit, when possible, an agreed statement of facts to the Supreme Court." The Parties reserve the right to submit additional facts, but agree to the following facts:

- 1) Relator Calvaruso is an employee of the City of Akron ("City") and a Captain in the Akron Police Department.
- 2) Relator Daugherty is an employee of the City and a Captain in the Akron Police Department.
- 3) Relator Prebonick is an employee of the City and a Captain in the Akron Police Department.
- 4) Relator Sullivan is an employee of the City and a Captain in the Akron Police Department.
- 5) Relator Trundle is an employee of the City and a Captain in the Akron Police Department.

- 6) Relator Zampelli is an employee of the City and a Captain in the Akron Police Department.
- 7) Intervenor City is a municipal corporation and has a Charter form of government.
- 8) On or about January 12, 2013, Respondent Brown resigned from his position as a Police Lieutenant, which is a sworn classified civil service position within the Police Department and within the Chain of Command between the ranks of Police Captain and Police Sergeant. (Jt. Ex. J).
- 9) After Mr. Brown's resignation, and pursuant to Section 105 of the City Charter, the Mayor of Akron appointed Mr. Brown to the unclassified position of Assistant to the Mayor, effective January 13, 2013.
- 10) Mr. Brown also became a sworn reserve Police Officer for the City on January 13, 2013 and continues to be a member of the Ohio Police and Fire Pension Fund ("OP&F"). (Jt. Ex. K and L).
- 11) Since his appointment as an Assistant to the Mayor, Mr. Brown has been referred to as "Assistant Chief of Police."
- 12) Chief James Nice is currently the City's Chief of Police and has held that position since on or about June 6, 2011.
- 13) From time to time, Chief Nice has issued Chief's Directives designating a Police Captain as Acting Chief of Police during his temporary absences.

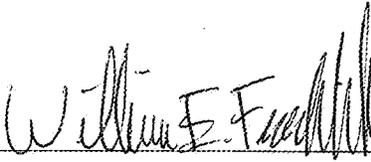
- 14) On or about February 5, 2013, Chief Nice issued Directive 2013- CD- 11, which stated, “During my absence from 5 PM Monday, February 11, 2013 through 5 PM Friday, February 15, 2013, Assistant Chief Charles Brown will be Acting Chief of Police.” (Jt. Ex I).
- 15) The Division of Police has a seniority list of sworn officers in the classified service. Such list is known as the “S-List” and is modified as needed.

JOINT EXHIBITS

Further, the Parties stipulate to the following Joint Exhibits attached and incorporated herein:

Jt. Ex. A	The Charter of the City of Akron.
Jt. Ex. B	Akron City Ordinance 409-2012.
Jt. Ex. C	The Akron Police Department Rules and Regulations.
Jt. Ex. D	The Akron Civil Service Commission’s job description for Police Deputy Chief.
Jt. Ex. E	“Assistant Chief of Police Summary of Job Duties.”
Jt. Ex. F	The Akron Police Department “S-List” as issued January 17, 2013.
Jt. Ex. G	Correspondence from FOP 7’s attorney to the City’s Director of Labor Relations, dated January 18, 2013.
Jt. Ex. H	The Akron Police Department “S-List” as issued January 22, 2013.
Jt. Ex. I	Directive 2013-CD-11 from Chief of Police James Nice dated February 5, 2013.
Jt. Ex. J	Charles Brown’s resignation letter to Mayor Don Plusquellic, Chief Nice and others dated January 8, 2013.
Jt. Ex. K	Charles Brown’s reserve officer oath.
Jt. Ex. L.	Charles Brown’s Notice of Peace Officer Appointment as a reserve officer, effective January 13, 2013.

Respectfully submitted,



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Per Consent 6/21/13 WEF

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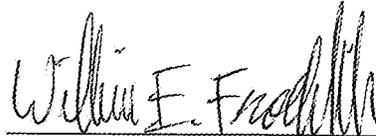
Counsel for Respondent and Intervenor

CERTIFICATION OF SERVICE

I hereby certify that a copy of the foregoing STIPULATION, JOINT STATEMENT OF FACTS AND JOINT EXHIBITS and accompanying exhibits and affidavits were served via email and regular U.S. Mail on this 24TH day of June, 2013, upon the following:

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Counsel for Respondent and Intervenor



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Counsel for Relators

JOINT EXHIBIT A

Akron, Ohio, Code of Ordinances >> CHARTER OF THE CITY OF AKRON, OHIO >>

CHARTER
OF THE CITY OF
AKRON, OHIO

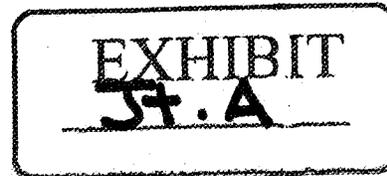
AKRON, OHIO
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Editor's note:

Changes to the Charter are indicated by histories following the changed sections. Unless so indicated, the sections derive unchanged from the Charter adopted November 5, 1918, and effective January 1, 1920. Dates appearing in parentheses following a section heading indicate that those provisions were subsequently amended, adopted or repealed on the date given.

Section

CHARTER OF THE CITY OF AKRON, OHIO
PREAMBLE
CORPORATE POWERS, RIGHTS, AND PRIVILEGES
NOMINATIONS AND ELECTIONS
REMOVAL OF ELECTIVE OFFICERS BY RECALL
INITIATIVE AND REFERENDUM
THE COUNCIL
FRANCHISES
THE MAYOR
DEPARTMENT OF LAW
DEPARTMENT OF PUBLIC SERVICE
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF SOCIAL SERVICE
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Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> CHARTER OF THE CITY OF AKRON, OHIO >>

CHARTER
OF THE CITY OF
AKRON, OHIO

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> PREAMBLE >>

PREAMBLE

We, the people of the City of Akron, under the authority of the Constitution of Ohio, do ordain and establish this Charter for the City of Akron.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> CORPORATE POWERS, RIGHTS, AND PRIVILEGES >>

CORPORATE POWERS, RIGHTS, AND PRIVILEGES

SECTION 1. - NAME, BOUNDARIES, AND POWERS.

SECTION 2. - INTERGOVERNMENTAL COOPERATION.

SECTION 1. - NAME, BOUNDARIES, AND POWERS.

The inhabitants of the City of Akron, as its limits now are, or may hereafter be, shall be a body politic and corporate by name The City of Akron, and as such shall have perpetual succession; may use a corporate seal; may sue and be sued; may acquire property in fee simple or lesser interest or estate by purchase, gift, devise, appropriation, lease, or lease with privilege to purchase, for any Municipal purpose; may sell, lease, hold, manage, and control such property, and make any and all rules and regulations by ordinance or resolution which may be required to carry out fully all the provisions of any conveyance, deed, or will, in relation to any gift or bequest, or the provisions of any lease by which it may acquire property; may acquire, construct, own, lease and operate and regulate public utilities; may assess, levy and collect taxes for general and special purposes on all the subjects or objects which the City may lawfully tax under the provisions of this Charter; may levy and collect assessments for local improvements; may borrow money on the faith and credit of the City by the issue or sale of bonds or notes of the City; may appropriate the money of the City for all purposes lawful under the provisions of this Charter; may create, provide for, construct, regulate and maintain all things of the nature of public works and improvements; may license and regulate persons, corporations and associations engaged in any business, occupation, profession or trade; may define, prohibit, abate, suppress and prevent all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City, and all nuisances and causes thereof; may do all things necessary to promote the health, convenience, comfort and welfare of its citizens and advance the moral, social, physical and intellectual standard of its citizenship, and for such purposes it may exercise any or all of the power conferred in this section; may regulate and limit the height and bulk of buildings hereafter erected, and may regulate and prescribe the construction and the material used in all buildings, and the maintenance and occupancy thereof and regulate and determine the area of yards, courts, and other open places, and may divide the City into districts of such number, space and area as may be deemed best suited to carry out these purposes; may regulate and restrict the location of trades and industries, and the location of buildings designed for specified uses, and may divide the City into districts of such number, shape and area as may be deemed best suited to carry out these purposes; may regulate and control the use, for whatever purposes, of the streets and other public places; may create, establish, abolish and organize offices and fix the salaries and compensations of all officers and employees; may make and enforce local police, sanitary and other regulations; may pass such ordinances as may be expedient for maintaining and promoting the

peace, good government and welfare of the City, and for the performance of the functions thereof. The City shall have all powers that now are, or hereafter may be granted to municipalities by the Constitution or laws of Ohio; and all powers, whether expressed or implied, shall be exercised and enforced in the manner prescribed by this Charter, or when not prescribed herein, in such manner as shall be provided by ordinance or resolution of the Council, and when not prescribed by this Charter or amendments thereto, or ordinance of Council, then said powers shall be exercised in the manner prescribed by the State law.

SECTION 2. - INTERGOVERNMENTAL COOPERATION.

In order to save taxpayers money by creating greater efficiency or effectiveness in the management and operations of government, the City may enter into agreements with other governmental entities to provide or receive services, upon approval of City Council, notwithstanding any other provisions of this Charter.

(Ordinance 112-10)

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> NOMINATIONS AND ELECTIONS >>

NOMINATIONS AND ELECTIONS

SECTION 3. - TIME OF HOLDING ELECTIONS.

SECTION 4. - NOMINATIONS.

SECTION 5. - CAMPAIGN FINANCE REFORM.

SECTIONS 6 THROUGH 11. -

SECTION 12. - CORRUPT PRACTICES.

SECTION 3. - TIME OF HOLDING ELECTIONS.

A general election for the choice of elective officers provided for in this Charter shall be held on the first Tuesday after the first Monday of November in odd numbered years. Elections so held shall be known as regular Municipal elections. Such other elections shall be held as may be required by law or provided for in this Charter. Any matter which by the terms of this Charter may be submitted to the electors of the City at any special election may be submitted at the time of a primary election or of a regular election. Except as otherwise provided in this Charter, all elections shall be held and conducted and the results thereof ascertained and certified as provided by the general laws of the State and by the election authorities therein provided for.

(Ordinance 112-10)

SECTION 4. - NOMINATIONS.

Candidates for all offices to be voted for at any municipal election under the provisions of this Charter shall be nominated at a primary election to be held on the eighth Tuesday prior to such municipal election; the method of nomination and procedures for the same shall be in conformity with the state law on the subject of nominations for public office, and the results certified in like manner.

(Ordinance 112-10)

SECTION 5. - CAMPAIGN FINANCE REFORM.

To promote ethics and good government, the City of Akron Council shall enact campaign finance and ethics regulations within ninety (90) days of passage of this charter amendment which shall contain contribution limits of \$200 for ward candidates and \$450 for city-wide candidates. Council shall review and amend, if necessary, the contribution limits every two years beginning in 2012 and continuing in each even-numbered year. Each such review shall include a public hearing to obtain public comment regarding campaign finance.

(Repealed; V 42 p 331; Approved by voters Aug. 14, 1934)

SECTIONS 6 THROUGH 11.

(Repealed; V 42 p 331; Approved by voters Aug. 14, 1934)

SECTION 12. - CORRUPT PRACTICES.

All of the laws of the State of Ohio defining, prohibiting and punishing corrupt practices in connection with elections, and in connection with the signing of nomination petitions, and in connection with the circulation and signing of initiative, supplementary and referendum petitions, shall be in full force and effect. Said laws shall also apply to any recall election that may be held under the provisions of this Charter and to the signing and circulation of petitions for the holding of such election, and to the signing and circulation of petitions for the nominations of candidates to be voted for at such election.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> REMOVAL OF ELECTIVE OFFICERS BY RECALL >>

REMOVAL OF ELECTIVE OFFICERS BY RECALL

SECTION 13. - PROCEDURE.

SECTION 14. - WHEN EXPENSES OF OFFICER IN RECALL ELECTION SHALL BE REPAID.

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SECTION 13. - PROCEDURE.

Any elective officer of the City may be removed from office by recall. The procedure to effect such removal shall be as follows:

1. A petition signed by qualified electors equal in number to at least twenty (20) percent of qualified electors who were registered to vote in the City at the last preceding general municipal election for the office subject to recall, and demanding the election of a successor to the person sought to be removed, shall be filed with the Clerk of Council. Such petition, and each petition paper, shall contain a general statement, in not more than two hundred words, of the grounds upon which removal is sought. The Clerk of Council shall not accept for filing any petition which does not purport to contain a circulator's affidavit and at least the minimum number of signatures required for the holding of a recall election.

2. Petition papers shall be procured only from the Clerk of the Council, who shall keep a sufficient number thereof on file for the use as herein provided. Prior to the issuance of such petition papers an affidavit shall be made by one or more qualified electors of the City and filed with the Clerk, stating the name and office of the officer sought to be removed. The Clerk, upon issuing any such petition paper, shall enter, in a record to be kept in his office, the name of the elector to whom issued, the date of such issuance, and the number of papers issued, and shall certify upon each paper the name of the elector to whom issued and the date of issuance. No petition paper so issued shall be accepted as part of a petition unless it bears such certificate of the Clerk and unless it is filed as provided in this section.
3. Such petition shall be addressed to the Council, and each signer must be an elector of the City. Signatures shall be in ink or indelible pencil. With each signature shall be stated the place of residence of the signer, giving the street and number. Such signatures need not all be on one paper. A person shall be designated in such petition to receive the same in case of return thereof by the Clerk of Council for insufficiency thereof, as hereinafter provided in this section. The circulator of every such paper shall make affidavit thereto, under penalty of election falsification, which affidavit shall contain a statement of the number of signers of such paper, that the affiant witnessed the affixing of every signature, and that, to the best of the affiant's knowledge and belief, each of the signatures contained on such paper is the genuine signature of the person whose name it purports to be, that such persons are electors of the City, and that they signed such petition with the knowledge of the contents thereof. All such papers for the removal of any one officer shall be fastened together and be filed as one instrument within fifty (50) days after the filing with the Clerk of the affidavit stating the name and office of the officer sought to be removed. The Clerk of Council, within ten (10) business days after the filing of such petitions, shall determine the sufficiency of such petition and attach thereto a certificate showing the result of his examination. If the Clerk shall certify that the petition is insufficient, he shall set forth in the certificate the particulars in which the petition is defective, and shall return a copy of the certificate to the person designated in such petition to receive it.
4. No change may be made to the petition after filing with the Clerk except that any person who signs the petition may request in writing, in the presence of the Clerk, the removal of his or her signature at any time before submission of the Clerk's certificate to Council.
5. If the Clerk of Council shall determine that the petition is sufficient, he shall at once submit the same with his certificate to the Council at the next meeting of Council and forthwith notify the officer sought to be recalled of such action. If the officer whose removal is sought shall not resign within five (5) business days after such notice, the Council shall thereupon by order fix a day for holding a recall election. Such election shall be held not less than forty (40) nor more than sixty (60) days after the petition has been submitted to the Council as aforesaid, at the time of holding any general or special election held within such period, but if no such election shall be held within such period, the Council shall order a special recall election to be held within the time aforesaid.
6. The Clerk of Council shall forthwith transmit a duly certified copy of such order to the Director of the Board of Elections of Summit County, Ohio, or the successor to this position. The election authorities shall cause publication of notice and all arrangements to be made for holding such election, and the same shall be conducted and the result thereof returned and declared in all respects as are the results of general municipal elections.
7. Each ballot at such election shall have printed thereon the following question: "shall (name of person) be removed from the office of (name of office) by recall?" immediately

following such question, there shall be printed on the ballot the following two propositions in following order:

"for the recall of (name of person)."

"against the recall of (name of person)."

Immediately to the left of each of said propositions shall be a space in which the elector may vote for either of such propositions.

- 8. If a majority of the votes cast on the question of recalling any elective officer shall be against the recall, the elected officer shall continue in office for the remainder of his unexpired term, but subject to recall as before. If a majority of such votes be for the recall of the elected officer on the ballot, then the elected officer shall be deemed removed from office upon the announcement of the official canvass of such elections.
- 9. When a person is removed from office by recall, the person removed by recall shall not be permitted to serve as successor for the unexpired term. Council shall immediately provide for the nomination and election of the successor for the unexpired term by fixing the time of the election. The nomination and election of a person to succeed a person so removed shall be made by nominating petition, primary election and election of the successor. Petitions shall be filed with the election authorities aforesaid at least twenty-five (25) days prior to such primary election. No petition for recall of any elected official shall be submitted to the Clerk of Council until the officer shall have served at least six (6) months of the term within which the recall is sought. No petition for recall of any elected official shall be submitted during the last six (6) months of the official's term of office. No petition for recall of any elected official who has already been subject to an unsuccessful recall election may be obtained from the Clerk of Council until at least six (6) months after the date of the previous recall election.

(Repealed by ordinance 11-1-80; Amendment adopted by electorate 11-3-80; Amendment adopted by electorate 11-3-80; Amendment adopted by electorate 11-3-80)

SECTION 14. - WHEN EXPENSES OF OFFICER IN RECALL ELECTION SHALL BE REPAYED.

(Repealed; Amendment adopted by electorate 11-4-80)

SECTION 15. - REMOVAL BY RECALL IS IN ADDITION TO OTHER METHODS OF REMOVAL.

The method of removal herein provided is in addition to such other methods as may be provided by law for the removal of officers of cities.

SECTION 16. - RULE OF CONSTRUCTION.

(Repealed 1-81 // 107 Approved by voters Nov. 6, 1985)

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> INITIATIVE AND REFERENDUM >>

INITIATIVE AND REFERENDUM

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SECTION 25. - REFERENDUM NOT TO APPLY.

SECTION 26. - ENACTMENT OR REPEAL BY COUNCIL.

SECTION 17. - MANNER OF EXERCISE OF INITIATIVE.

Ordinances and resolutions providing for the exercise of any and all powers of government granted by the Constitution or now delegated or hereafter to municipal corporations by the General Assembly, may be proposed by initiative petition. Such initiative petition must contain the signatures of not less than seven (7) percent of the electors of the City. The full text of the proposed ordinance or resolution shall be set forth in such initiative petition. Initiative petitions shall be filed with the Clerk of Council. The Clerk of Council shall not accept for filing any petition which does not purport to contain at least the minimum number of signatures required for submission of the proposed law or amendment for the approval or rejection of the electors. The proposed ordinance or resolution shall be submitted for the approval or rejection of the electors of the City at the next succeeding general election occurring subsequent to sixty (60) days after such initiative petition is found to be sufficient by the Clerk of the Council as hereinafter provided.

Section 17.01 of the City of Chakoh, Alaska, as amended by Ordinance 13-7-06, Municipal Code Chapter 17.01.

SECTION 18. - WHEN ORDINANCES AND RESOLUTIONS SHALL BECOME EFFECTIVE.

No ordinance or resolution shall go into effect until thirty days after it shall have been passed by the Council, except as hereinafter provided.

SECTION 19. - REFERENDUM, HOW ORDERED AND WHEN HELD.

Referendum petitions shall be filed with the Clerk of Council. The Clerk of Council shall not accept for filing any petition which does not purport to contain at least the minimum number of signatures required for submission of the referendum for the approval or rejection of the electors. When a petition signed by seven (7) percent of the electors of the City shall have been filed with the Clerk of the Council within fifty (50) days after an ordinance or resolution shall have been passed by the Council ordering that such ordinance or resolution be submitted to the electors of the City for their approval or rejection and said petition is found to be sufficient by the Clerk of the Council, as hereinafter provided, the election officer, officers or board having control of elections in the City shall cause such ordinance or resolution to be submitted to the electors of the City for their approval or rejection at the next succeeding general election in any year occurring subsequent to sixty (60) days after the Clerk of the Council finds such petition to be sufficient as hereinafter provided. No such ordinance shall go into effect until and unless approved by the majority of those voting upon the same. Nothing in this article shall prevent the City, after the passage of any ordinance or resolution, from proceeding at once to give any notice or make any publication required by such ordinance or resolution.

(Amendment adopted by electorate 11-4-80; Amendment adopted by electorate 11-7-00; Amendment adopted by electorate 11-2-10)

SECTION 20. - APPLICATION OF REFERENDUM.

Any ordinance or resolution passed by the Council shall be subject to referendum except as hereinafter provided. Whenever the Council is by law required to pass more than one (1) ordinance or resolution to complete the legislation necessary to make and pay for any public improvement, the provisions of Sections 17 to 26, inclusive, in this Charter shall apply only to the first ordinance or resolution required to be passed and not to any subsequent ordinances or resolutions relating thereto. Ordinances or resolutions providing for appropriations for the current expenses of the City, or for street improvements petitioned for by the owners of the majority of the feet front of the property benefited and to be specially assessed for the cost thereof, and emergency ordinances or resolutions necessary for the immediate preservation of the public peace, health or safety shall go into immediate effect, or at the time stated in the ordinance. Such emergency ordinances or resolutions must, upon a "Yea" and "Nay" vote, receive the vote of two-thirds of all the members of the Council, and the reasons for such necessity shall be set forth in one (1) section of the ordinance or resolution. If, when submitted to a vote of the electors, an emergency measure be not approved by a majority of those voting thereon, it shall be considered repealed as regards any further action thereunder, and all rights and privileges conferred by it shall be null and void; provided, however, that such measure so repealed shall be deemed sufficient authority for any payment made or expense incurred in accordance with the measure previous to the referendum vote thereon. The provisions of Sections 17 to 26, inclusive, of this Charter shall apply to pending legislation provided for any public improvement.

(Amendment adopted by electorate 11-4-80)

SECTION 21. - THE PETITION—REQUIREMENTS, CONSTRUCTION, AND EFFECT OF ELECTION.

Any initiative or referendum petition may be presented in separate parts, but each part shall contain a full and correct copy of the title and text of the ordinance or resolution proposed or sought to be referred. Each signer of an initiative or referendum petition shall sign his name in ink or indelible pencil. Each signer of an initiative or referendum petition must be an elector of the City. With each signature shall be stated the place of residence of the signer, giving the street and number. Each part of such petition shall contain the affidavit of the person soliciting the signatures to the same, which affidavit shall contain a statement of the number of signers of such part of such petition, that the affiant witnessed the affixing of every signature and that, to the best of the affiant's knowledge and belief, each of the signatures contained on such part is the genuine signature of the person whose name it purports to be, that such persons are electors of the City, and that they signed such petition with the knowledge of the contents thereof. The petitions and signatures upon such petitions shall be prima facie presumed to be in all respects sufficient. No ordinance or resolution submitted to the electors of the City, and receiving an affirmative majority of the votes cast thereon, shall be held ineffective or void on account of the insufficiency of the petitions by which such submission of the same shall have been procured; nor shall the rejection by a majority of the votes cast thereon of any ordinance or resolution submitted to the electors of the City be held invalid for such insufficiency. The basis upon which the required number of petitioners in any case shall be determined shall be the total number of qualified electors registered to vote at the last general municipal election.

(Amendment adopted by electorate 11-4-80; Amendment adopted by electorate 11-7-00; Amendment adopted by electorate 11-2-10)

SECTION 22. - DUTIES OF CLERK OF COUNCIL.

Within ten (10) business days after the filing of any initiative or referendum petition the Clerk of the Council shall determine the sufficiency of such petition and attach thereto a certificate showing the result of his examination. If the Clerk shall certify that the petition is insufficient he shall set forth in the certificate the particulars in which the petition is defective and shall return a copy of the certificate to the person designated in such petition to receive it.

If the Clerk of the Council shall determine that the petition is sufficient, he shall submit the same with his certificate to the Council at the next meeting of Council. No change may be made to the petition after filing with the Clerk except that any person who signs the petition may request in writing, in the presence of the Clerk, the removal of his or her signature at any time before submission of the Clerk's certificate to Council.

The Council shall thereupon order that the ordinance or resolution proposed or sought to be referred be submitted to the qualified electors of the City for their approval or rejection at an election to be held as here prescribed. The Clerk of Council shall forthwith transmit a duly certified copy of such order to the Director of the Board of Elections of Summit County, Ohio or the successor to this position. The election authorities shall cause publication of notice and all arrangements to be made for holding such election, and the same shall be conducted and the result thereof returned and declared in all respects as are the results of general municipal elections.

(Amendment adopted by electorate 11-4-80; Amendment adopted by electorate 11-7-00; Amendment adopted by electorate, 11-2-10)

SECTION 23. - INITIATIVE AND REFERENDUM BALLOTS.

The ballots used when voting upon any measure proposed by initiative petition or referred by referendum petition shall state the title of the ordinance or resolution and shall also contain a statement in clear and concise language descriptive of the substance of such ordinance or resolution, and below such statements the two propositions, "For the Ordinance" (or Resolution, as the case may be), and "Against the Ordinance" (or Resolution, as the case may be). Immediately at the left of each proposition there shall be a space in which the voter may vote for or against the proposed measure. If a majority of the electors voting on any such measure shall vote in favor thereof, it shall thereupon become an ordinance or resolution of the City. The statement descriptive of the substance of the ordinance or resolution to be placed on the ballot shall be drawn by the Director of Law and by him furnished to the election authorities having charge of the printing of the ballots.

(Amendment adopted by electorate 11-4-80)

SECTION 24. - CONFLICT OF REFERRED MEASURES.

If two or more ordinances or resolutions adopted or approved at the same election conflict in respect to any of their provisions, they shall go into effect in respect to such of their provisions as are not in conflict, and the one receiving the highest affirmative vote shall prevail insofar as their provisions conflict.

SECTION 25. - REFERENDUM NOT TO APPLY.

The following ordinances and measures shall not be subject to the referendum but shall go into effect either immediately or at the time indicated therein, as Council may determine:

- (a) Annual appropriation ordinances.
- (b) Ordinances or resolutions providing for the approval or disapproval of appointments or removals and appointments or removals made by Council.
- (c) Actions by Council on the approval of official bonds.
- (d) Ordinances or resolutions providing for the submission of any proposition to the vote of the electors.
- (e) Ordinances providing for street improvements petitioned for by owners of a majority of the feet front of the property benefited and to be specially assessed for the cost thereof.

SECTION 26. - ENACTMENT OR REPEAL BY COUNCIL.

If at any time before an election is held submitting an ordinance or resolution proposed by initiative petition the Council shall pass such ordinance or resolution, then no such election shall be held. If at any time before an election is held referring an ordinance by referendum petition for approval or rejection of the electors the Council shall repeal such ordinance then no such election shall be held.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> THE COUNCIL >>

THE COUNCIL

SECTION 27. - CREATION OF THE COUNCIL.

SECTION 28. - COMPOSITION OF COUNCIL, TERMS, SALARIES AND VACANCIES.

SECTION 28a. - REDISTRICTING.

SECTION 29. - QUALIFICATIONS OF COUNCILMEN.

SECTION 30. - POWERS OF COUNCIL.

SECTION 30a. - REGULATION OF REAL PROPERTY RIGHTS.

SECTION 31. - CREATION AND DISCONTINUANCE OF OFFICES.

SECTION 31a. - COMPENSATION FOR BOARDS AND COMMISSIONS.

SECTION 32. - QUORUM, OFFICERS, CLERK.

SECTION 33. - MEETINGS OF COUNCIL.

SECTION 34. - PROCEDURE OF COUNCIL.

SECTION 34a. - CERTAIN ZONING MEASURES; NOTICE, PETITIONS, MANNER OF APPROVAL.

SECTION 35. - EMERGENCY MEASURES.

SECTION 36. - LIMITATIONS ON APPROPRIATIONS.

SECTION 37. - INVESTIGATIONS BY COUNCIL.

SECTION 38. - RECORD AND PUBLICATION OF ORDINANCES AND OTHER MATTERS.

SECTION 27. - CREATION OF THE COUNCIL.

There is hereby created a Council which shall have full power and authority, except as otherwise herein provided, to exercise all the powers which now are or may be hereafter conferred upon municipalities by the Constitution of Ohio, and all the powers conferred upon the City of Akron by this Charter, and any additional powers which have been or may be conferred upon municipalities by the General Assembly.

SECTION 28. - COMPOSITION OF COUNCIL, TERMS, SALARIES AND VACANCIES.

1. The Council shall consist of thirteen (13) members, ten (10) of whom shall be elected by wards and three (3) of whom shall be elected by the electors of the City at large. All Councilmen shall have resided in the City of Akron for at least one year next preceding their election, and each ward Councilman shall have resided in his ward for at least one year next preceding his election. A vacancy in the Council shall be caused by the change of residence of a Councilman-at-large from the City, or a ward Councilman from his ward. One member of Council shall be elected from each ward.

2. Commencing with the regular Municipal election to be held in November, 1969, and thereafter each Councilman-at-large shall be elected for a four year term. The term of each ward Councilman shall be two years. The term of each Councilman shall commence on the first day of January following his election, and shall continue until his successor is elected and qualified. The salary of members of Council shall be fixed by the Council by ordinance.

3. The recall of any Councilman from a ward shall be as provided in the present Charter of the City for the recall of officers except that the petition for recall shall be signed only by the electors of the ward in which the Councilman sought to be recalled resides, and shall be equal in number to at least twenty (20) percent of qualified electors in such ward who were registered to vote in the last preceding general municipal election.

4. a.1 Upon a vacancy in the office of any Councilman where one-half or less of said term is remaining, the members of Council shall elect a qualified individual to serve the remainder of the term.
- a.2 Upon a vacancy in the office of any Councilman where the unexpired term is greater than one-half of the regular term the vacancy shall be filled, and nominees for such office selected, by elections held at the same time and in the same manner as the next regularly scheduled primary and general elections at which all electors of the City are eligible to vote.
- b. If the period of time between the occurrence of a vacancy in the office of any Councilman and the next regularly scheduled primary elections at which all electors of the City are eligible to vote be greater than sixty (60) days, the members of Council shall, within thirty (30) days of the occurrence of such vacancy, elect a qualified person to fill such vacancy to serve until the remainder of the unexpired term created by such vacancy is filled in the manner specified in Section 28(4)a.1, a.2. If Council, when permitted, fails within thirty (30) days to fill such vacancy, the Mayor shall fill it by appointment.

SECTION 28a. - REDISTRICTING.

At least after each recurring Federal census, but more often if Council finds it necessary because of population changes, the Council shall subdivide the City into ten wards, bounded as far as practicable by streets, alleys, canals, corporation lines, railroads, and/or census block lines, and composed of adjacent and compact territory and as nearly equal in population as practicable.

SECTION 29. - QUALIFICATIONS OF COUNCILMEN.

Members of the Council shall be electors of the Municipality. They shall not hold any other

public office except as a notary public or in connection with the State military service and shall not be interested in the profits or emoluments of any contract, job, work or service for the Municipality. Any member who shall cease to possess any of the qualifications herein required shall forthwith forfeit his office; and any such contract in which any member is or may become interested may be declared void by the Council. Any member of Council who shall have been convicted of a felony while in office shall thereby forfeit his office. Each Councilman shall take the oath of office not later than the last Council meeting in December following his election.

(V 97 p 427. Approved by voters Sept. 12, 1967)

SECTION 30. - POWERS OF COUNCIL.

The Council shall be the judge of the election of its own officers. Except as otherwise provided herein, and as restricted by law, the Council shall determine its own rules of procedure, keep a record of its proceedings, and discipline any member for disorderly conduct or violation of its rules.

Neither the Council nor any of its committees or members shall dictate or attempt to dictate, either directly or indirectly, the appointment of any person to office or employment by the Mayor, or in any manner interfere with the Mayor or prevent him from exercising his own judgment in the appointment of officers and employees in the administrative service.

Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the Mayor or his designates and neither the Council nor any member thereof shall give orders to any of the subordinates of the Mayor either publicly or privately.

(V 97 p 487. Adopted by voters Sept. 12, 1967) (Amendment approved by electorate 11-4-80)

SECTION 30a. - REGULATION OF REAL PROPERTY RIGHTS.

(V 99 p 33. Approved by voters Nov. 1964) (Repealed. Amendment adopted by electorate 11-4-80)

SECTION 31. - CREATION AND DISCONTINUANCE OF OFFICES.

Except as otherwise provided in this Charter, the Council shall have authority, by two-thirds vote of its entire membership, to create new departments, offices and employments, and continue or abolish existing departments, offices and employments, or establish temporary departments for special work; to appoint or provide for the appointment of all officers and employees of the Municipality whose appointment is not otherwise provided for; to remove any such officer or employee by a majority vote of all members when such removal is not otherwise provided for, and by ordinance or resolution to prescribe, limit or change the compensation of all officers and employees.

SECTION 31a. - COMPENSATION FOR BOARDS AND COMMISSIONS.

Council may by ordinance provide compensation for all Boards or Commissions, except as otherwise provided in this Charter.

(Amendment adopted by electorate 11-4-80)

SECTION 32. - QUORUM, OFFICERS, CLERK.

A majority of all the members of the Council shall constitute a quorum to do business, but a less number may adjourn from time to time, and compel the attendance of absent members in such a manner and under such penalties as may be prescribed by ordinance.

The Council shall elect from its members a President, a Vice President, a President Pro-Tempore, and such other officers as may be deemed necessary.

The Council shall be the appointing authority in the employment in the classified service of a Clerk and such other employees as it may require.

The Clerk shall keep the records of the Council and perform such other duties as are required of him by this Charter, and as may be required by ordinance or resolution.

(V 97 p 487. Approved by voters Sept. 12, 1967; Amendment adopted by electorate 11-4-86)

SECTION 33. - MEETINGS OF COUNCIL.

The Council shall meet at such times as may be prescribed by ordinance or resolution. The Mayor, the President of Council, or any two members thereof, may call special meetings of the Council upon at least twelve hours' written notice to each member of the Council, served personally on each member or left at his usual place of residence. Any such notice shall state the subjects to be considered.

Meetings of the Council or committees thereof shall be public except as otherwise permitted by this charter. Any citizen shall have access to the minutes and records of the public meetings at all reasonable times.

(V 97 p 487. Approved by voters Sept. 12, 1967; Amendment adopted by electorate 11-7-00)

SECTION 34. - PROCEDURE OF COUNCIL.

The Council shall act only by ordinance or resolution. The affirmative vote of the majority of the members of the Council shall be necessary to adopt any ordinance or resolution. The vote upon the passage of all ordinances and resolutions shall be taken by "Yeas" and "Nays" and entered into the record. Each proposed ordinance or resolution shall be introduced in written or printed form and shall not contain more than one subject, which shall be clearly stated in the title; except that general appropriation ordinances may contain the various subjects and accounts for which moneys are to be appropriated and a consent agenda consisting of any number of ordinances or resolutions may be voted upon, provided that any Councilmember or the Mayor may remove an item therefrom. The enacting clause of all ordinances passed by the Council shall be: "BE IT ENACTED BY THE COUNCIL OF THE CITY OF AKRON." The enacting clause of all ordinances submitted by initiative shall be: "BE IT ENACTED BY THE PEOPLE OF THE CITY OF AKRON." No ordinance, unless it be declared an emergency measure, shall be passed until it has been read on three (3) separate days or the requirement of reading on three (3) separate days has been dispensed with by a vote of two-thirds of the members of Council.

When considering an ordinance or resolution changing the use area, and/or height classification of any zoning district, or any building line, or granting a conditional use in any zoning district, Council shall not act until it has held a public hearing on such legislation. Council shall give public notice not less than fifteen (15) days before the date of the required hearing. The Clerk shall provide notice of such public hearing by first class mail to owners and residents of property within, contiguous to, and directly across the street from property involved in the ordinance, and by publication in a newspaper of general circulation in the city.

(Amendment adopted by electorate 11-4-80, Amendment adopted by electorate 11-6-96)

SECTION 34a. - CERTAIN ZONING MEASURES; NOTICE, PETITIONS, MANNER OF APPROVAL.

When a petition signed by fifty-one (51) percent of the electors residing in a precinct and/or in one or more adjoining precincts as hereinafter specified shall have been filed with the Clerk of the Council prior to final passage by Council of an ordinance changing the use, area, and/or height classification, or granting a conditional use in any Residential Zoning District within the City of Akron, and said petition registers disapproval of such proposed ordinance, as hereinafter provided, then said ordinance shall not be passed except upon a three-fourths vote of the members of Council eligible to vote as determined by the Director of Law. The fifty-one (51) percent aforesaid shall be fifty-one (51) percent of the total votes cast in said precinct or precincts aforesaid in the last preceding general municipal election, and said fifty-one (51) percent of signatures shall be required in each precinct in which said petitions are circulated; provided electors of different precincts may sign the same petition. The precincts in which said petitions may originate may be the precinct or precincts in which is located the change proposed by said ordinance of the Council, and/or any one or more adjoining precincts. The Clerk shall provide notice of the pendency of any such ordinance by first class mail to owners and residents of property within, contiguous to and directly across the street from the property involved in said ordinance, and by publication in a newspaper of general circulation in the City, and no such ordinance shall be acted upon by the Council until at least fifteen (15) days after the Clerk has mailed and published such notice.

(V 107 p 573. Approved by voters Nov. 2, 1971; Amendment adopted by electorate 11-4-80. Amendment adopted by electorate 11-6-90; Amendment adopted by electorate 11-7-00)

SECTION 35. - EMERGENCY MEASURES.

The Council may, by two-thirds vote of its members, pass emergency measures to take effect at the time indicated therein. Emergency measures shall contain a section in which the emergency is set forth and defined. Ordinances appropriating money may be passed as emergency measures, but no measure making a grant, renewal or extension of a franchise or other special privilege, or regulating the rate to be charged for its services by any public utility, shall be so passed.

SECTION 36. - LIMITATIONS ON APPROPRIATIONS.

No money shall be drawn from the Treasury of the City, nor shall any obligation for the expenditure of money be incurred except pursuant to appropriations made by the Council; and whenever an appropriation is so made, the Clerk shall forthwith give notice to the Director of Finance. Moneys appropriated as hereinbefore provided shall not be used for other purposes than those designated in the appropriation ordinance, without authority from the Council.

SECTION 37. - INVESTIGATIONS BY COUNCIL.

The Council or any committee thereof duly authorized by the Council so to do may investigate the financial transactions of any office or department of the City government, and the official acts and conduct of any City official relative to any matter upon which the Council may act and by similar investigations may secure information upon any matter upon which the Council may act. In conducting such investigations, the Council or any committee thereof may compel the attendance of witnesses and the production of books, papers and other evidence, and for that purpose may use subpoenas or attachments which shall be signed by the presiding officer of the Council or the chairman of such committee, as the case may be, which may be served and executed by an officer authorized by law to serve subpoenas and other processes. If any witness shall refuse to testify to any facts within his

knowledge, or to produce any papers or books in his possession or in his control, relating to the matter under inquiry before the Council or any such committee, the Council shall have the power to cause the witness to be punished as for contempt.

SECTION 38. - RECORD AND PUBLICATION OF ORDINANCES AND OTHER MATTERS.

Every ordinance or resolution, upon its final passage and approval, shall be authenticated by the Clerk of Council and recorded in a permanent record kept for that purpose. All ordinances or resolutions shall be in effect from and after thirty days from the date of their passage, except as otherwise provided in this Charter. A summary of ordinances of a general nature or providing for public improvements shall upon passage, be published once within ten (10) days after final passage. Ordinances, proclamations, notices, advertisements for bids, and other matters required by this Charter or by law to be published shall be published in one (1) daily English newspaper published and of general circulation in the City, except as otherwise herein provided. And publication of said matters shall be made for the following number of times: Notices of sale of bonds and notices required by law in reference to the proceedings relating to improvements to be paid in part by special assessments, at least one (1) time; advertisements for bids for work, and advertisements for sale or lease of real estate or for sale of personal property, once a week for not less than two (2) nor more than four (4) consecutive weeks; proclamations of elections, such number of times as is provided by law; and all other matters, once. For the publication of such ordinances, proclamations, notices, advertisements for bids, and other matters referred to herein no newspaper shall be paid any higher price than its maximum bona fide commercial rate. This section shall not be construed to prohibit the use of microfilm, photocopy or any other reasonable method of recording said ordinances and resolutions passed provided that a true copy of the original is kept in another building in the municipality.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> FRANCHISES >>

FRANCHISES

SECTION 39. - GRANTS, RENEWALS AND EXTENSIONS.

SECTION 40. - GRANT NOT TO BE EXCLUSIVE.

SECTION 41. - LIMITATION OF FRANCHISE.

SECTION 42. - CONSENT.

SECTION 43. - TERMINATION OF ADDITIONAL GRANTS.

SECTION 44. - PURCHASE OR LEASE BY CITY.

SECTION 45. - CONDEMNATION PROCEEDINGS.

SECTION 46. - REVISION OF RATES.

SECTION 47. - PRICE TO EXCLUDE FRANCHISE VALUE.

SECTION 48. - REVOCABLE PERMITS.

SECTION 49. - FRANCHISE TERMS.

SECTION 50. - REGULATIONS.

SECTION 51. - COMMISSIONER OF UTILITIES.

SECTION 39. - GRANTS, RENEWALS AND EXTENSIONS.

No franchise to occupy any of the streets, alleys or public grounds of the City for the purpose of constructing and operating a public utility shall be granted, and no such grant shall be renewed, extended or amended, except by ordinance. Every such proposed grant and every proposed renewal or extension of such grant provided by ordinance passed by Council shall be subject to the referendum provisions of this Charter. No such proposed grant or proposed renewal or extension of such grant provided by ordinance passed by the Council shall be declared, considered or held to be an emergency measure.

SECTION 40. - GRANT NOT TO BE EXCLUSIVE.

No grant of franchise to construct, maintain or operate a public utility and no renewal or extension of such grant shall be exclusive.

SECTION 41. - LIMITATION OF FRANCHISE.

No grant of franchise and no extension, renewal or amendment thereof shall be valid for a greater period than twenty-five years from the day of such grant, renewal, extension or amendment.

SECTION 42. - CONSENT.

No consent of the owner of property abutting on any highway, street or public ground shall be required for the construction, extension, maintenance or operation of any public utility by original grant, extension or renewal thereof.

SECTION 43. - TERMINATION OF ADDITIONAL GRANTS.

Grants made to owners of existing franchises to operate and maintain public utilities in addition to such existing franchise of the same kind, shall be made to expire simultaneously with such existing franchises, and every such extension shall be considered a part of the property of the utility, shall be operated as such and shall be subject to all the provisions of the original grant, including the right of the City to acquire the property of the utility by purchase or lease or by any of the means prescribed by this Charter or by law.

SECTION 44. - PURCHASE OR LEASE BY CITY.

No grant of franchise and no renewal, extension or amendment of such grant shall be valid unless it specifically reserves to the City the right, at intervals to be set forth in the franchise ordinance, to terminate the same by purchase or lease and operation of the property of the utility used in or conveniently useful for the operation of the utility in the streets of the City or elsewhere; nor shall any such grant, renewal or extension be valid which does not either definitely fix and determine the price which shall be paid by the city for the property of the public utility and the terms of payment in the event of purchase or lease by the City, or provide the precise means and methods whereby such purchase or rental price and terms shall be fixed and determined.

SECTION 45. - CONDEMNATION PROCEEDINGS.

Nothing in such ordinance or in this Charter shall prevent the city from acquiring the property of any utility by condemnation proceedings or any other method provided by law; but such methods of acquisition shall be in addition to the power of purchase or lease to be reserved in the grant, renewal

or extension.

SECTION 46. - REVISION OF RATES.

All grants of franchise and all renewals or extensions shall provide for a revision of rates at specified intervals, and no such grants, renewals or extensions shall be valid which permit rates to continue for a period of more than ten years without being subject to revision.

SECTION 47. - PRICE TO EXCLUDE FRANCHISE VALUE.

No ordinance granting a franchise or granting a renewal or extension thereof shall be valid unless it shall expressly provide therein that the price to be paid by the city for the property that may be acquired by it from such utility by purchase, condemnation or otherwise, shall exclude all value of such grant, extension or renewal, and unless it shall expressly provide therein that the rental price to be paid by the city shall exclude all value of such grant, renewal or extension.

SECTION 48. - REVOCABLE PERMITS.

Permits, revocable at the will of the Council, for minor or temporary public utility privileges may be granted by ordinance; but such permits shall not be deemed to be franchises as the term is used in this Charter.

SECTION 49. - FRANCHISE TERMS.

No franchise, grant, renewal, extension or amendment shall be valid which does not reserve to the City the right to prescribe the form and manner in which the records and accounts of the public utility shall be kept; and the right to audit, examine and keep copies of such records and accounts and to require from said utility detailed reports at any time relating to the finances, operation, management and ownership of such utility; provided, however, that the form of accounts which the State Public Utilities Commission may prescribe shall be controlling insofar as they go, but the Council may prescribe more detailed forms and exact more comprehensive reports than is required or stipulated by said State Commission; nor shall any such franchise, grant renewal, extension or amendment be valid which does not reserve to the City the right to establish standards of service, prevent unjust discrimination in service or rates, require adequate extension of plant, equipment and service.

SECTION 50. - REGULATIONS.

The Council shall at all times control the distribution of space, in, over, under or across all streets or public grounds occupied by public utility fixtures. All rights granted for the construction and operation of public utilities shall be subject to the continuing right of the Council to require such reconstruction, relocation, change or discontinuance of the appliances used by the utility in the streets, alleys, avenues and highways of the city as shall in the opinion of the Council be necessary in the public interest. The Council may make and enforce any and all other regulations conducive to the safety, convenience and well-being of the public.

SECTION 51. - COMMISSIONER OF UTILITIES.

The Council may provide by ordinance for the appointment of a Commissioner of Public Utilities, who shall be appointed by the Mayor. The Council shall empower said commissioner to employ such clerical, engineering or other assistance as may be necessary. The duties of such

officer in addition to any others which Council may prescribe, shall include the following: to keep a record of all franchises, renewals and extensions granted by the City; to make, whenever necessary, physical valuation of the plants and equipment of all public utilities except municipally owned utilities and to keep continuous records of all additions or extensions to such plants and equipment of said utilities, whether operating under a franchise or otherwise; to make continuous note of the character of service and equipment of all public utilities operating in the City except municipally owned utilities, and to make reports and recommendations thereon to the Council; provided, however, the said Commissioner of Public Utilities may investigate the accounts, records, operations and service of municipally owned utilities when specifically requested to make such investigation by the Mayor, and in such event shall transmit his findings to the Mayor; to hear and investigate complaints concerning said public utilities, and report thereon to the Council; to represent the City in hearings before the State Public Utilities Commission; and to submit to the Council or any other city department upon request such reports, advice, suggestions or recommendations in connection with public utilities as will conduce to the public welfare.

Approved by voters Nov. 8, 1966. Approved by voters Nov. 8, 1966.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> THE MAYOR >>

THE MAYOR

SECTION 52. - QUALIFICATIONS, TERM OF OFFICE

SECTION 53. - SALARY.

SECTION 54. - POWERS AND DUTIES.

SECTION 55. - MAYORAL SUCCESSION.

SECTION 56. - ADMINISTRATIVE SERVICE.

SECTION 57. - THE MAYOR: APPROVAL OF ORDINANCES AND RESOLUTIONS.

SECTION 58. - INVESTIGATIONS.

SECTION 59. - DEPARTMENTS AND DIVISIONS.

SECTION 60. - DIRECTORS.

SECTION 61. - DEPARTMENTAL DIVISIONS.

SECTION 52. - QUALIFICATIONS, TERM OF OFFICE

The Mayor shall be an elector of the city and have the qualifications of a Councilman. If he shall cease to possess any such qualifications he shall forthwith forfeit his office and the Council shall remove him therefrom. He shall be elected for a term of four years and shall assume office on the first day of January following his election, and serve until his successor is elected and qualified. He shall devote his entire time to the performance of the duties of his office.

V 95 p 89. Approved by voters Nov. 8, 1966.

SECTION 53. - SALARY.

The salary of the Mayor shall be fixed by ordinance. At all times, the Mayor shall receive a salary higher than the salary payable to any other employee or officer of the City of Akron, excluding the Director of Public Health. (V 95 p 89; Approved by voters Nov. 8, 1966)

Approved by voters Nov. 8, 1966.

SECTION 54. - POWERS AND DUTIES.

The Mayor shall be recognized as the official head of the City by the courts, for the purpose of serving civil processes, by the Governor for military purposes and for all ceremonial purposes. The Mayor, by and with the consent of Council, shall appoint and remove all members of boards or commissions except as otherwise provided in this Charter.

In addition to the foregoing, and except as otherwise provided in this Charter, his powers and duties shall be:

1. To see that the laws and ordinances are enforced.
2. To prepare and submit to the Council the annual budget.
3. To keep the Council fully advised as to the financial condition and needs of the City.
4. To appoint and remove all employees in both the classified and unclassified service, except elected officials.
5. To exercise control over all departments and divisions created by the Charter or that may be hereafter created by the Council.
6. To see that all terms and conditions imposed in favor of the City or its inhabitants in any franchise or contract to which the City is a party are faithfully kept and performed.
7. He shall have the right to introduce ordinances and take part in the discussion of all matters coming before Council.

(V 93 p 69; Approved by voters Nov. 3, 1966) (Amendment adopted by electorate 11-4-80)

SECTION 55. - MAYORAL SUCCESSION.

a. Permanent Vacancy

If the Mayor dies, becomes permanently disabled or incapacitated from performing the duties of the office, resigns or removes his residence from the City during the term of his office, he shall be succeeded in office, until the first day of January following the next regularly scheduled municipal election, by the President of Council who shall thereby cease to be a member of Council; provided that if the President of Council is unwilling or unable to succeed the office of Mayor, the Vice President of Council shall so succeed for the like period of time under the same conditions. If the Vice President of Council is unwilling or unable to succeed the office of Mayor, the Director of Law shall become the Acting Mayor until such time as the Council shall elect from its members a Mayor. If there be any question that the Mayor has become permanently disabled or incapacitated and will be unable to return to his office and adequately perform his duties at any time during the remainder of his term of office, the Council shall cause a commission to be convened consisting of five (5) members. Said commission shall consist of the then presiding judge of the Municipal Court of Akron, Ohio, the then presiding judge of the Common Pleas Court of Summit County, the president of the Summit County Medical Association, and two resident electors of the City, not of the same political party affiliations, who shall be chosen by the three above-mentioned commission members. The commission shall determine by a majority vote whether or not the Mayor is permanently disabled or incapacitated and therefore is unable to reassume his duties adequately at any time during the remainder of his term of office. The Council cannot convene said commission until the Mayor has been absent and unable to perform his duties for a period of thirty (30) days. If said commission shall determine the Mayor to be permanently disabled or incapacitated, succession shall occur as provided herein.

b. Term of Succession

The term of succession provided in paragraph a. above shall be until the first day of January following the next regularly scheduled municipal election, provided that if the next regularly scheduled

municipal election be the time for the regular election for Mayor, a Mayor shall then be elected to serve for a term of four (4) years; otherwise, for the remainder of the unexpired term.

c. Vacancy as the Result of Recall

If a vacancy occurs in the office of Mayor as the result of a recall election, the Law Director shall be the Acting Mayor until such time as the vacancy has been filled in accordance with the terms of this Charter.

d. Temporary Absence, Disability or Vacancy

If the Mayor be temporarily absent from the city, temporarily disabled or incapacitated from performing the duties of his office, or if a temporary vacancy shall occur in the office of Mayor for any other reason, the Director of Law shall be the Acting Mayor, or in his absence the Director of Finance shall become the Acting Mayor, or in his absence the Director of Public Service shall become the Acting Mayor. The Acting Mayor shall have the powers and duties as prescribed for the Mayor during the period of the Mayor's absence, disability, incapacity, or vacancy.

(V 95 p 89: Approved by voters Nov. 8, 1966) (Amendment adopted by electorate 11-4-80)

SECTION 56. - ADMINISTRATIVE SERVICE.

(Repealed: v 26 p 33: Approved by voters Aug. 14, 1924)

SECTION 57. - THE MAYOR: APPROVAL OF ORDINANCES AND RESOLUTIONS.

Every ordinance or resolution of Council shall, before it goes into effect, forthwith be presented to the Mayor by the Clerk of Council for approval. The Mayor, if he approves it, shall sign and return it forthwith to Council. If he does not approve it, he shall within ten (10) calendar days after delivery to him, return it with his objection to Council, or if Council is not in session, to the next regular meeting thereof, which objections Council shall cause to be entered upon its journal. The Mayor may approve or disapprove the whole or any item of any ordinance appropriating money. If he does not return such ordinance or resolution within the time limited in this section, it shall take effect in the same manner as if he had signed it unless Council, by adjournment, prevents its return. When the Mayor disapproves an ordinance or resolution or any part thereof, and returns it to the Council with his objections, Council shall, after ten (10) days, and not more than sixty (60) days, consider it, and if such ordinance, resolution or item, upon reconsideration, is approved by the vote of two-thirds of all the members of Council, it shall then take effect as if signed by the Mayor.

(V 97 p 493: Approved by voters Sept. 12, 1967) (Amendment adopted by electorate 11-4-80)

SECTION 58. - INVESTIGATIONS.

The Mayor may, at any time and without notice, cause the affairs of any department or the conduct of any officer or employee to be examined. Any person or persons appointed by the Mayor to examine the affairs of any department or the conduct of any officer or employee, shall have the same power to compel the attendance of witnesses and the production of books and papers and other evidence and to cause witnesses to be punished for contempt, as is conferred upon the Council by this Charter.

(Amendment adopted by electorate 11-4-80)

SECTION 59. - DEPARTMENTS AND DIVISIONS.

The following administrative departments are hereby established:

1. Department of Law;
2. Department of Public Service;
3. Department of Public Safety;
4. Department of Health;
5. Department of Finance.

(Amended by Ordinance 119-03)

SECTION 60. - DIRECTORS.

At the head of each department there shall be a director. Each director shall be appointed by the Mayor, except the Director of Health who shall be appointed by the Health Commission. Each director shall serve until removed by the appointing authority, or until his successor has been appointed and has qualified. He shall conduct the affairs of his department in accordance with the rules and regulations made by the Mayor, or in the case of the Director of Health, by the Health Commission, and shall be responsible for the conduct of the officers and employees of his department, for the performance of its business, and for the custody and preservation of the books, records, papers and property under its control. Subject to the supervision and control of the Mayor in all matters, except the Director of Health, who shall be subject to the supervision and control of the Health Commission, the director of each department shall manage his department.

(Amended by Ordinance 119-03)

SECTION 61. - DEPARTMENTAL DIVISIONS.

The work of the several departments shall be distributed among such divisions thereof as are established by this Charter, or as may be established by the Mayor and Council.

(Amended by Ordinance 119-03)

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> DEPARTMENT OF LAW
>>

DEPARTMENT OF LAW

SECTION 62. - DIRECTOR OF LAW.

SECTION 63. - CHARTER EDITORIAL AUTHORITY.

SECTION 62. - DIRECTOR OF LAW.

The Director of Law shall be an attorney at law, admitted to practice in the State of Ohio. He shall be the legal advisor of, and attorney and counsel for the City and for all officers and departments thereof, in matters relating to their official duties. He shall be the prosecuting attorney in Municipal Court and shall prosecute and defend all suits for or in behalf of the City and shall prepare all contracts, bonds, and other instruments in writing in which the City is concerned and shall endorse on each his approval of the form and correctness thereof. He shall give written opinions to any official or department of the City, or to the Council, within a reasonable length of time when requested in writing to do so. He shall codify the ordinances immediately upon the taking effect of this Charter and

at least once every five years thereafter.

SECTION 63. - CHARTER EDITORIAL AUTHORITY.

The Director of Law shall make necessary editorial corrections and changes in the form of the Charter but such changes shall relate to matters of form only, shall in all cases be approved by resolution of Council and shall in no event affect the construction, meaning, substance, or intent of the Charter as adopted and amended by the people.

1. He shall correct obvious misspellings and typographical errors.
2. He may divide the text of any section or paragraph into shorter paragraphs or subparagraphs and letter or number the same to improve clarity and ease of reference.
3. He may renumber the sections and rearrange their order to provide:
 - (a) More coherent grouping sections related in subject matter, and
 - (b) Continuous, consecutive numbering of sections.
4. Upon the adoption of any amendment that creates or abolishes an office or offices or changes the powers or duties of any officer or agency of the City, he shall make necessary correlative changes in existing sections that refer to such offices, officers or agencies by deleting therefrom, as the case may be, the name of the office abolished or the title of the officer or agency no longer having such powers or duties and inserting therein, as the case may be, the name of the officer created or the title of the officer or agency then having such powers or duties.

Approved by Council on 10/15/10

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> DEPARTMENT OF PUBLIC SERVICE >>

DEPARTMENT OF PUBLIC SERVICE

SECTION 64. - SALE, LEASE, OR TRANSFER OF CITY UTILITIES.

SECTION 65. - GENERAL POWERS AND DUTIES.

SECTION 66. - SEWER AND OTHER CONNECTIONS.

SECTION 64. - SALE, LEASE, OR TRANSFER OF CITY UTILITIES.

Any action by the Council or Mayor of the City of Akron to sell, transfer, or lease any part of any interest in any City owned utility shall be without force and effect unless and until it is approved by a majority of votes cast by the electors of the City of Akron at the next general election occurring at least 90 days after such action.

Approved by Council on 10/15/10

SECTION 65. - GENERAL POWERS AND DUTIES.

Subject to the supervision and control of the Mayor in all matters, the Director of Public Service shall manage and supervise all public improvements, works and undertaking in the City except as

otherwise provided in this Charter. He shall have charge of the construction, improvement, repair and maintenance of streets, sidewalks, alleys, lanes, bridges, viaducts, aqueducts and other public highways; of sewers, drains, ditches, culverts, canals, streams, water courses; of all public buildings; the construction and maintenance of parks and playgrounds, boulevards, squares and other public places and grounds belonging to the City or dedicated to public use. He shall manage and control the water supply system and maintenance and operation of same; market houses, sewage disposal plants and all public utilities of the City supported in part or in whole by taxation. He shall have charge of the issuing and supervision of permits for opening of streets and the repairing of unimproved streets. He shall have charge of the making and preservation of all surveys, maps, plans, drawings and estimates for such public work; the cleaning, sprinkling, supervision and lighting of streets and public places; the collection and disposal of waste; the preservation of plans, tools and appliances belonging to the City and pertaining to the functions of the Department.

(Amendment adopted by ordinance 11-4-20)

SECTION 66. - SEWER AND OTHER CONNECTIONS.

- (a) **Streets to Be Improved:** The Director of Public Service shall have authority to compel the laying of mains and the making of sewer, water, gas and other connections in view of contemplated street improvements. He shall cause written notice of his determination thereof to be given to the owner of each lot or parcel of land to which such connections are to be made. Such notice shall be served by a person designated by the Director of Public Service, in the manner provided for by the service of summons in civil actions, or by registered mail. Nonresidents of the City or persons who cannot be found, may be served by one publication of such notice in a daily English newspaper of general circulation in the City. The notice shall state the time within which such connections shall be constructed, which time shall be before advertisement is made for bids for such improvements; and if said connections be not constructed within said time by the owner or owners of such property, they may be constructed by the City and the cost thereof assessed against the lots and lands for which such connections are made. Said assessments shall be certified and collected as other assessments for street improvements.
- (b) **Improved or Unimproved Streets:** The Director of Public Service shall have authority to compel the laying of mains and the making of sewer, water, gas and other connections in unimproved streets or streets which have previously been improved without such connections having been made, whenever as a sanitary regulation, sewer, water, gas and other mains and connections should in his judgment be constructed. He shall cause written notice of his determination thereof to be given to the owner of each lot or parcel of land to which such connections are to be made, which notice shall state the number and character of connections required. Such notice shall be given as hereinbefore provided in this section. The notice shall state the time within which such connections shall be constructed; and if they be not constructed within said time, they may be constructed by the City and the cost thereof, together with a penalty of five per centum (5%) assessed against the lots and lands for which such connections are made; provided, however, that the owner of any lot or parcel of land affected by the determination of the Director of Public Service shall have the right, within ten days from and after the receipt of written notice of such determination, to appeal therefrom to the Council. In case any such appeal is filed with the Clerk of the Council the Council shall, at its next regular meeting following said filing, hear such appeal, and it may affirm, disaffirm or modify the decision of the Director of Public Service, and its judgment in the matter shall be final. Assessments under the provisions of this section shall be certified and collected as other assessments for street improvements.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> DEPARTMENT OF PUBLIC SAFETY >>

DEPARTMENT OF PUBLIC SAFETY

SECTION 67. - GENERAL POWERS AND DUTIES.

SECTION 68. - DIVISION OF POLICE.

SECTION 69. -

SECTION 70. - DIVISION OF FIRE.

SECTION 70a. - POLICE AND FIREMEN PERSONNEL AND COMPENSATION.

SECTION 71. - REMOVAL OF DIVISION HEADS.

SECTION 72. - REMOVAL OF OFFICERS AND EMPLOYEES.

SECTION 72a. - APPEAL.

SECTION 73. - RELIEF OF POLICEMEN AND FIREMEN.

SECTION 74. - BUILDING INSPECTION.

SECTION 75. - WEIGHTS AND MEASURES.

SECTION 67. - GENERAL POWERS AND DUTIES.

The Department of Public Safety shall consist of the following divisions: Police, Fire, Building Inspection and Regulation, Weights and Measures, and such others as Council may from time to time prescribe, which said divisions shall be under the immediate supervision of the Mayor, who shall make all rules necessary for the regulation and discipline of the same. With the approval of Council, the Mayor shall make such rules and regulations as he shall deem expedient to govern the movement of all vehicles and pedestrians upon the public thoroughfares. He shall have exclusive authority, unless otherwise provided by ordinance, to issue all permits and licenses directly or indirectly concerned with the control of traffic upon the streets and sidewalks, but in the event the office of the Mayor may be closed for business, the Chief of Police shall have the authority to issue such temporary or emergency permits as may be necessary to prevent destruction of life or property. Such temporary or emergency permits in all cases shall be surrendered to the Mayor not later than two hours from and after the time the office of said Mayor shall have been reopened for business.

(Ord. 217, Approved by voters Nov. 5, 1979)

SECTION 68. - DIVISION OF POLICE.

The police force shall consist of a Chief of Police and such officers and employees as may be provided for by the Council. For any vacancy in the position of Chief of Police which exists after November 7, 2000, the Mayor shall appoint the Chief of the Division of Police who shall serve in the classified service for an initial term of four (4) years. A Chief so appointed may be reappointed in the classified service for an additional term of four (4) years, with no limit on the number of re-appointments. The Chief of the Division of Police shall be in immediate charge of said Division, shall have jurisdiction over the Police Station and any substation which may be hereafter established, and shall have control over the stationing and transfer of all patrolmen and other employees constituting the Division of Police, under such rules and regulations as the Mayor may prescribe. No special detectives or other special officers shall be employed except upon written authority from the Mayor, and such authority shall be exercised only under the direction and control of the Chief of Police, and for a stipulated time. The Mayor shall have the right, whenever authorized by Council, to appoint substitute or special patrolmen who shall not be considered to be in any sense regular members of the Police Division and who need not be in the classified service. In case of riot or other serious

emergency, or at time of elections or for other similar occasions, the Mayor or in his absence, the Chief of Police, may appoint, for the period of the emergency only, additional patrolmen and officers, who need not be in the classified service.

(Repealed by voters Nov. 5, 1935) (Amended by voters Nov. 5, 1935) (Repealed by voters Nov. 5, 1935)

SECTION 69.

(Repealed; V.44 p 311; Approved by voters Nov. 5, 1935)

SECTION 70. - DIVISION OF FIRE.

The fire force shall consist of a Chief and such officers and employees as may be provided for by Council. For any vacancy in the position of Chief of the Division of Fire which exists after November 7, 2000, the Mayor shall appoint the Chief of the Division of Fire who shall serve in the classified service for an initial term of four (4) years. A Chief so appointed may be reappointed in the classified service for an additional term of four (4) years, with no limit on the number of re-appointments. The Chief of the Division of Fire shall be in immediate charge of the fire force and shall have control of the stationing and transfer of all firemen and other employees constituting said fire force, under such rules and regulations as the Mayor may prescribe. In case of riot, conflagration or other like emergency, the Mayor or in his absence the Chief of the fire force, may appoint, for the period of the emergency only, additional firemen who need not be in the classified service.

(Repealed by voters Nov. 5, 1935) (Amended by voters Nov. 5, 1935) (Repealed by voters Nov. 5, 1935)

SECTION 70a. - POLICE AND FIREMEN PERSONNEL AND COMPENSATION.

The compensation for each higher rank in the Police and Fire Departments shall be sixteen percent (16%) greater than the compensation for the next lower rank.

(Repealed by voters Nov. 5, 1935) (Amended by voters Nov. 5, 1935) (Repealed by voters Nov. 5, 1935)

SECTION 71. - REMOVAL OF DIVISION HEADS.

The Mayor shall have the exclusive right to suspend, reduce in rank or dismiss the Chiefs of the Divisions of Police or Fire for incompetence, inefficiency, abuse of chemical substances, disorderly or immoral conduct, discourteous treatment of any citizen or of the public at large, insubordination, neglect of duty or for any other just and reasonable cause. In case of such suspension, reduction in rank or dismissal, the Mayor shall forthwith certify the fact, together with the cause therefor, to the Civil Service Commission, who within thirty (30) days from the date of such certification or a later date if agreed to by the Chiefs of the Divisions of Police or Fire shall proceed to review such charges and render judgment thereon, which judgment may affirm, disaffirm or modify the judgment of the Mayor.

(Amended by voters Nov. 5, 1935) (Amended by voters Nov. 5, 1935)

SECTION 72. - REMOVAL OF OFFICERS AND EMPLOYEES.

The Mayor shall have the right to suspend, reduce in rank or dismiss any officer or employee in the Division of Police and Fire and the Chiefs of the Divisions of Police and Fire shall have the right to suspend and/or recommend the reduction in rank or dismissal of any officers or employees in the

said division for incompetence, inefficiency, abuse of chemical substances, disorderly or immoral conduct, discourteous treatment of any citizen or of the public at large, insubordination, neglect of duty, for violation of the rules and regulations of the Police Division or Fire Division or Civil Service, or for any other just and reasonable cause. In the event that such suspension and/or recommendation is made by the Police or Fire Chief, the said Chief shall forthwith, in writing, certify the fact, together with the cause therefor to the Mayor, who, within five (5) days from the receipt of such certification, or a later time if agreed to by the officer or employee, shall conduct a hearing on said cause and render judgment thereon within ten (10) days after the hearing, which judgment, if the charge be sustained, may be suspension, reduction in rank, or dismissal; provided, however, that an appeal may be had to the Civil Service Commission from the decision of the Mayor. In the event of such appeal, which shall be filed not later than ten (10) days from the date of the Mayor's judgment, the Mayor shall, upon notice thereof forthwith transmit to the Commission a copy of the charges and proceedings appertaining thereto. Within thirty (30) days, or a later time if agreed to by the officer or employee, after the receipt of said copy, the said Civil Service Commission shall hear such appeal and may affirm, disaffirm or modify the judgment of the Mayor. In the event that such suspension, reduction in rank or dismissal is made by the Mayor, the Mayor shall forthwith, in writing, certify the fact, together with the cause therefor, to the Civil Service Commission, and said Commission shall, not later than thirty days after the receipt of such certification, proceed to hear such cause and render judgment thereon. The employee or appointing authority may appeal the decision of the Civil Service Commission to the Court of Common Pleas pursuant to Ohio Revised Code Chapter 2506. In any investigation of charges against any employee in the Division of Police or Fire, the Mayor shall have the same power to administer oaths and secure the attendance of witnesses and the production of books and papers as is conferred upon the Council.

(V 44 p 311. Approved by voters Nov. 5, 1935) (Amendment adopted by electorate 11-4-80. Amendment adopted by electorate 11-4-80)

SECTION 72a. - APPEAL.

(V 44 p 310. Approved by voters Nov. 5, 1935) (Repealed. Amendment adopted by electorate 11-4-80)

SECTION 73. - RELIEF OF POLICEMEN AND FIREMEN.

(Repealed. Amendment adopted by electorate 11-4-80)

SECTION 74. - BUILDING INSPECTION.

For any vacancy in the position of Superintendent of Building Inspection which exists after November 7, 2000, the Mayor shall appoint the Superintendent of Building Inspection who shall serve in the classified service for an initial term of four (4) years. The Superintendent of Building Inspection so appointed may be re-appointed in the classified service for an additional term of four (4) years, with no limit on the number of re-appointments. Under the direction of the Mayor, the Superintendent of Building Inspection and Regulation shall administer and enforce all laws, ordinances and regulations relating to the inspection, erection, maintenance, safety and repair of all buildings and other structures. In addition to any other duties which the Council or the Mayor may prescribe, it shall be the duty of said Superintendent of Building Inspection and Regulation to maintain an adequate inspection by qualified inspectors of all buildings and other structures during their progress of construction, erection, alteration or repair, for the purpose of enforcing all building laws, ordinances or regulations of whatsoever nature having relation thereto.

(Amendment adopted by electorate 11-7-00)

SECTION 75. - WEIGHTS AND MEASURES.

Under the direction of the Mayor, the Sealer of Weights and Measures shall enforce and administer all laws and ordinances regulating weights and measures.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> DIVISION OF SOCIAL SERVICE >>

DIVISION OF SOCIAL SERVICE

SECTION 76. - ORGANIZATION.

SECTION 77. -

SECTION 76. - ORGANIZATION.

(Repealed by Ord. 337, Approved by Resolution # 1330)

SECTION 77. -

(Repealed by Ord. 337, Approved by Resolution # 1330)

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> DEPARTMENT OF PUBLIC HEALTH >>

DEPARTMENT OF PUBLIC HEALTH

SECTION 78. - ORGANIZATION.

SECTION 79. - POWERS.

SECTION 80. - DIRECTOR OF PUBLIC HEALTH—POWERS AND DUTIES.

SECTION 81. - POLICE POWER.

SECTION 82. - APPROPRIATIONS FOR HEALTH PURPOSES.

SECTION 78. - ORGANIZATION.

The Department of Public Health shall consist of a Health Commission consisting of five electors of the City of Akron, appointed by the Mayor by and with the advice and consent of Council.

Incumbent members of the Health Commission as of the effective date of this provision, shall serve the remainder of the term of their original appointments.

Additional appointments shall be made for such term as will cause only one member's term to expire in each successive year.

Thereafter, members shall be appointed for a term of five years. Three members shall constitute a quorum for the transaction of business and the concurring vote of three members shall

be required in order for the Health Commission to take action on any matter. The Health Commission shall adopt rules and regulations for the selection and term of its officers, for the transaction of its business, and for the keeping of minutes of its proceedings, showing the vote of each member on every question. The Commission shall appoint a Director of Public Health, who shall be a physician with training and experience in the work of public health.

SECTION 79. - POWERS.

The Health Commission shall have all of the powers which are conferred by law and by the Constitution of Ohio upon municipal boards of health. The Health Commission shall have full legislative power in all matters concerning the public health and sanitation, and the Director of Health shall have full administrative and executive powers. All rules and regulations enacted by the Health Commission shall have the force of ordinances when recorded and published as ordinances are required to be published by this Charter. The Health Commission shall have the power to provide by regulation or ordinance for the punishment of violation of the rules, regulations, or ordinances enacted by it. The penalty for such violation may be either fine or imprisonment, or both, as may be determined by the Health Commission.

SECTION 80. - DIRECTOR OF PUBLIC HEALTH—POWERS AND DUTIES.

Subject to the direction and control of the Health Commission, the Director of Health shall have full administrative and executive powers; he shall protect the City and its inhabitants against every form of disease and every unsanitary condition that may be a menace to the inhabitants; he shall enforce preventive measures necessary to general healthfulness and carry on educational work for the prevention of disease. It shall be his duty to enforce medical inspection and compulsory corrective measures among the children in the public schools of the City, and to perform such other duties as may be required by the Health Commission.

SECTION 81. - POLICE POWER.

The Health Commission shall have general police powers in enforcing its rules, regulations and ordinances. Said police powers shall be exercised by such of its officers and employees as may be prescribed by the Health Commission.

SECTION 82. - APPROPRIATIONS FOR HEALTH PURPOSES.

The Council shall appropriate annually for the Department of Public Health a sum sufficient to enable the Health Commission to efficiently sustain and operate this Department.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> DEPARTMENT OF FINANCE >>

DEPARTMENT OF FINANCE

SECTION 83. - POWERS AND DUTIES.

SECTION 84. - ACCOUNTS AND RECORDS.

SECTION 85. - ASSESSMENTS.

SECTION 86. - ANNUAL BUDGET.

SECTION 86a. - LIMITATION OF TAXES.SECTION 86a-1. - TAX, AKRON UNIVERSITY, 1953.SECTION 86a-2. - TAX, AKRON UNIVERSITY, 1958.SECTION 86a-3. - TAX, CITY EMPLOYEES COMPENSATION INCREASE, 1961.SECTION 86a-4. - PROPERTY TAX REDUCTION DURING INCOME TAX TERM.SECTION 86b. - LEVY OF TAXES OUTSIDE LIMITATION.SECTION 86c. - TIME WHEN LEVIES ARE TO BE VOTED ON.SECTION 86d. - INCOME TAX FOR CITY OPERATING AND CAPITAL IMPROVEMENT NEEDS.SECTION 87. - APPROPRIATION ORDINANCE.SECTION 88. - TEMPORARY LOANS.SECTION 89. - LIMITATION ON EXPENDITURES.SECTION 90. - BOND ISSUES.SECTION 91. -SECTION 92. - PUBLIC MONEY RECEIVED TO BE PAID INTO THE TREASURY DAILY.SECTION 93. - PUBLIC MONEY TO BE KEPT IN DEPOSITORIES.SECTION 94. - PAYMENT OF CLAIMS.SECTION 95. - PURCHASING AGENT; BOARD OF CONTROL.**SECTION 83. - POWERS AND DUTIES.**

The Director of Finance shall be a person who has had experience in banking, accounting or other financial matters. His duties shall include the installation, supervision and control over all accounts and financial records in all City departments; the examination and audit of all accounts and claims against the City; the custody and disbursement of all public money in the City; the collection of licenses, fees, taxes, special assessments and all other revenues accruing to the City; he shall have control and supervision over the issuance of bonds. He shall perform such other duties as the Council may by ordinance require.

SECTION 84. - ACCOUNTS AND RECORDS.

Accounts shall be kept by the Department of Finance, showing the financial transactions for all the departments of the City. Forms for all such accounts shall be as prescribed by the Director of Finance with the approval of the Mayor, and shall be adequate to record and show all cash receipts and disbursements, all revenues accrued and all expenses incurred, assets and liabilities, and all transactions affecting the acquisition, custody and disposition of valuables. Financial reports and statements showing the financial transactions and conditions of the City shall be prepared for each quarter and for each fiscal year and for such other periods as may be required by the Mayor or the City Council. Separate accounts shall be kept for each public utility operated by the City. All accounts and records shall be open to inspection by City officials and citizens.

(Amended by Ordinance 114-05, Amending Law 104-05, Ordinance 114-05)

SECTION 85. - ASSESSMENTS.

The Director of Finance shall have charge of the examination and certification of all special assessments for public improvements, in serving of notices of such assessments to property owners, and all other duties connected therewith; collection of such assessments as are payable directly to the City, and the preparation and certification of all unpaid assessments to the County Auditor for collection.

SECTION 86. - ANNUAL BUDGET.

The Mayor shall cause to be prepared and submitted an annual budget to the Council not later than one month before the end of each fiscal year, which budget shall be based upon detailed estimates by departments and other divisions of the City government according to a classification as nearly uniform as possible. The budget shall present the following information:

- (a) An itemized statement of estimated revenues together with comparative statements of revenues for the last two fiscal years.
- (b) An itemized statement of appropriations recommended by the Mayor for current expenses and for permanent improvements, for each department or division for the ensuing fiscal year, with comparative statements of expenditures for the last two fiscal years.
- (c) A financial statement or balance sheet of the preceding year and of the current year up to date.
- (d) Such other information as may be required by the Council. Copies of such budget shall be printed and available for distribution not later than two weeks after its submission to the Council, and a public hearing shall be given before final action is taken by the Council.

(Amendment adopted by electorate 11-4-80. Amendment adopted by electorate 11-6-90)

SECTION 86a. - LIMITATION OF TAXES.

Commencing with the 1977 tax list and duplicate, upon the basis of which taxes are distributed in 1978, the aggregate amount of taxes that may be levied by the taxing authority of the City on any taxable property in the City of Akron without a vote of the people shall not in any one year exceed ten and five-tenths (10.5) mills on each dollar of tax valuation of said City. Of said total maximum levy, an amount shall annually be levied sufficient to pay the interest and retirement charges on all bonds and notes of the City of Akron heretofore or hereafter authorized to be issued without the authority of the electors, which levy shall be placed before and in preference to all other levies and for the full amount thereof. The remaining portion of said maximum levy, or such part thereof as may be necessary, may be levied annually for the current operating expenses of said City. Of said current operating expenses, two (2) mills may be levied only to provide funds for compensating present and additional personnel in the Division of Police and one (1) mill may be levied only for the purpose of paying the cost of providing emergency medical services by the Division of Fire, Department of Public Safety, of the City of Akron. Any surplus in the fund established to receive the proceeds of said one (1) mill levy shall remain in said fund and be used solely for future improvements of such services. Amounts certified under the laws of the state as necessary for interest and retirement purposes, shall not be subject to change by Council.

(V 95 p 83; Approved by voters Nov. 8, 1966) (Amendment adopted by electorate 8-25-77. Amendment adopted by electorate 11-6-90)

SECTION 86a-1. - TAX; AKRON UNIVERSITY, 1953.

(V 52 p 3-0. Approved by voters Nov. 4, 1953) (Repealed. Amendment adopted by electorate 11-4-80)

SECTION 86a-2. - TAX; AKRON UNIVERSITY, 1958.

(V 74 p 114. Approved by voters Nov. 4, 1958) (Repealed. Amendment adopted by electorate 11-4-80)

SECTION 86a-3. - TAX, CITY EMPLOYEES COMPENSATION INCREASE, 1961.**SECTION 86a-4. - PROPERTY TAX REDUCTION DURING INCOME TAX TERM.****SECTION 86b. - LEVY OF TAXES OUTSIDE LIMITATION.**

The Council shall annually levy outside the limitations provided in this Charter and the limitations provided by general law, a sufficient sum to pay the interest and retirement charges on all bonds and notes of the City of Akron heretofore or hereafter lawfully issued, the tax for which by general law or by this Charter has been or shall be authorized to be levied outside of tax limitations. Amounts certified under the laws of the State as necessary for interest and retirement purposes shall not be subject to change by Council.

SECTION 86c. - TIME WHEN LEVIES ARE TO BE VOTED ON.

Taxes may be levied outside of the limitations of Section 86a of this Charter upon approval of a majority of electors of the City of Akron voting thereon at a November election in the manner prescribed by general law for voting levies outside the statutory limitations.

SECTION 86d. - INCOME TAX FOR CITY OPERATING AND CAPITAL IMPROVEMENT NEEDS.

Council shall levy a tax not to exceed two percent (2%) in the aggregate on all income subject to taxation by the City of Akron, under the Constitution and laws of the State of Ohio, and as authorized by the voters in 1969 and 1981, beginning January 1, 1982. The proceeds of said tax, after payment of expenses of collection and enforcement shall be revised and applied beginning January 1, 1992, from the current allocation of sixty-seven percent (67%) to seventy-three percent (73%) for operating expenses and from the current allocation of thirty-three percent (33%) to twenty-seven percent (27%) for capital improvements. Said increase in allocation for operating expenses shall be used to hire and continue funding additional police and fire personnel and related services.

NOTE 1: The voters at a special election on September 9, 1969, approved an increase in the rate of the income tax in the City of Akron as follows: One per centum (1%) per annum during the calendar years 1963 to 1969, both inclusive; One and three-tenths per centum (1.3%) per annum during the calendar year 1970; One and four-tenths per centum (1.4%) per annum during the calendar year 1971; and One and one-half per centum (1.5%) per annum during each calendar year thereafter, for capital improvements and general Municipal operations of the City.

NOTE 2: Further, the voters at a special election on February 19, 1981, approved increases in the rate of the income tax in the City of Akron as follows: One and eight-tenths per centum (1.8%) per annum from March 1, 1981 through December 31, 1981, and two per centum (2%) per annum during calendar year 1982 and each calendar year thereafter; providing for the allocation of the one per centum (1%) per annum levied pursuant to Section 86d of the Charter in accordance with the terms

of said section; and requiring the allocation of thirty-three per centum (33%) of all net proceeds to capital improvements.

SECTION 87. - APPROPRIATION ORDINANCE.

The Council shall pass the annual appropriation ordinance not later than December 31st, and said ordinance shall be based on the annual budget. The Council may add to, increase or decrease items of the budget by a vote of two-thirds of the present members of Council. The total amount of appropriations shall not exceed the estimated revenues of the City. The Council may transfer any part of an unencumbered balance of an appropriation to any other item. The Council may appropriate available revenues not included in the annual budget upon the certification of the Director of Finance that such additional appropriation shall not exceed the available revenue for the current year.

(V 26 p 33 Approved by voters Aug. 14, 1924)

SECTION 88. - TEMPORARY LOANS.

Money may be borrowed when authorized by the Council in anticipation of the receipts from taxes during any fiscal year, by the issuing of certificates of indebtedness therefor, but the aggregate amount of such borrowings shall not exceed fifty per cent of the receipts from taxes during the preceding fiscal year. All such loans shall be paid off immediately upon receipt of taxes for the fiscal year.

SECTION 89. - LIMITATION ON EXPENDITURES.

No money shall be drawn from the Treasury except pursuant to appropriations made by the Council, and whenever the appropriation is made, the Clerk shall forthwith notify the Director of Finance. At the end of the year all unexpended balances of appropriations shall revert to the general fund.

SECTION 90. - BOND ISSUES.

The approval of two-thirds of all members of the Council shall be required to authorize the issuance of bonds and if the question is submitted to a vote of the electors the approval of a majority of those voting thereon shall be required.

(Amendment adopted by electorate 11-7-00)

SECTION 91.

(Repealed; V 26 p 33; Approved by voters Aug. 14, 1924)

SECTION 92. - PUBLIC MONEY RECEIVED TO BE PAID INTO THE TREASURY DAILY.

All officers and employees receiving money be-longing to the City shall pay the same into the City Treasury before noon of the first business day after the receipt of such money, and shall be required by the Director of Finance to submit therewith statements thereof in such form as he may prescribe.

SECTION 93. - PUBLIC MONEY TO BE KEPT IN DEPOSITORIES.

All public money of the City shall be deposited in such responsible banking institutions and trust companies as shall furnish such security as the Council may determine, and as shall, at competitive bidding for the use of such money, pay the highest rate of interest therefor. Provision shall be made by ordinance for the choosing of depositories of public money.

SECTION 94. - PAYMENT OF CLAIMS.

No warrant for the payment of any claim shall be issued by the Director of Finance until such claim shall have been approved by the head of the department for which the indebtedness was incurred. Before approval of such claims, supplies and materials delivered or work done shall be duly inspected and certified to by the head of the proper department, officer or by a person designated by him. The head of each department, or office, shall require proper time reports for all services rendered to be certified by those having cognizance thereof, to serve as a basis for the preparation of payroll vouchers. Prior to the drawing of a warrant for payment of any claim, the Director of Finance may at his discretion cause an investigation or inspection to be made by a person designated by him and shall have power to summon persons and examine them under oath which he may administer. The Director of Finance shall issue no warrants for payment unless he finds that the claim is in proper form, correctly computed and duly certified; that it is justly due and legally payable; that an appropriation has been made therefor which has not been exhausted or that the payment has been otherwise legally authorized and that there is money in the City Treasury to make payment.

SECTION 95. - PURCHASING AGENT; BOARD OF CONTROL.

- (a) Purchasing Agent. The Purchasing Agent, under the supervision of the Director of Finance, shall purchase all material, equipment, and supplies for the City, according to specifications furnished by the Mayor, and, before approval of invoices therefor, inspect the same upon delivery to determine quantity and conformity to specifications.

Subject to the authority of the Council, he shall sell real and personal property of the City not needed for public use or condemned as useless by the director of a department.

No material, equipment, or supplies shall be purchased for a department unless there is to its credit an available and uncommitted balance sufficient to pay for the same.

In making purchases, opportunity for competition among suppliers shall be given, and rules and regulations therefor may be prescribed by Council. Each order of purchase or sale shall be approved and countersigned by the Director of Finance, and monthly reports of purchases shall be submitted to him.

Contracts for material, services, equipment, and supplies in excess of fifteen thousand dollars (\$15,000) shall be authorized by Council and awarded to the lowest and best responsible bidder, after public advertisement.

No contract, agreement, or other obligation involving the expenditure of money shall be entered into, nor shall be lawful, unless the Director shall certify thereon that there is an unencumbered balance in the Treasury to the credit of the fund from which it is to be drawn, sufficient to discharge the contract, agreement, or obligation.

- (b) Board of Control. There is hereby established a Board of Control, which shall consist of the Mayor or his designated deputy, the Directors of Law, Finance, and Public Service, the President of Council, and the Chairman of the Finance Committee of Council or their designees. The Director of Public Service or his designee shall act as chairman thereof and shall maintain a record of its proceedings in his office.

No contract in excess of five thousand dollars (\$5,000) shall be awarded except upon the approval of the Board of Control.

(Proposed by Ordinance 107-107-01)

(Approved by Resolution 107-107-01, adopted by the Board of Control on 11/11/10)

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> SINKING FUND COMMISSION >>

SINKING FUND COMMISSION

SECTION 96. - MEMBERSHIP, POWERS AND DUTIES.

SECTION 96. - MEMBERSHIP, POWERS AND DUTIES.

(Proposed by Ordinance 107-107-01)

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> PUBLIC LIBRARIES >>

PUBLIC LIBRARIES

SECTION 97. - BOARD OF TRUSTEES OF PUBLIC LIBRARY.

SECTION 97. - BOARD OF TRUSTEES OF PUBLIC LIBRARY.

(Proposed by Ordinance 107-107-01)

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> MUNICIPAL UNIVERSITY >>

MUNICIPAL UNIVERSITY

SECTION 98. - GOVERNMENT, CONDUCT AND CONTROL.

SECTION 99. - TERM OF OFFICE.

SECTION 99a. - PROVISIONS FOR THE CONVERSION OF THE UNIVERSITY OF AKRON TO A STATE UNIVERSITY AND FOR THE INTERIM AVAILABILITY AND THE TERMINATION OF MUNICIPAL TAX SUPPORT.

SECTION 98. - GOVERNMENT, CONDUCT AND CONTROL.

(Proposed by Ordinance 107-107-01)

SECTION 99. - TERM OF OFFICE.

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Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> CITY PLANNING >>

CITY PLANNING

SECTION 100. - CITY PLANNING COMMISSION.

SECTION 101. - DEPARTMENT OF PLANNING AND URBAN DEVELOPMENT.

SECTION 101a. - MANDATORY REFERRAL.

SECTION 102. - BOARD OF ZONING APPEALS.

SECTION 100. - CITY PLANNING COMMISSION.

There is hereby created a City Planning Commission composed of five members and two alternates appointed by the Mayor, by and with the advice and consent of the Council for terms of five years respectively. The Chairman of the Commission shall be elected annually by the Commission from its members and he shall not succeed himself.

Incumbent members of the Planning Commission, as of the effective date of this provision, shall serve the remainder of the term of their original appointments. Additional appointments shall be made for such terms as will cause only one member's term to expire in each successive year. Thereafter, members shall be appointed for five year terms. Three members of the Commission shall constitute a quorum for the transaction of business and the concurring vote of three members shall be required in order for the Commission to take action on any matter. The Commission shall adopt rules and regulations for the selection and term of its officers, for the transaction of its business, and for the keeping of minutes of its proceedings, showing the vote of each member on every question. All meetings of the Planning Commission shall be public.

- A. Powers and Duties. In addition to the powers and duties which Council may confer on the Planning Commission, it shall have the following powers and duties:
1. Subject to the ordinances of the City of Akron, it shall exercise the duties and functions of a platting commission, and shall be empowered to review plans and maps of the whole or any portion of the City. No plat or plan subdividing the land within the City shall be entitled to be recorded in the office of the recorder of Summit County without the approval of the Planning Commission.
 2. It shall have the power to determine whether real property shall be acquired or condemned for park, street, or recreation purposes or for the enlarging of any park or the widening or extension of any street, and no real property shall be so acquired or condemned without the approval of the Commission. No vacation or sale of real property shall be made by Council without first obtaining the approval of the Commission.
 3. It shall be required to hold public hearings on all matters coming before the

Commission. It shall have the power to designate from its membership one or more hearing examiners to preside over and conduct public hearings on any issue before the Commission, and to submit written reports containing recommendations to the Commission.

4. It shall annually review and conduct a public hearing on the four-year Capital Investment Program.

(V 107 p 447 Approved by voters Sept. 7, 1971) (Amendment approved by electorate 11-6-80. Amendment adopted by electorate 11-7-80)

SECTION 101. - DEPARTMENT OF PLANNING AND URBAN DEVELOPMENT.

The Mayor shall be the appointing authority for the Department of Planning and Urban Development. The Mayor shall appoint a Director and Deputy Directors of Planning and Urban Development who shall have management or professional experience in city planning, renewal or community development administration. Subject to the supervision and control of the Mayor, the Director of Planning and Urban Development shall manage and supervise the Department of Planning and Urban Development. The Department shall have the following powers and duties:

1. It shall provide plans for the landscape work to be done by the City in parks and streets now owned or hereafter acquired.
2. It shall study and investigate the general plan of the City; it shall formulate plans for the development and improvement of parks and parkways, for the extension and opening of streets and other public ways, for the preservation of natural and historic features; it shall keep abreast of all the needs of the City that have relation to the plan and to the beautification thereof.
3. It shall formulate plans to regulate the height, design, location upon lot, elevation above street grade, and bulk of buildings and structures hereafter erected; to control, regulate or restrict the distribution of dwellings or other structures or property for the purpose of residence, manufacturing, trade, and transportation, and to divide the City into districts for the purposes aforesaid; to eliminate fire hazards; to abolish unsanitary, unhealthful, or unwholesome housing conditions; and to investigate all matters pertaining to the living conditions of the people.
4. It shall investigate the need of and suggest plans for the extension of water supply and sewage disposal; the coordination of transportation; the relief of traffic conditions; and the adequate extension and distribution of equipment and service of public utilities.
5. It shall act in an advisory capacity to the Council and other City departments in relation to plans for the location of public buildings, bridges, approaches or other structures, and in relation to all other matters pertaining to the convenience, safety and well being of the people.
6. It shall, subsequent to its investigation and formulation of plans, transmit its recommendations to the Planning Commission for their review and recommendation, after which the recommendations of the Commission and the Department shall be transmitted to Council. The Council may, if it approves said recommendations, grant the department the power and authority to enforce such recommendations.
7. It shall provide to the City Planning Commission the technical advice and assistance necessary to enable the Commission to accomplish its responsibilities under the Charter.
8. It shall study the future capital improvement needs of the City and annually shall prepare a four (4) year capital investment program. Said program shall be submitted to the Mayor who shall make such revisions as he deems necessary. The Mayor shall then

submit the program to the City Planning Commission. A public hearing shall be held thereon by the City Planning Commission, after which the program shall be returned to the Mayor with such recommendations as the Commission deems necessary. The Mayor shall make such revisions as he deems necessary and thereafter shall submit the program as approved by him to Council for approval according to law. Prior to approval, Council shall hold a public hearing on the program. In addition, the Mayor shall prepare and submit annually to the Council prior to January 1, for approval according to law, an annual capital investment budget which is to be adopted prior to February 15 of the current fiscal year.

(V 95 p 100 Approved by voters Nov. 8, 1966) (Amendment adopted by electorate 11-6-78. Amendment adopted by electorate 11-6-90)

SECTION 101a. - MANDATORY REFERRAL.

No public building, street, boulevard, parkway, park, playground, bridge, tunnel, or part thereof, shall be constructed or authorized to be constructed in the municipality, nor shall any street, avenue, parkway, boulevard, alley, or part thereof, be widened, narrowed, relocated, vacated, or its use changed, or any ordinance or resolution pertaining to the above matters be passed unless and until the action proposed to be adopted shall have been submitted to the Planning Commission for report and recommendation.

Upon receipt of any referral under this Charter the Planning Commission shall request the Department of Planning and Urban Development to transmit its recommendations concerning said referral. The Planning Commission shall upon taking action thereon submit its recommendations and those of the Department of Planning and Urban Development to the Council. The Council may, upon any matter so referred, require the Planning Commission and the Department of Planning and Urban Development to report their recommendations within sixty (60) days from the said date of request, unless a longer time be allowed by Council. If the Planning Commission shall fail to act within the time aforesaid, it shall be deemed to have approved such matter.

(V 95 p 100: Approved by voters Nov. 8, 1966) (Amendment adopted by electorate 11-4-90. Amendment adopted by electorate 11-6-90)

SECTION 102. - BOARD OF ZONING APPEALS.

Within thirty (30) days after this section becomes effective there shall be established a Board of Zoning Appeals, which shall be constituted and shall have jurisdiction as hereinafter provided. The members of the now existing Board of Zoning Appeals shall retain their membership for the terms for which such members were appointed.

There shall be a Board of Zoning Appeals composed of five members appointed by the Mayor by and with the consent of Council for a term of five years each. One member shall be a registered architect, one member shall be a general contractor, and one member shall be a person engaged in the real estate business. The Mayor may remove any member for cause, and vacancies shall be filled in the same manner for the unexpired term. The officers of the Board shall be elected annually by its members. Separate provisions shall be made in the budget for the expenditures of the Board, and such expenditures shall not be included within the budget provided for the Planning Commission. The Planning Staff shall furnish the necessary technical advice and services required by the Board.

1. **Jurisdiction.** It shall be the duty of the Board to hear and decide appeals made for exceptions to and variations in the application of ordinances governing zoning in the City of Akron in conformity with the purposes and intent thereof and to hear and decide

all appeals made for the exceptions to and variations in the application of ordinances or orders or regulations of administrative officials or agencies.

2. Meetings. The attendance of three members shall be necessary for a quorum, and the concurrence of at least three members required for action. The Board shall keep minutes of the proceedings showing the vote of each member upon every question.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> CIVIL SERVICE >>

CIVIL SERVICE

SECTION 103. - THE CIVIL SERVICE COMMISSION.

SECTION 104. - OFFICERS AND EMPLOYEES OF THE COMMISSION.

SECTION 105. - CLASSIFICATION.

SECTION 105a. - UNCLASSIFIED SERVICE—RESIDENCY REQUIREMENT.

SECTION 106. - PERSONNEL DIRECTOR—RULES AND REGULATIONS.

SECTION 106a. - VETERANS AND AKRON RESIDENT PREFERENCE POINTS.

SECTION 107. - EXAMINATIONS.

SECTION 108. - APPOINTMENTS.

SECTION 109. - PRESENT CIVIL SERVICE EMPLOYEES.

SECTION 110. - CERTIFICATION OF PAYROLL.

SECTION 111. - INVESTIGATIONS.

SECTION 112. - POLITICAL AND RELIGIOUS BELIEFS.

SECTION 113. - POLITICAL ACTIVITY.

SECTION 114. - SALARIES AND APPROPRIATIONS.

SECTION 115. - PENALTY.

SECTION 116. - SUSPENSION, REDUCTION AND DISMISSAL FROM SERVICE.

SECTION 103. - THE CIVIL SERVICE COMMISSION.

The Civil Service Commission shall consist of three (3) electors of the City, and no more than two (2) shall be adherents of the same political party. The Civil Service Commissioners shall be appointed by the Mayor, with the consent of Council, and shall be persons of recognized competence in personnel administration, public administration, labor relations, law, or a related field. The term of office of a Civil Service Commissioner shall be six years. The terms of the three (3) Commissioners shall be staggered so that no term expires within less than two (2) years of the expiration of any other term. A Commissioner shall continue in office after the expiration of the term until a successor takes office. A vacancy occurring during a term shall be filled by the Mayor for the unexpired term with the consent of Council in the same manner as a regular appointment.

No member of the Commission shall hold any other public office or public employment which is incompatible with the duties and functions of the Civil Service Commission.

The Mayor shall have the power to remove any Commissioner for inefficiency, neglect of duty or malfeasance in office, after notice and a public hearing before Council, provided that two-thirds of the members of Council concur.

SECTION 104. - OFFICERS AND EMPLOYEES OF THE COMMISSION.

The Civil Service Commission shall designate one of its members as President and shall appoint a Personnel Director.

The Personnel Director shall be a person thoroughly familiar with the application of merit and sound business principles and methods in the administration of personnel.

The Personnel Director shall be appointed by the Civil Service Commission for a term of three (3) years, subject to reappointment and shall at all times be under the direction of the Civil Service Commission.

The Personnel Director shall appoint all employees of the Personnel Department to such positions as may be established by the Council.

The salary of the Personnel Director shall be fixed by the Civil Service Commission subject to the approval of Council.

The Personnel Director cannot become a candidate for public office in the City of Akron while filling the office of Personnel Director.

(V p. Approved by voters Nov. 7, 1972) (Amendment adopted by electorate 11-4-80)

SECTION 105. - CLASSIFICATION.

The civil service of the City is hereby divided into the unclassified and the classified service.

- (1) The unclassified service shall include:
 - (a) All officers elected by the people.
 - (b) The Director and Deputy Directors of the Department of Public Service.
 - (c) The Director and Deputy Directors of Finance.
 - (d) The Director of Law, the Deputy Directors of Law and the Assistant Directors of Law.
 - (e) The Director and Deputy Directors of Planning and Urban Development appointed after November 15, 1990.
 - (f) The members of all appointed boards or commissions, and advisory boards.
 - (g) The Secretaries and assistants to the Mayor.
 - (h) The Deputies to the Mayor.
- (2) The classified service shall comprise all positions not specifically included by this Charter in the unclassified service.

(V 46 p. 444. Approved by voters Nov. 2, 1937) (Amendment adopted by electorate 11-4-80; Amendment adopted by electorate 11-6-90)

SECTION 105a. - UNCLASSIFIED SERVICE—RESIDENCY REQUIREMENT.

No person shall retain any position in the unclassified service unless he be a resident citizen of the City of Akron within six months of his appointment and remain a resident for the period during which he occupies said position in the unclassified service, provided, however, that the provisions of this Section shall not be applicable to persons occupying said positions in the unclassified service on June 8, 1976.

(Approved by voters June 8, 1976) (Amendment adopted by electorate 11-6-90)

SECTION 106. - PERSONNEL DIRECTOR—RULES AND REGULATIONS.

The Personnel Director, under the direction of the Commission, shall direct and supervise the administrative work of the Personnel Department; shall prepare and recommend rules and regulations for the administration of the civil service provisions of the Charter, which shall become effective after approval by the Commission; shall administer such rules and regulations and shall propose amendments thereto; shall prepare an annual report to the Mayor for the Civil Service Commission and Council; shall keep minutes of the proceedings of the Commission; shall make investigation concerning the enforcement and regulations thereunder; shall perform such other functions as may be required by the Civil Service Commission.

It is hereby provided and the rules and regulations shall provide:

- (1) For the classification and standardization of all positions in the classified service. The classification into groups and subdivisions shall be based upon and graded according to their duties and responsibilities, and so arranged as to permit the filling of the higher grades, so far as practicable through promotion. All salaries shall be uniform for like service in each grade, as the same shall be standardized and classified by the Civil Service Commission. The Commission shall have the sole power to create new classification.
- (2) For open competitive examinations to be given under the direction of the Personnel Director to test the relative fitness of applicants for such positions. Employees of any public utility or agency taken over by the City who have been in the service of said utility or agency for three (3) years prior to the time of such acquisition shall come under the provisions of the merit system without examination; but vacancies thereafter occurring in such service shall be filled from eligible lists in the manner herein provided.
- (3) For public notice of the time and place of all competitive examinations.
- (4) For the creation by the Personnel Director of eligible lists upon which shall be entered the names of successful candidates in the order of their standing in such examination or test.
- (5) For the rejection by the Personnel Director, by authority of the Commission, of candidates or eligibles who failed to meet reasonable qualification requirements, or who have attempted deception or fraud in connection with any application or examination.
- (5a) (Repealed; Amendment adopted by electors 11-4-80)
- (5b) For declaring that no person shall hold an appointed or promoted position in the classified service of the City of Akron unless he shall become a resident citizen of the City of Akron within twelve (12) months of his appointment or promotion, and remain a resident citizen of the City of Akron during the term of his employment, except that such provisions shall not be applicable to:
 1. Full-time permanent employees of the City of Akron whose continuous employment began prior to and continued through November 7, 1978; or
 2. Appointment or promotion to a position entailing work performed primarily outside of the corporate limits of Akron; or
 3. Employees of agencies which serve areas outside of the City of Akron and which receive most of their funding from other than City of Akron Funds. However, these employees must live within the region their agency serves.
- (5c) For declaring methods of granting preference points to the passing grades of those persons taking non-promotional examinations who are resident citizens of the City of Akron continuously for one year immediately prior to examination and who remain resident citizens of the City of Akron throughout the remainder of the selection process.

- (5d) For declaring methods of granting preference points to the passing grades of those persons taking non-promotional examinations who are veterans of the Armed Forces of the United States irrespective of date of honorable discharge from active duty.
- (6) For the certification to the appointing authority by the Personnel Director from the appropriate eligible list to fill vacancies in the classified service of the persons with the three highest scores on such list, or of the person or persons on such list when the same contains less than three scores.
- (7) For promotion based on competitive examinations and records of efficiency and seniority. Lists shall be created and promotions made in the same manner as in original appointments. Any advancement from one job classification to another for which the maximum rate of pay is higher shall constitute promotion. Whenever practicable, vacancies shall be filled by promotion.
- (8) For transfer from a position to a similar position in the same class and grade and for reinstatement on the eligible list within one year of persons who, without fault or delinquency on their part, are separated from the service or reduced in rank.
- (9) (Repealed; V 107 p 582; approved by voters Nov. 2, 1971)
- (10) (Repealed; V 107 p 582; Approved by voters Nov. 2, 1971)
- (11) For investigating and keeping a record of the efficiency of officers and employees in the classified service, and for requiring performance evaluations and records relative thereto from appointing officers. Each employee's own record shall be available for his/her inspection at all times.
- (12) For a period of probation not exceeding six (6) months before an appointment or employment is made permanent, during which period a probationer may be discharged or reduced by the appointing authority without the right of appeal to the Commission; provided, however, that said probationary period shall be extended for each class of employee, for that period of time which is equivalent to the period of time during which employees entering service in that classification are required to participate in formal, full-time training programs. In no case shall the combined probationary and training period exceed nine (9) months.
- Adopted by ordinance 4, 1975*
- (13) Such other rules shall be adopted which are not inconsistent with the foregoing provisions of this section as may be necessary and appropriate for the enforcement of the merit system.
- As amended adopted by ordinance 11-1-80. As amended adopted by ordinance 11-1-80*

SECTION 106a. - VETERANS AND AKRON RESIDENT PREFERENCE POINTS.

Veterans of the Armed Forces of the United States of America who receive a passing grade on any non-promotional and promotional examinations and Akron residents who received a passing grade on any non-promotional and promotional examinations shall be awarded by the Civil Service Commission 20% preference points. In order to receive the 20% veteran's preference points, the candidate must have served on active duty in the Armed Forces of the United States of America for more than 180 days, and submit proof of honorable discharge. In order to receive the 20% preference points for being an Akron resident, the candidate must have been a resident citizen for at least one year immediately prior to the examination and remain a resident citizen of Akron throughout the selection process.

Approved by voters 11-2-80

SECTION 107. - EXAMINATIONS.

All examinations shall be practical and impartial, and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position for which appointment is sought.

SECTION 108. - APPOINTMENTS.

When a position in the classified service is to be filled, the appointing authority shall notify the Personnel Director of the fact and the Personnel Director shall certify to such authority the names and addresses of the three candidates standing highest on the appropriate eligible list for the position. In the event of ties in total final grade or final score, those persons having final tie grades or final tie scores shall also be certified in their relative position on the eligible list as additional candidates. The appointing authority shall immediately appoint one of the persons certified to such position.

When the eligible list contains less than three names, then such names shall be certified from which number the appointing authority may appoint one for such position. When no eligible list for such position exists or when the eligible list has become exhausted and until a new list can be created, the appointing authority may make a provisional appointment for a period of not to exceed ninety days upon authorization by the Personnel Director. A person certified three times from an eligible list to the same or similar position may be omitted from future certifications to such appointing authority. In the event that more than one position in the same classification is to be filled, the appointing authority shall fill one position before the Personnel Director shall certify any additional names.

Temporary appointments may be made for periods not to exceed two hundred and seventy days, and seasonal appointments may be made for the duration of the specified season. Wherever practicable, temporary or seasonal appointments shall be made from eligible lists in the manner provided herein.

(V 96 p 444 Approved by voters Nov. 2, 1937) (Amendment adopted by electorate 11-4-80)

SECTION 109. - PRESENT CIVIL SERVICE EMPLOYEES.

(Repealed, V 95 p 107, Approved by voters Nov. 8, 1966)

SECTION 110. - CERTIFICATION OF PAYROLL.

It shall be unlawful for the Director of Finance or other public disbursing officer to pay any salary or compensation for service to any person holding a position in the classified service unless the payroll or account for such salary or compensation shall bear the certificate of the commission that the persons named therein have been appointed or employed in accordance with the civil service provisions of this Charter and of the rules established thereunder. Any sums paid contrary to the provisions of this section may be recovered from any officer paying or authorizing the payment thereof and from sureties on his official bond.

SECTION 111. - INVESTIGATIONS.

In any investigation conducted by the Commission it shall have the power to subpoena and require the attendance of witnesses and the production of books and papers pertinent to the investigation and to administer oaths to such witnesses.

SECTION 112. - POLITICAL AND RELIGIOUS BELIEFS.

No persons in the classified service or seeking admission thereto, shall be appointed, rejected for admission, reduced, laid off, discharged or in any way favored or unlawfully discriminated against because of their political opinions or affiliations, or because of their race, color, religion, national origin, sex, age or handicap.

(Amendments adopted by electorate 11-6-80)

SECTION 113. - POLITICAL ACTIVITY.

No person in the classified service shall, either directly or indirectly, solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription or contribution for any political party or any political purpose whatever. No person shall by letter, or by oral or written communication, solicit or be in any manner concerned in soliciting any assessment, subscription or contribution for any political party or any political purpose, from any person holding a position in the classified service. No person in the classified service shall act as an officer of a political organization or take any active part in a political campaign organization or serve as a member of a committee of any such organization, or circulate or seek signatures to any petition provided for by any primary or election laws or by this Charter other than an initiative or referendum petition, or act as a worker at the polls in favor of or opposed to any candidate for election or nomination to a public office, whether Federal, State, County or Municipal. (Amendment adopted by electorate 11-4-80)

SECTION 114. - SALARIES AND APPROPRIATIONS.

The salaries of the Civil Service Commissioners shall be determined by the Council. Council shall appropriate to the Civil Service Commission a sufficient sum each year to carry out the civil service provisions of this Charter.

(V #6 p 444, Approved by voters Nov. 3, 1937) (Amendment adopted by electorate 11-4-80)

SECTION 115. - PENALTY.

(Repealed by voters 11-7-00, Amendment adopted by electorate 11-4-80)

SECTION 116. - SUSPENSION, REDUCTION AND DISMISSAL FROM SERVICE.

The appointing authority may suspend, reduce in grade and compensation or dismiss any employee in the classified service for just and reasonable cause and upon specific written charges. Such charges shall be served on said employee and a copy filed with the Commission. In any dismissal, reduction, or suspension of an employee who has passed the original probationary period, said employees may appeal in writing to the Commission within ten (10) days of service of charges. The Commission shall within thirty (30) days or a later time if agreed to by the officer or employee, hear such appeal and may affirm, disaffirm, or modify the action of the appointing authority. Either the employee or the appointing authority may appeal the decision of the Civil Service Commission to the Court of Common Pleas pursuant to the Ohio Revised Code Chapter 2506. The Personnel Director shall have an appeal directly to the Court of Common Pleas within ten (10) days of service of the notice of suspension, reduction or dismissal. Upon a written charge of misconduct preferred by any citizen of the City, the Commission may suspend, reduce in grade and compensation, or dismiss any employee of the classified service, but only after reasonable notice to the accused and full hearing, and with the same rights of appeal to the Court of Common Pleas as hereinbefore stated.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> SPECIAL ASSESSMENTS >>

SPECIAL ASSESSMENTS

SECTION 117. - GENERAL POWERS.

SECTION 118. - ASSESSMENTS, HOW MADE.

SECTION 119. - REVOLVING FUND.

SECTION 120. - ADDITIONAL ASSESSMENTS AUTHORIZED.

SECTION 117. - GENERAL POWERS.

The Council shall have the power by ordinance to provide for the payment of all or any part of the cost of the construction, reconstruction, repair, operation or maintenance of any structure or work in the nature of a public improvement by levying and collecting special assessments upon abutting adjacent and contiguous or other property especially benefited. The amount so assessed against any property shall not exceed the amount of benefits accruing to such property from such improvements. Provision may be made by ordinance for the method of levying and apportioning such special assessments, for the publication of plans for serving notices, and for hearing complaints before final action thereon is taken.

SECTION 118. - ASSESSMENTS, HOW MADE.

In addition to the methods now provided by law for the making of special assessments against property, the following methods may be employed in all future assessments: Special assessments may be made:

- (a) According to foot front and depth, with decreasing unit price per foot as the distance from the improvement increases, or by gradually decreasing scale over the full depth of abutting, contiguous or adjoining property.
- (b) According to the benefits.
- (c) According to the value of the property.
- (d) By the foot front, and
- (e) By a combination of any of the foregoing methods, as Council may determine.

SECTION 119. - REVOLVING FUND.

The Council may establish what shall be designated as a revolving fund, for the purpose of advancing the money needed to carry on the work involved in making improvements to be paid for by special assessments, and said fund shall be reimbursed when the improvement is completed and the assessing bond ordinances passed and the bonds sold. Upon the establishment of such revolving fund, assessment ordinances shall not be passed until the improvement is completed and the exact cost known. The cost of engineering and inspection shall be included in the assessed cost of the improvement.

SECTION 120. - ADDITIONAL ASSESSMENTS AUTHORIZED.

In addition to other things the cost of which may be specially assessed against abutting, adjoining, adjacent or other contiguous property as provided for by law, the Council may assess the whole or any portion of the cost of the following things against abutting, adjacent, adjoining or other contiguous property, to wit:

- (1) To provide top soil, and plant grass seed in the parking spaces in any public street, place or boulevard, or to place sod in such parking spaces, and to cut, trim, water, fertilize, protect, and maintain the same.
- (2) To plant shrubbery, bulbs or flowers in street parking spaces and to trim, water, protect and maintain the same.
- (3) To plant shade and ornamental trees in any public street or place, and to trim, prune, spray, maintain and otherwise care for them.
- (4) To remove snow, leaves, soil, ice or other encumbrances from the sidewalks in any street or public place.

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> APPROPRIATION OF PROPERTY >>

APPROPRIATION OF PROPERTY

SECTION 121. - PROPERTY MAY BE APPROPRIATED.

SECTION 122. - DECLARATORY RESOLUTION.

SECTION 123. - NOTICE.

SECTION 124. - FURTHER PROCEEDINGS.

SECTION 121. - PROPERTY MAY BE APPROPRIATED.

(Repealed, V 93 p 187, Amended by Ordinance No. 6, 1988)

SECTION 122. - DECLARATORY RESOLUTION.

(Repealed, V 93 p 187, Amended by Ordinance No. 6, 1988)

SECTION 123. - NOTICE.

(Repealed, V 93 p 187, Amended by Ordinance No. 6, 1988)

SECTION 124. - FURTHER PROCEEDINGS.

(Repealed, V 93 p 187, Amended by Ordinance No. 6, 1988)

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> MISCELLANEOUS PROVISIONS >>

MISCELLANEOUS PROVISIONS

SECTION 125. - ORDINANCES IN FORCE.

SECTION 126. - CORPORATE SEAL.

SECTION 127. - ACCOUNTS OF PUBLIC UTILITIES.

SECTION 128. - OFFICIAL BOND AND OATH.

SECTION 129. - PUBLIC IMPROVEMENTS BY CONTRACT OR DIRECT LABOR.

SECTION 130. - HOURS OF LABOR.

SECTION 131. - CONTINUANCE OF CONTRACTS.

SECTION 132. - CONTINUANCE OF PRESENT OFFICERS.

SECTION 133. - MEMORIAL DAY EXPENSES.

SECTION 134. - CONSTRUCTION.

SECTION 135. - MEANING OF CERTAIN WORDS.

SECTION 136. - AMENDMENT.

SECTION 125. - ORDINANCES IN FORCE.

All existing ordinances of the City and all existing orders and regulations of the Board of Health, not for the government of such board but intended for the general public, not inconsistent with this Charter, shall continue in force until amended or repealed by ordinance.

SECTION 126. - CORPORATE SEAL.

The corporate seal of the City shall be in the form provided by law.

SECTION 127. - ACCOUNTS OF PUBLIC UTILITIES.

The accounts of all public utilities owned and operated by the City and dependent for their revenue upon the sale of their products or service, shall be kept separate and distinct from all other accounts of the City and shall contain proportionate charges for all services performed for such utilities by other departments, as well as proportionate credits for all services rendered. The revenues derived from the operation of any public utility owned and operated by the City shall not be used for any other purpose than the operation and maintenance of that utility and the payment of the debts incurred by the city for such utility.

SECTION 128. - OFFICIAL BOND AND OATH.

Each officer of the City required to give bond by Council shall, before assuming the duties of his office, give bond in such sum and with such sureties as the Council may determine. Such bond may be procured from a regularly accredited surety company authorized to do business under the laws of Ohio. Premiums on such bonds may be paid by the City. The approval of such bond and the effect of failure to furnish the same, and the effect of failure to take the oath provided herein, shall be as provided by law. Each officer of the City, before assuming the duties of his office or employment, shall take an oath to support the Constitution of the United States, the Constitution of the State of Ohio, to perform the duties of his office or employment faithfully, honestly, and to the best of his ability and understanding.

SECTION 129. - PUBLIC IMPROVEMENTS BY CONTRACT OR DIRECT LABOR.

Approved by 107 Council, with the 2-18-10

SECTION 130. - HOURS OF LABOR.

Approved by 107 Council, with the 2-18-10

SECTION 131. - CONTINUANCE OF CONTRACTS.

All contracts entered into by the City or for its benefit prior to the taking effect of this charter shall continue in full force and effect. All public work begun prior to the taking effect of this charter shall be continued and perfected hereunder. Public improvements for which legislative steps shall have been taken under laws in force at the time this Charter takes effect may be carried to completion in accordance with the provisions of such laws.

SECTION 132. - CONTINUANCE OF PRESENT OFFICERS.

All persons holding office at the time this Charter goes into effect shall continue in office and in the performance of their duties until provision shall have been otherwise made in accordance with the provisions of this Charter for the performance of the duties of or the discontinuance of any such office. When such provision shall have been made, the term of any such officer shall expire and the office be abolished. The powers which are conferred and the duties which are imposed upon any officer, board, commission or department of the City under the laws of the State shall, if such officer, board, commission or department is abolished by this Charter, be thereafter exercised and discharged by the officer, board or department upon whom are imposed corresponding functions, duties and powers under the provisions of this Charter.

SECTION 133. - MEMORIAL DAY EXPENSES.

(Repealed: Amendment adopted by electoraw 11-4-80)

SECTION 134. - CONSTRUCTION.

The provisions of this Charter shall be liberally construed for the purpose of attaining the objects thereof.

SECTION 135. - MEANING OF CERTAIN WORDS.

Unless some other meaning is manifest, the word "officer" as used in this Charter shall be construed to apply only to the Mayor, the deputies to the Mayor, the members of the Council, the directors of departments and their respective deputies, and the Treasurer; the word "law" shall be construed to mean the general laws of the State of Ohio; the word "City" shall be construed to mean the City of Akron, Ohio; the word "elective" shall be construed as pertaining to election by electors of said City; the word "and" may be read "or," and the word "or" may be read "and" if the sense requires it; words of the male gender shall be construed to include the female gender; and the words in the present tense include the future tense except when a more restricted meaning is manifest.

(Amendment adopted by electoraw 11-4-80)

SECTION 136. - AMENDMENT.

Proposed amendments to this charter may be submitted to the electors of the City by a vote of two-thirds of the members of the Council; and upon petitions signed by ten percent of the electors of the City setting forth any such proposed amendment prepared and filed with the Clerk of the Council in the manner and form prescribed herein for the submission of ordinances by initiative petition, such proposed amendment shall be so submitted by the Council. The percentage aforesaid shall be based upon the total vote cast at the last preceding general municipal election. The ordinance providing for the submission of any such proposed amendment shall require that such proposed amendment be submitted to the electors at the next regular city wide election if one shall occur not less than sixty

(60) days after its passage. The Clerk of the Council shall transmit to the Director of the Board of Elections of Summit County, Ohio, or the successor to this position, a duly authenticated copy of such ordinance forthwith upon its passage. Notice of said proposed amendment shall be given in the manner provided by law. If such proposed amendment be approved by a majority of the electors voting thereon, it shall become a part of the Charter at the time fixed therein; and if no time be fixed therein, then it shall become a part of the Charter when the results of the official canvass of such election is announced.

[Repealed by Ordinance No. 137, Adopted by Council on 11/15/12, and Ordinance No. 138, Adopted by Council on 11/15/12]

Akron, Ohio, Code of Ordinances >> - CHARTER OF THE CITY OF AKRON, OHIO >> SCHEDULE >>

SCHEDULE

SECTION 137. - DATE OF ELECTION FOR SUBMISSION OF CHARTER TO ELECTORS.

SECTION 138. - WHEN CHARTER TO TAKE EFFECT.

SECTION 139. - ANNEXATION OF TERRITORY.

SECTION 140. - OFFICIAL TIME.

SECTION 140a. - DAYLIGHT SAVINGS TIME EXTENDED.

SECTION 141. - PUBLIC MEETINGS AND RECORDS; NOTICE OF MEETINGS.

SECTION 142. - PERIODIC CHARTER REVIEW.

SECTION 137. - DATE OF ELECTION FOR SUBMISSION OF CHARTER TO ELECTORS.

[Repealed by Ordinance No. 137, Adopted by Council on 11/15/12]

SECTION 138. - WHEN CHARTER TO TAKE EFFECT.

[Repealed by Ordinance No. 138, Adopted by Council on 11/15/12]

SECTION 139. - ANNEXATION OF TERRITORY.

In the event of the annexation of the corporate territory of any separate municipality to the City of Akron, the territory so annexed shall become a part of one or more of the existing wards of the City of Akron, or constitute one or more separate wards in addition to the number then existing, as may be set forth and determined in the report of the Commission to arrange terms of the annexation, and wards changed or created pursuant to the terms and conditions of this section shall exist under all the terms and conditions of the Charter of the City of Akron as if in existence as wards of said City at the time of the adoption of said Charter, and shall be subject to the conditions and provisions thereof.

If, by the annexation to the City of Akron, of the corporate territory of a separate municipality, the number of wards into which the City of Akron is divided shall be increased, the number of members of the Council shall be increased by the same number, and a Ward Councilman be chosen from each ward. Upon any such annexation becoming effective, a Ward Councilman for any additional ward thereby created shall be chosen, in such manner as may be provided by the terms of annexation, to serve until the next regular election of Councilmen, or if no method be provided there or by the terms of annexation, then a Ward Councilman shall be chosen for each such new or

additional ward in the manner provided by the Charter of the City of Akron for filling a vacancy in the office of Ward Councilman.

(V 52 p 118; Approved by voters Nov. 8, 1928)

SECTION 140. - OFFICIAL TIME.

(V 56 p 115; Approved by voters May 4, 1945; (Repeated; Amendment adopted by electorate 11-4-50)

SECTION 140a. - DAYLIGHT SAVINGS TIME EXTENDED.

(V 74 p 115; Approved by voters Nov. 4, 1948) (Repeated; Amendment adopted by electorate 11-4-50)

SECTION 141. - PUBLIC MEETINGS AND RECORDS; NOTICE OF MEETINGS.

Meetings of any Council, board, commission, committee, agency, or similar body heretofore or hereafter created either by this Charter or by action of Council of the City of Akron are hereby declared to be public meetings open to the public at all times; such public bodies may hold closed, executive sessions only to consider:

1. Appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official;
2. Purchase or sale of property if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose private interests are adverse to the City's;
3. Conference with an attorney for the public body concerning pending or imminent court action involving the public body;
4. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees;
5. Matters required to be kept confidential by federal law or rule or state statutes;
6. Security arrangements where disclosure of matters discussed might reveal information that could be used to commit or avoid prosecution for a violation of the law.

Any resolution, rule, regulation, decision or formal action adopted at any meeting not open to the public, and not permitted under the above exceptions, is void.

Council shall provide by ordinance for the implementation of this section, for public notice of meetings of boards, commissions, committees and agencies, and for public inspection of minutes and records required by law to be kept by boards, commissions, committees, agencies and officials. Council may provide penalties for the violation of this section and any ordinance adopted pursuant to this section.

(V 95 p 105; Approved by voters Nov. 8, 1966) (Amendment approved by electorate 11-6-90; Amendment adopted by electorate 11-7-00)

SECTION 142. - PERIODIC CHARTER REVIEW.

Commencing in January of 1980 and at intervals of ten (10) years thereafter, the Mayor with the confirmation of City Council shall appoint a committee of nine (9) qualified electors of the Municipality; no more than five (5) of whom shall be members of the same political party, to serve as members of a Charter Review Commission. The members of said Commission shall serve without compensation and until such time as their duties are completed.

The Charter Review Commission shall review the Municipal Charter in meetings open to the public and make such recommendations for amendments to the Charter as a majority of their number shall agree upon. These recommendations shall be presented to the City Council by July 1st of the same year.

Any proposed amendments may in turn be submitted by the City Council to the electors in accordance with procedures established for Charter amendments.

(V 80 p 3). Approved by voters Sept. 12, 1967) (Amendment adopted by electorate 11-4-80)

I hereby certify that the foregoing is a true and correct copy of the Charter of the City of Akron, Ohio, as amended November 2, 2010.

Robert E. Keith,
Clerk of Council

JOINT EXHIBIT B

Budget and Finance

(4)

IB
R
SAT

CBC/TLK/krr 12/10/12
Requested by the Department of Finance

2012 DEC 10 PM 12:11

Offered by **JONES**

ORDINANCE NO. 409 -2012 creating, establishing, and recognizing departments, offices, bureaus, divisions and positions in the classified service of the City of Akron; requiring that only budgeted funded positions be filled; and declaring an emergency.

BE IT ENACTED BY THE Council of the City of Akron:

Section 1. That the following departments, offices, bureaus, divisions and positions are hereby created, established, and recognized:

1. Office of the Mayor
 - a. Administration
 - b. Community Relations Division
 - c. Economic Development Division
 - d. Labor Relations Division
 - e. Public Utilities Commission
2. Office of Council Administration
3. Department of Finance
 - a. Administration
 - b. Accounting Division
 - c. Audit and Budget Division
 - d. Employee Benefits Division
 - e. Income Tax Division
 - f. Information Technology Division
 - g. Purchasing Division
 - h. Treasury Division
 - i. Business Services Division
4. Department of Health
5. Department of Law
 - a. Civil Division
 - b. Criminal Division
6. Department of Neighborhood Assistance
 - a. Administration
 - b. 311 Call Center Division
 - c. Housing Division
 - d. Nuisance Compliance Division
 - e. Recreation Bureau
7. Department of Personnel

EXHIBIT
B

8. Department of Planning and Urban Development
 - a. Administration
 - b. AMATS Division
 - c. Comprehensive Planning and Zoning Divisions
 - d. Development Services Division
 - e. Strategic Initiatives Division

9. Department of Public Safety
 - a. Communications Division
 - b. Safety Communications Division
 - c. Fire Division
 - d. Police Division
 - e. Building Inspection and Regulation Division
 - f. Weights and Measures Division

10. Department of Public Service
 - a. Service Director's Office
 - b. Engineering Bureau
 1. Construction Division
 2. Design Division
 3. Environmental Division
 4. Operations Support Division
 5. Plans and Permits Division
 6. Traffic Engineering Division
 - c. Public Works Bureau
 1. Administration
 2. Building Maintenance Division
 3. Highway Maintenance Division
 4. Motor Equipment Division
 5. Parks Maintenance Division
 6. Sanitation Services Division
 7. Street Cleaning Division
 - d. Sewer Bureau
 1. Sewer Maintenance Division
 2. Water Pollution Control Plant Division
 - e. Water Supply Bureau
 1. Water Distribution Division
 2. Water Plant Division
 3. Watershed Division



Section 2. That the following positions within the classified service of the City of Akron are hereby reassigned or reestablished as follows:

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Design Division	33
Environmental Division	35
Operations Support Division	37
Plans and Permits Division	38
Traffic Engineering Division	39
Public Works Bureau	
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Motor Equipment Division	46
Parks Maintenance Division	48
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OFFICE OF THE MAYOR

ADMINISTRATION

Administrative Assistant
Executive Secretary
Secretary III

Seasonal

TIME

(S) Student Intern..... School Schedule

COMMUNITY RELATIONS DIVISION

ECONOMIC DEVELOPMENT DIVISION

Economic Development Manager
Development Manager
Development Engineering Manager
Economic Development Specialist II
Economic Development Specialist III
Economic Development Specialist IV
Economic Development Technician
Executive Assistant
Graphics Coordinator
Secretary II
Secretary III
Secretary IV

Seasonal

TIME

(S) Student Intern..... School Schedule

LABOR RELATIONS DIVISION

Labor Relations Coordinator
Labor Relations Officer
Safety Officer
Secretary III
Secretary IV

Seasonal

TIME

(S) Student Intern..... School Schedule

PUBLIC UTILITIES COMMISSION

Seasonal

TIME

(S) Student Intern..... School Schedule

OFFICE OF COUNCIL ADMINISTRATION

Clerk of Council
Council Aide
Deputy Clerk of Council
Secretary II
Secretary III

Seasonal

TIME

(S) Student Intern..... School Schedule

DEPARTMENT OF FINANCE

**ADMINISTRATION, ACCOUNTING DIVISION, AUDIT AND BUDGET
DIVISION, EMPLOYEE BENEFITS DIVISION, INCOME TAX
DIVISION, INFORMATION, TECHNOLOGY DIVISION, PURCHASING
DIVISION, AND TREASURY DIVISION**

Account Clerk II
Account Clerk III
Accounting Manager
Accounting Technician
Accounts Analyst II
Accounts Analyst III
Applications Analyst
Applications Programmer
Assessments & Licensing Agent
Assessments & Licenses Supervisor
Assessor
Assistant Purchasing Agent
Assistant Treasurer
Audit & Budget Manager
Audit & Budget Supervisor
Buyer II
Buyer III
Buyer IV
Cashier II
City Cashier
Clerical Intern
Computer Operations Supervisor
Computer Operator I
Computer Operator II
Data Control Assistant
Data Control Coordinator
Data Entry Operator
Database Administrator
Document Reproduction Operator
E-Mail Administrator
Economic Development Specialist IV
Employee Benefits Manager
Employee Benefits Specialist
Executive Assistant
Graphic Artist I
Graphic Artist II
Information Technology Manager
Internal Auditor
Messenger
Network/LAN Administrator

DEPARTMENT OF FINANCE (continued)

Personnel Aide
Personnel Analyst II
Personnel Analyst III
Purchasing Agent
Purchasing Aide
Secretary II
Secretary III
Storekeeper II
Stores Clerk
Tax Auditor
Tax Commissioner
Tax Coordinator
Tax Deputy Commissioner
Tax Records Supervisor
Treasurer
Web Analyst
Workers Compensation Specialist

Seasonal

TIME

(S) Assessments & Licensing Agent.....	3-15 to 11-15
(S) Student Intern.....	School Schedule
(S) Tax Agent.....	3-15 to 11-15

DEPARTMENT OF FINANCE (continued)

BUSINESS SERVICES DIVISION

Business Services Administrator
Account Clerk II
Accounts Analyst I
Accounts Analyst II
APUB Trainer
Applications Analyst
Cashier I
Cashier II
Clerical Intern
Consumer Services Clerk
Domestic Meter Reading Supervisor
Domestic Meter Route Foreman
Domestic Meter Service Foreman
Domestic Meter Worker
Industrial Meter Foreman
Industrial Meterworker
Office Manager I
Secretary II
Secretary III
Utilities Accounting Supervisor
Utilities Analyst
Utilities Office Manager
Utilities Office Supervisor
Water Customer Serviceworker I
Water Customer Serviceworker II
Water Meter Supervisor

Seasonal

TIME

(S) Student Intern..... School Schedule

DEPARTMENT OF HEALTH

Public Health Director

DEPARTMENT OF LAW

CIVIL DIVISION

Clerical Intern
Executive Assistant
Secretary II
Secretary III

Seasonal or Temporary

TIME

(S) Student Intern..... School Schedule
(T) Law Clerk 270 days
(T) Legal Intern..... 270 days

CRIMINAL DIVISION

Clerical Intern
Secretary II
Secretary III

Seasonal or Temporary

TIME

(S) Student Intern..... School Schedule
(T) Law Clerk 270 days
(T) Legal Intern..... 270 days

DEPARTMENT OF NEIGHBORHOOD ASSISTANCE

ADMINISTRATION

Secretary III
Executive Assistant
Clerical Intern

Seasonal

TIME

(S) Student Intern School Schedule

311 CALL CENTER DIVISION

Customer Service Request Manager
Customer Service Request Supervisor
Customer Service Request Agent

DEPARTMENT OF NEIGHBORHOOD ASSISTANCE (continued)

HOUSING DIVISION

Customer Service Administrator
Account Clerk I
Account Clerk II
Animal Control Warden
Building Inspector II
Building Permits Supervisor
Clerical Intern
Code Compliance Inspector
Code Compliance Inspector II
Code Compliance Inspector III
Code Compliance Supervisor
Community Development Technician
Consumer Services Clerk
Customer Service Request Agent
Customer Services Coordinator
Housing Administrator
Laborer/Semi Skilled Laborer
Nuisance Control Inspector
Office Manager I
Public Projects Crew Leader
Public Serviceworker I
Sanitarian I
Sanitarian II
Sanitarian Supervisor
Secretary I
Secretary II
Secretary III
Semi Skilled Laborer
Site Improvement Officer

Seasonal

TIME

(S) Animal Control Warden.....3-1 to 11-1
(S) Construction Inspector3-1 to 11-1
(S) Nuisance Control Inspector.....4-1 to 10-1
(S) Public Serviceworker I3-1 to 11-1
(S) Student Intern.....School Schedule

DEPARTMENT OF NEIGHBORHOOD ASSISTANCE (continued)

NUISANCE COMPLIANCE DIVISION

Customer Service Administrator
Account Clerk I
Account Clerk II
Animal Control Warden
Building Inspector II
Building Permits Supervisor
Clerical Intern
Code Compliance Inspector
Code Compliance Inspector II
Code Compliance Inspector III
Code Compliance Supervisor
Community Development Technician
Consumer Services Clerk
Customer Service Request Agent
Customer Services Coordinator
Housing Administrator
Laborer
Nuisance Control Inspector
Office Manager I
Public Projects Crew Leader
Public Serviceworker I
Sanitarian I
Sanitarian II
Sanitarian Supervisor
Secretary I
Secretary II
Secretary III
Semi Skilled Laborer
Site Improvement Officer

Seasonal

TIME

(S) Animal Control Warden.....	3-1 to 11-1
(S) Construction Inspector.....	3-1 to 11-1
(S) Nuisance Control Inspector.....	4-1 to 10-1
(S) Public Serviceworker I.....	3-1 to 11-1
(S) Student Intern.....	School Schedule

DEPARTMENT OF NEIGHBORHOOD ASSISTANCE (continued)

RECREATION BUREAU

Recreation Manager
Account Clerk II
Clerical Intern
Community Events Coordinator
Golf Course Manager
Golf Operations Coordinator
Golf Course Maintenance Worker
Golf Course Supervisor
Golf Course Superintendent
Health Education Specialist II
Laborer/Semi-Skilled Laborer
Office Manager
Public Serviceworker I
Recreation Leader
Recreation Supervisor
Recreation Supervisor II
Recreation Supervisor III
Secretary II
Secretary III
Secretary IV
Senior Program Coordinator
Sports and Athletic Coordinator

Seasonal

SUMMER PROGRAMS 4-1 TO 12-1

- (S) Account Clerk I
- (S) Life Guard - Municipal Pools
- (S) Pool Assistant Manager
- (S) Pool Manager
- (S) Recreation Supervisor
- (S) Summer Recreation Specialist
- (S) Recreation Supervisor - Lock 3
- (S) Summer Recreation Specialist - Lock 3

DEPARTMENT OF NEIGHBORHOOD ASSISTANCE (continued)

WINTER PROGRAMS 11-1 TO 5-1

- (S) Account Clerk I
- (S) Pool Manager
- (S) Life Guard - Municipal Pools
- (S) Recreation Supervisor
- (S) Winter Recreation Specialist
- (S) Recreation Supervisor – Lock 3
- (S) Winter Recreation Specialist – Lock 3

DEPARTMENT OF NEIGHBORHOOD ASSISTANCE (continued)
RECREATION BUREAU (continued)

Seasonal

	TIME
(S) Golf Attendant.....	3-15 to 12-15
(S) Golf Course Maintenance Worker.....	3-15 to 12-15
(S) Golf Course Supervisor.....	3-15 to 12-15
(S) Laborer/Semi-Skilled Laborer.....	2-15 to 11-15
(S) Public Serviceworker I.....	3-1 to 11-1
(S) Snack Bar Attendant.....	3-15 to 12-15
(S) Student Intern.....	School Schedule
(S) Laborer/Semi-Skilled Laborer – Lock 3.....	2-15 to 11-15
(S) Public Serviceworker I – Lock 3.....	3-1 to 11-1
(S) Snack Bar Attendant – Lock 3.....	3-15 to 12-15
(S) Student Inter-Lock 3.....	School Schedule

DEPARTMENT OF PERSONNEL

Assistant Personnel Director
Clerical Intern
Executive Assistant
Personnel Aide
Personnel Analyst II
Personnel Analyst III
Personnel Officer
Personnel Records Supervisor
Personnel Technician
Secretary II
Secretary III
Selection Manager
Training & EEO Officer

Seasonal

TIME

(S) Student Intern..... School Schedule

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

ADMINISTRATION

Account Clerk II
Account Clerk III
City Planner II
City Planner IV
Clerical Intern
Engineering Co-Op
Executive Assistant
Planning Aide II
Secretary II

Seasonal

TIME

(S) Student Intern..... School Schedule

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT (continued)

AMATS DIVISION

Transportation Planning Regional Manager
Account Clerk III
City Planner I
City Planner II
City Planner III
City Planner IV
Laborer
Planning Aide II
Planning Aide III
Public Information Specialist II
Secretary II
Secretary III
Transportation Designer II
Transportation Engineer
Transportation Planner II
Transportation Planner III
Transportation Planner IV
Transportation Planning Administrator

Seasonal

TIME

(S) Planning Aide I 4-15 to 12-15
(S) Student Intern School Schedule

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT (continued)

COMPREHENSIVE PLANNING & ZONING DIVISIONS

Zoning Manager
Assistant Librarian
Building Inspector II
City Planner II
City Planner III
City Planner IV
Clerical Intern
Comprehensive Planning Administrator
Engineering Co-op
Librarian
Planning Aide II
Planning Aide III
Secretary II
Secretary III
Zoning Technician

Seasonal

TIME

(S) Student Intern..... School Schedule

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT (continued)

DEVELOPMENT SERVICES DIVISION

Acquisition Officer
Building Inspector II
City Planner II
City Planner III
City Planner IV
Clerical Intern
Community Development Technician
Community Resource Specialist I
Community Resource Specialist II
Community Resource Specialist III
Demolition Site Improvement Inspector I
Demolition Site Improvement Inspector II
Development Manager
Engineering Technician II
Engineering Technician III
Housing Rehabilitation Administrator
Housing Rehabilitation Loan Specialist
Housing Rehabilitation Manager
Housing Rehabilitation Specialist II
Housing Rehabilitation Supervisor
Human Resources Administrator
Laborer/Semi-Skilled Laborer
Land Marketing Officer
Planning Aide II
Real Estate Negotiator II
Real Estate Negotiator III
Relocation Officer
Renewal Property Foreman
Secretary II
Secretary III
Site Improvement Administrator
Site Improvement Officer
Sociologist III

Seasonal

TIME

(S) Equipment Mechanic 3-15 to 11-15
(S) Laborer/Semi-Skilled Laborer 3-15 to 11-15
(S) Student Intern School Schedule

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT (continued)

STRATEGIC INITIATIVES DIVISION

Capital Planning Manager
Architectural Designer II
City Design Administrator
City Planner II
City Planner III
City Planner IV
Civil Engineer III
Clerical Intern
Drafter III
Economist III
Economist IV
Investments Program Administrator
Laborer/Semi-Skilled Laborer
Landscape Architect
Landscape Designer II
Landscape Planner
Planning Aide II
Secretary II
Secretary III
Senior Engineer
Urban Forestry Specialist

Seasonal

TIME

(S) Student Intern..... School Schedule

DEPARTMENT OF PUBLIC SAFETY

BUILDING INSPECTION AND REGULATION DIVISION

COMMUNICATIONS DIVISION

Communications Manager
Cable & Line Utilityworker
Communications Supervisor
Communications Technician I
Communications Technician II
Radio Communications Supervisor
Radio Technician II
Secretary II
Secretary III
Signal Line Foreman
Signal Lineworker
Wireless Services Coordinator

Seasonal

TIME

(S) Student Intern..... School Schedule

DEPARTMENT OF PUBLIC SAFETY (continued)

FIRE DIVISION

RANKS:

Fire Chief
Fire Deputy Chief
Fire District Chief
Fire Captain
Fire Lieutenant
Firefighter/Medic

SUPPORT:

EMS Quality Coordinator
Fire Equipment Foreman/Master Fire Equipment Foreman
Fire Equipment Mechanic/Master Fire Equipment Mechanic
Fire Equipment Supervisor/Master Fire Equipment Supervisor
Secretary II
Secretary III
Secretary IV
Storekeeper II
Stores Clerk

Seasonal

TIME

(S) Laborer/Semi-Skilled Laborer 9-1 to 5-30
(S) Student Intern School Schedule

DEPARTMENT OF PUBLIC SAFETY (continued)

POLICE DIVISION

RANKS:

Police Chief
Police Deputy Chief
Police Captain
Police Lieutenant
Police Sergeant
Police Officer

SUPPORT:

Account Clerk II
Account Clerk III
Accounts Analyst III
Crime Analyst II
Crime Analyst III
Health Education Specialist III
Law Enforcement Planner I
Law Enforcement Planner II
Police Records Supervisor
Safety Communications Technician
Safety Communications Technician I
Safety Communications Technician II
Safety Communications Supervisor
Secretary II
Secretary III
Secretary IV

Seasonal or Temporary

	TIME
(S) School Crossing Guard	School Schedule
(S) Student Intern.....	School Schedule
(T) Police Cadet.....	270 days

DEPARTMENT OF PUBLIC SAFETY (continued)

SAFETY COMMUNICATIONS DIVISION

Police Deputy Chief
Applications Analyst
Applications Programmer
Database Administrator
Safety Communications Supervisor
Safety Communications Technician
Safety Communications Technician I
Secretary II
Secretary III

WEIGHTS AND MEASURES

DEPARTMENT OF PUBLIC SERVICE

SERVICE DIRECTOR'S OFFICE

Operations Research Coordinator
Clerical Intern
Executive Assistant
Manager of Downtown Operations
Operations Research Analyst I
Operations Research Analyst II
Operations Research Analyst III
Safety Compliance Officer
Secretary III

Seasonal

TIME

(S) Student Intern..... School Schedule

DEPARTMENT OF PUBLIC SERVICE (continued)

ENGINEERING BUREAU

CONSTRUCTION DIVISION

City Engineer
Account Clerk II
Account Clerk III
Accounting Technician
Airport Superintendent
Applications Analyst
Applications Programmer
Building Inspector II
Cable and Line Utility Worker
Cartographer
Arborist and Horticulturist
Civil Engineer II
Civil Engineer III
Clerical Intern
Construction Materials Lab Supervisor
Drafter II
Drafter III
Electrical Engineer III
Electronics Technician I
Electronics Technician II
Engineering Administrative Services Manager
Engineering Associate Co-op
Engineering Construction Manager
Engineering Co-op
Engineering Design Manager
Engineering Environmental Manager
Engineering Projects Coordinator
Engineering Technician II
Engineering Technician III
Equal Employment Officer
Landscape Designer II
Landscape Technician II
Parking Meter Worker I
Parking Meter Worker II
Parking Meter Foreman
Permit Clerk I
Permit Clerk II
Permit Inspector
Plans Examiner III
Plans and Permits Manager
Public Service Worker I
Public Works Engineering Services Manager

DEPARTMENT OF PUBLIC SERVICE (continued)
ENGINEERING BUREAU (continued)
CONSTRUCTION DIVISION (continued)

Secretary II
Secretary III
Secretary IV
Senior Engineer
Signal Line Engineer
Signal Line Foreman
Signal Lineworker
Survey Party Chief
Survey Projects Supervisor
Surveyor
Surveyor Aide II
Surveyor Technician
Utilities Engineer
Water and Sewer Systems Manager
Zoning Compliance Inspector

Seasonal

TIME

(S) Arborist and Horticulturist..... 3-1 to 12-1
(S) Student Intern..... School Schedule

DEPARTMENT OF PUBLIC SERVICE (continued)
ENGINEERING BUREAU (continued)

DESIGN DIVISION

City Engineer
Account Clerk II
Account Clerk III
Accounting Technician
Airport Superintendent
Applications Analyst
Applications Programmer
Building Inspector II
Cable And Line Utility Worker
Cartographer
Arborist and Horticulturist
Civil Engineer II
Civil Engineer III
Clerical Intern
Construction Materials Lab Supervisor
Drafter II
Drafter III
Electrical Engineer III
Electronics Technician I
Electronics Technician II
Engineering Administrative Services Manager
Engineering Associate Co-op
Engineering Construction Manager
Engineering Co-op
Engineering Design Manager
Engineering Environmental Manager
Engineering Projects Coordinator
Engineering Technician II
Engineering Technician III
Equal Employment Officer
Landscape Designer II
Landscape Technician II
Parking Meter Worker I
Parking Meter Worker II
Parking Meter Foreman
Permit Clerk I
Permit Clerk II
Permit Inspector
Plans Examiner III
Plans And Permits Manager
Public Service Worker I
Public Works Engineering Services Manager
Secretary II
Secretary III

DEPARTMENT OF PUBLIC SERVICE (continued)
ENGINEERING BUREAU (continued)
DESIGN DIVISION (continued)

Secretary IV
Senior Engineer
Signal Line Foreman
Signal Lineworker
Survey Party Chief
Survey Projects Supervisor
Surveyor
Surveyor Aide II
Surveyor Technician
Utilities Engineer
Water And Sewer Systems Manager
Zoning Compliance Inspector

Seasonal

TIME

(S) Arborist and Horticulturist..... 3-1 to 12-1
(S) Student Intern..... School Schedule

DEPARTMENT OF PUBLIC SERVICE (continued)
ENGINEERING BUREAU (continued)

ENVIRONMENTAL DIVISION

City Engineer
Account Clerk II
Account Clerk III
Accounting Technician
Airport Superintendent
Applications Analyst
Applications Programmer
Building Inspector II
Cable and Line Utility Worker
Cartographer
Arborist and Horticulturist
Civil Engineer II
Civil Engineer III
Clerical Intern
Construction Materials Lab Supervisor
Drafter II
Drafter III
Electrical Engineer III
Electronics Technician I
Electronics Technician II
Engineering Administrative Services Manager
Engineering Associate Co-op
Engineering Construction Manager
Engineering Co-op
Engineering Design Manager
Engineering Environmental Manager
Engineering Projects Coordinator
Engineering Technician II
Engineering Technician III
Equal Employment Officer
Landscape Designer II
Landscape Technician II
Parking Meter Worker I
Parking Meter Worker II
Parking Meter Foreman
Permit Clerk I
Permit Clerk II
Permit Inspector
Plans Examiner III
Plans and Permits Manager
Public Service Worker I
Public Works Engineering Services Manager
Secretary II
Secretary III

DEPARTMENT OF PUBLIC SERVICE (continued)
ENGINEERING BUREAU (continued)
ENVIRONMENTAL DIVISION (continued)

Secretary IV
Senior Engineer
Signal Line Foreman
Signal Lineworker
Survey Party Chief
Survey Projects Supervisor
Surveyor
Surveyor Aide II
Surveyor Technician
Utilities Engineer
Water And Sewer Systems Manager
Zoning Compliance Inspector

Seasonal

TIME

(S) Arborist and Horticulturist..... 3-1 to 12-1
(S) Student Intern..... School Schedule

DEPARTMENT OF PUBLIC SERVICE (continued)
ENGINEERING BUREAU (continued)

OPERATIONS SUPPORT DIVISION

Account Clerk II
Account Clerk III
Accounting Technician
Applications Analyst
Applications Programmer
Airport Maintenance Worker I
Airport Maintenance Worker II
Airport Operations Agent
Airport Superintendent
Airport Supervisor
Building Inspector II
Cartographer
Civil Engineer II
Civil Engineer III
Clerical Intern
Drafter II
Drafter III
Electrical Engineer III
Engineering Administrative Services Manager
Engineering Associate Co-op
Engineering Co-op
Engineering Projects Coordinator
Engineering Technician II
Engineering Technician III
Equal Employment Officer
Laborer/Semi-Skilled Laborer
Permit Inspector
Public Serviceworker I
Public Works Engineering Services Manager
Secretary II
Secretary III
Secretary IV
Senior Engineer
Survey Party Chief
Survey Projects Supervisor
Surveyor
Surveyor Aide II
Surveyor Technician

DEPARTMENT OF PUBLIC SERVICE (continued)
ENGINEERING BUREAU (CONTINUED)

PLANS AND PERMITS DIVISION

Plans and Permits Manager
Account Clerk II
Account Clerk III
Accounting Technician
Applications Analyst
Applications Programmer
Building Inspector II
Engineering Technician II
Engineering Technician III
Permit Clerk I
Permit Clerk II
Permit Inspector
Plans Examiner III
Secretary II
Secretary III
Secretary IV
Zoning Compliance Inspector

Seasonal

TIME

(S) Student Intern..... School Schedule

DEPARTMENT OF PUBLIC SERVICE (continued)
ENGINEERING BUREAU (continued)

TRAFFIC ENGINEERING DIVISION

Account Clerk II
Account Clerk III
Accounting Technician
Applications Analyst
Applications Programmer
Cable and Line Utilityworker
Cartographer
Civil Engineer II
Civil Engineer III
Clerical Intern
Drafter II
Drafter III
Electrical Engineer III
Electronics Technician I
Electronics Technician II
Engineering Associate Co-op
Engineering Co-op
Engineering Projects Coordinator
Engineering Technician II
Engineering Technician III
Parking Meterworker I
Parking Meterworker II
Parking Meter Foreman
Permit Inspector
Public Service Worker I
Secretary II
Secretary III
Secretary IV
Senior Engineer
Signal Line Foreman
Signal Lineworker
Traffic Engineer
Traffic Engineering Aide
Traffic Marker I
Traffic Marker II
Traffic Marking Foreman
Traffic Operations Supervisor
Traffic Sign Fabricator
Traffic Signal Supervisor
Traffic Signal Technician
Traffic Systems Design Technician
Traffic Technician I
Traffic Technician II
Traffic Technician Supervisor

DEPARTMENT OF PUBLIC SERVICE (continued)
ENGINEERING BUREAU (continued)
TRAFFIC ENGINEERING DIVISION (continued)

Seasonal

TIME

(S) Cable & Line Utilityworker	3-1to 12-1
(S) Arborist and Horticulturist.....	3-1-to 12-1
(S) Laborer/Semi-Skilled Laborer	3-1 to 12-1
(S) Public Service Worker I.....	3-1 TO 12-1
(S) Student Intern.....	School Schedule
(S) Traffic Engineering Aide	3-1to 12-1
(S) Traffic Technician I.....	3-1to 12-1

DEPARTMENT OF PUBLIC SERVICE (continued)

PUBLIC WORKS BUREAU

ADMINISTRATION

Account Clerk II
Account Clerk III
Civil Engineer II
Civil Engineer III
Clerical Intern
Customer Service Request Agent
Drafter II
Drafter III
Engineering Associate Co-Op
Engineering Co-Op
Engineering Technician II
Engineering Technician III
Laborer/Semi-Skilled Laborer
Office Manager I
Office Manager II
Operations Research Analyst I
Operations Research Analyst III
Permit Inspector
Public Service Worker I
Public Works Deputy Manager
Public Works Manager
Public Works Supervisor
Re-Engineering Coordinator
Secretary II
Secretary III
Secretary IV
Student Intern
Surveyor
Surveyor Technician
Urban Forestry Specialist

Seasonal

TIME

(S) Laborer/Semi-Skilled Laborer	2-15 to 11-15
(S) Student Intern.....	School Schedule
(S) Account Clerk II.....	9-1 to 5-1
(S) Tree Trimmer II	3-1 to 11-30
(S) Sanitation Serviceworker	4-1 to 11-1

DEPARTMENT OF PUBLIC SERVICE (continued)
PUBLIC WORKS BUREAU (continued)

BUILDING MAINTENANCE DIVISION

Account Clerk II
Account Clerk III
Broommaker, Equipment Operator II
Building Electrician
Building Maintenance Foreman
Arborist and Horticulturist
Civil Engineer II
Civil Engineer III
Clerical Intern
Custodial Crew Leader
Custodial Foreman
Custodian
Drafter II
Drafter III
Engineering Associate Co-Op
Engineering Co-Op
Engineering Technician II
Engineering Technician III
Equipment Mechanic
Equipment Mechanic Foreman
Equipment Operator I
Equipment Operator II
Equipment Operator III
Equipment Serviceworker
Equipment Shop Supervisor
Equipment Storekeeper
Facilities and Maintenance Supervisor
Facilities Maintenance Manager
Garage Attendant
Heating & Air Conditioning Repairer
Highway Maintenance Emergency Worker
Laborer/Semi-Skilled Laborer
Landscape Crew Leader
Landscape
Maintenance Repairer II
Mason
Master Equipment Mechanic
Master Equipment Mechanic Foreman
Master Equipment Operator
Master Equipment Shop Supervisor
Office Manager I
Office Manager II

DEPARTMENT OF PUBLIC SERVICE (continued)
 PUBLIC WORKS BUREAU (continued)
 BUILDING MAINTENANCE DIVISION (continued)

- Operations Research Analyst I
- Operations Research Analyst II
- Operations Research Analyst III
- Permit Inspector
- Public Service Worker I
- Public Works Deputy Manager
- Public Works Manager
- Public Works Supervisor
- Re-Engineering Coordinator
- Sanitation Services Dispatcher
- Sanitation Service Worker
- Secretary II
- Secretary III
- Secretary IV
- Storekeeper II
- Stores Clerk
- Student Intern
- Surveyor
- Surveyor Technician
- Tree Trimmer II
- Urban Forestry Specialist
- Welder

Seasonal

TIME

(S) Laborer/Semi-Skilled Laborer	2-15 to 11-15
(S) Student Intern.....	School Schedule
(S) Account Clerk II.....	9-1 to 5-1
(S) Tree Trimmer II	3-1 to 11-30
(S) Sanitation Serviceworker	4-1 to 11-1
(S) Public Service Worker I.....	2-15 to 11-15

DEPARTMENT OF PUBLIC SERVICE (continued)
PUBLIC WORKS BUREAU (continued)

HIGHWAY MAINTENANCE DIVISION

Account Clerk II
Account Clerk III
Broommaker-Equipment Operator II
Building Electrician
Arborist and Horticulturist
Civil Engineer II
Civil Engineer III
Clerical Intern
Custodial Crew Leader
Custodial Foreman
Custodian
Drafter II
Drafter III
Engineering Associate Co-Op
Engineering Co-Op
Engineering Technician II
Engineering Technician III
Equipment Mechanic
Equipment Mechanic Foreman
Highway Maintenance Superintendent
Highway Maintenance Assistant Superintendent
Equipment Operator I
Equipment Operator II
Equipment Operator III/Master Equipment Operator
Equipment Serviceworker
Equipment Shop Supervisor
Equipment Storekeeper
Garage Attendant
Heating & Air Conditioning Repairer
Highway Maintenance Emergency Worker
Highway Maintenance Foreman
Laborer/Semi-Skilled Laborer
Landscape Crew Leader
Landscape
Maintenance Repairer II
Mason
Master Equipment Mechanic
Master Equipment Mechanic Foreman
Master Equipment Shop Supervisor
Office Manager I
Office Manager II
Operations Research Analyst I

DEPARTMENT OF PUBLIC SERVICE (continued)
 PUBLIC WORKS BUREAU (continued)
 HIGHWAY MAINTENANCE DIVISION (continued)

Operations Research Analyst II
 Operations Research Analyst III
 Permit Inspector
 Public Service Worker I
 Public Works Deputy Manager
 Public Works Manager
 Public Works Supervisor
 Re-Engineering Coordinator
 Sanitation Services Dispatcher
 Sanitation Serviceworker
 Storekeeper II
 Stores Clerk
 Secretary II
 Secretary III
 Secretary IV
 Student Intern
 Surveyor
 Surveyor Technician
 Tree Trimmer II
 Urban Forestry Specialist
 Welder

Seasonal

TIME

(S)	Laborer/Semi-Skilled Laborer	2-15 to 11-15
(S)	Student Intern	School Schedule
(S)	Account clerk II	9-1 to 5-1
(S)	Tree Trimmer II	3-1 to 11-30
(S)	Sanitation Serviceworker	4-1 to 11-1
(S)	Public Service Worker I.....	2-15 to 11-15

DEPARTMENT OF PUBLIC SERVICE (continued)
PUBLIC WORKS BUREAU (continued)

MOTOR EQUIPMENT DIVISION

Motor Equipment Manager
Account Clerk II
Account Clerk III
Broommaker, Equipment Operator II
Building Electrician
City Arborist and Horticulturist
Civil Engineer II
Civil Engineer III
Clerical Intern
Custodial Crew Leader
Custodial Foreman
Custodian
Drafter II
Drafter III
Engineering Associate Co-op
Engineering Co-op
Engineering Technician II
Engineering Technician III
Equipment Mechanic/Master Equipment Mechanic
Equipment Mechanic Foreman/Master Equipment Mechanic Foreman
Equipment Operator I
Equipment Operator II
Equipment Operator III
Equipment Serviceworker
Equipment Shop Supervisor/Master Equipment Shop Supervisor
Equipment Storekeeper
Garage Attendant
Heating & Air Conditioning Repairer
Highway Maintenance Emergency Worker
Laborer/Semi-Skilled Laborer
Landscape Crew Leader
Landscape
Maintenance Repairer II
Mason
Master Equipment Operator
Motor Equipment Superintendent
Office Manager I
Office Manager II
Operations Research Analyst I
Operations Research Analyst II
Operations Research Analyst III
Permit Inspector
Public Service Worker I
Public Works Deputy Manager

DEPARTMENT OF PUBLIC SERVICE (continued)
 PUBLIC WORKS BUREAU (continued)
 MOTOR EQUIPMENT DIVISION (continued)

Public Works Manager
 Public Works Supervisor
 Re-engineering Coordinator
 Sanitation Services Dispatcher
 Sanitation Services Worker
 Secretary II
 Secretary III
 Secretary IV
 Storekeeper II
 Stores Clerk
 Student Intern
 Surveyor
 Surveyor Technician
 Tree Trimmer II
 Urban Forestry Specialist
 Welder

Seasonal

TIME

(S) Laborer/Semi-Skilled Laborer	2-15 to 11-15
(S) Student Intern.....	School Schedule
(S) Account Clerk II.....	9-1 to 5-1
(S) Tree Trimmer II	3-1 to 11-30
(S) Sanitation Serviceworker.....	4-1 to 11-1
(S) Public Service Worker I.....	2-15 to 11-15

DEPARTMENT OF PUBLIC SERVICE (continued)
PUBLIC WORKS BUREAU (continued)

PARKS MAINTENANCE DIVISION

Parks Maintenance Superintendent
Account Clerk II
Account Clerk III
Broommaker, Equipment Operator II
Building Electrician
Arborist and Horticulturist
Civil Engineer II
Civil Engineer III
Clerical Intern
Custodial Crew Leader
Custodial Foreman
Custodian
Drafter II
Drafter III
Engineering Associate Co-op
Engineering Co-op
Engineering Technician II
Engineering Technician III
Equipment Mechanic
Equipment Mechanic Foreman
Equipment Operator I
Equipment Operator II
Equipment Operator III/Master Equipment Operator
Equipment Serviceworker
Equipment Shop Supervisor
Equipment Storekeeper
Garage Attendant
Golf Course Maintenance Worker
Golf Course Superintendent
Golf Course Supervisor
Heating & Air Conditioning Repairer
Highway Maintenance Emergency Worker
Laborer/Semi-Skilled Laborer
Landscape Crew Leader
Landscape
Maintenance Repairer II
Mason
Master Equipment Mechanic
Master Equipment Mechanic Foreman
Master Equipment Shop Supervisor
Office Manager I
Office Manager II
Operations Research Analyst I
Operations Research Analyst II

DEPARTMENT OF PUBLIC SERVICE (continued)
 PUBLIC WORKS BUREAU (continued)
 PARKS MAINTENANCE DIVISION(continued)

- Operations Research Analyst III
- Parks Maintenance Foreman
- Permit Inspector
- Public Service Worker I
- Public Works Deputy Manager
- Public Works Manager
- Public Works Supervisor
- Re-engineering Coordinator
- Sanitation Services Dispatcher
- Sanitation Service Worker
- Secretary II
- Secretary III
- Secretary IV
- Storekeeper II
- Stores Clerk
- Student Intern
- Surveyor
- Surveyor Technician
- Tree Trimmer II
- Urban Forestry Specialist
- Welder

Seasonal

TIME

(S) Account clerk II	9-1 to 5-1
(S) Laborer/Semi-Skilled Laborer	2-15 to 11-15
(S) Sanitation Serviceworker	4-1 to 11-1
(S) Student Intern.....	School Schedule
(S) Tree Trimmer II	3-1 to 11-30
(S) Public Service Worker I.....	2-15 to 11-15

DEPARTMENT OF PUBLIC SERVICE (continued)
PUBLIC WORKS BUREAU (continued)

SANITATION SERVICES DIVISION

Sanitation Services Superintendent
Account Clerk II
Account Clerk III
Broommaker, Equipment Operator II
Building Electrician
And Horticulturist
Civil Engineer II
City Arborist
Civil Engineer III
Clerical Intern
Collection Foreman
Collection Supervisor
Custodial Crew Leader
Custodial Foreman
Custodian
Drafter II
Drafter III
Engineering Associate Co-Op
Engineering Co-Op
Engineering Technician II
Engineering Technician III
Equipment Mechanic
Equipment Mechanic Foreman
Equipment Operator I
Equipment Operator II
Equipment Operator III
Equipment Serviceworker
Equipment Shop Supervisor
Equipment Storekeeper
Garage Attendant
Heating & Air Conditioning Repairer
Highway Maintenance Emergency Worker
Laborer/Semi-Skilled Laborer
Landscape Crew Leader
Landscape
Maintenance Repairer II
Mason
Master Equipment Mechanic
Master Equipment Mechanic Foreman
Master Equipment Operator
Master Equipment Shop Supervisor
Office Manager I
Office Manager II
Operations Research Analyst I

DEPARTMENT OF PUBLIC SERVICE (continued)
 PUBLIC WORKS BUREAU (continued)
 SANITATION SERVICES DIVISION (continued)

- Operations Research Analyst II
- Operations Research Analyst III
- Permit Inspector
- Public Service Worker I
- Public Works Deputy Manager
- Public Works Manager
- Public Works Supervisor
- Re-Engineering Coordinator
- Sanitation Serviceworker
- Sanitation Services Dispatcher
- Secretary II
- Secretary III
- Secretary IV
- Storekeeper II
- Stores Clerk
- Student Intern
- Surveyor
- Surveyor Technician
- Tree Trimmer II
- Urban Forestry Specialist
- Welder

Seasonal

TIME

(S) Account Clerk II.....	9-1 to 5-1
(S) Laborer/Semi-Skilled Laborer	2-15 to 11-15
(S) Sanitation Serviceworker	4-1 to 11-1
(S) Student Intern.....	School Schedule
(S) Tree Trimmer II	3-1 to 11-30
(S) Public Service Worker I.....	2-15 to 11-15

DEPARTMENT OF PUBLIC SERVICE (continued)
PUBLIC WORKS BUREAU (continued)

STREET CLEANING DIVISION

Account Clerk II
Account Clerk III
Broommaker-Equipment Operator II
Building Electrician
Arborist and Horticulturist
Civil Engineer II
Civil Engineer III
Clerical Intern
Custodial Crew Leader
Custodial Foreman
Custodian
Drafter II
Drafter III
Engineering Associate Co-Op
Engineering Co-Op
Engineering Technician II
Engineering Technician III
Equipment Mechanic
Equipment Mechanic Foreman
Equipment Operator I
Equipment Operator II
Equipment Operator III/Master Equipment Operator
Equipment Serviceworker
Equipment Shop Supervisor
Equipment Storekeeper
Garage Attendant
Heating & Air Conditioning Repairer
Highway Maintenance Emergency Worker
Laborer/Semi-Skilled Laborer
Landscape Crew Leader
Landscape
Maintenance Repairer II
Mason
Master Equipment Mechanic
Master Equipment Mechanic Foreman
Master Equipment Shop Supervisor
Office Manager I
Office Manager II
Operations Research Analyst I
Operations Research Analyst II
Operations Research Analyst III
Permit Inspector
Public Service Worker I
Public Works Deputy Manager
Public Works Manager

DEPARTMENT OF PUBLIC SERVICE (continued)
 PUBLIC WORKS BUREAU (continued)
 STREET CLEANING DIVISION (continued)

- Public Works Supervisor
- Re-Engineering Coordinator
- Sanitation Services Dispatcher
- Sanitation Service Worker
- Secretary II
- Secretary III
- Secretary IV
- Storekeeper II
- Stores Clerk
- Street Cleaning Foreman
- Street Cleaning Superintendent
- Student Intern
- Surveyor
- Surveyor Technician
- Tree Trimmer II
- Urban Forestry Specialist
- Welder

Seasonal

TIME

(S) Laborer/Semi-Skilled Laborer	2-15 to 11-15
(S) Student Intern.....	School Schedule
(S) Account Clerk II.....	9-1 to 5-1
(S) Tree Trimmer II	3-1 to 11-30
(S) Sanitation Serviceworker	4-1 to 11-1
(S) Public Service Worker I.....	2-15 to 11-15

DEPARTMENT OF PUBLIC SERVICE (continued)

SEWER BUREAU

SEWER MAINTENANCE DIVISION

Account Clerk II
Applications Analyst
Applications Programmer
Building Electrician
Civil Engineer I
Civil Engineer II
Civil Engineer III
Custodian
Engineering Co-op
Engineering Projects Coordinator
Engineering Technician I
Engineering Technician II
Engineering Technician III
Equipment Mechanic / Master Equipment Mechanic
Equipment Mechanic Foreman / Master Equipment Mechanic Foreman
Equipment Operator III / Master Equipment Operator
Industrial Pretreatment Engineer
Laborer / Semi-Skilled Laborer
Maintenance Repairer II
Office Manager I
Planner/Scheduler - WPC
Plant Automated Control Technician - WPC
Plant Electrician
Public Service Worker I
Public Utilities Manager
Pumping System Maintenance Foreman
Pumping System Mechanic
Safety and Training Coordinator - WPC
Secretary II
Secretary III
Secretary IV
Senior Engineer
Sewer Maintenance Dispatcher
Sewer Maintenance Foreman

DEPARTMENT OF PUBLIC SERVICE (continued)
 SEWER BUREAU (continued)
 SEWER MAINTENANCE DIVISION (continued)

- Sewer Maintenance Superintendent
- Sewer Maintenance Supervisor
- Sewer Maintenance Worker I
- Sewer Maintenance Worker II
- Sewer Serviceworker
- Sewer Telemonitoring Technician
- Storekeeper I
- Storekeeper II
- Stores Clerk
- Team Leader - Administration and Technology - WPC
- Team Leader - Environmental Compliance - WPC
- Team Leader - Operations and Maintenance - WPC
- Treatment Plant Mechanic
- Treatment Plant Utilityworker
- Utilities Engineer
- Utilities Intern
- Wastewater Plant Lead Operator
- Wastewater Plant Mechanic
- Wastewater Plant Operator
- Water and Sewer Systems Manager

Seasonal

	TIME
Laborer / Semi-Skilled Laborer	3-1 to 12-1
Public Service Worker I	3-1 to 12-1
Sewer Maintenance Foreman.....	3-1 to 12-1
Sewer Maintenance Worker I	3-1 to 12-1
Student Intern	School Schedule
Treatment Plant Utilityworker.....	3-1 to 12-1

DEPARTMENT OF PUBLIC SERVICE (continued)
SEWER BUREAU (continued)

WATER POLLUTION CONTROL PLANT DIVISION

Account Clerk II
Applications Analyst
Applications Programmer
Building Electrician
Civil Engineer I
Civil Engineer II
Civil Engineer III
Custodian
Engineering Co-op
Engineering Projects Coordinator
Engineering Technician I
Engineering Technician II
Engineering Technician III
Environmental Services Aide
Equipment Mechanic / Master Equipment Mechanic
Equipment Mechanic Foreman / Master Equipment Mechanic Foreman
Equipment Operator III / Master Equipment Operator
Industrial Pretreatment Engineer
Laboratory Analyst I
Laboratory Analyst II - Wastewater
Laboratory Analyst III - Wastewater
Laborer / Semi-Skilled Laborer
Maintenance Repairer II
Office Manager I
Planner/Scheduler - WPC
Plant Automated Control Technician - WPC
Plant Electrician
Public Service Worker I
Public Utilities Manager
Pumping System Maintenance Foreman
Pumping System Mechanic
Safety and Training Coordinator - WPC
Secretary II
Secretary III
Secretary IV
Senior Engineer

DEPARTMENT OF PUBLIC SERVICE (continued)
 SEWER BUREAU (continued)
 WATER POLLUTION CONTROL PLANT DIVISION (continued)

- Sewer Maintenance Dispatcher
- Sewer Maintenance Foreman
- Sewer Maintenance Supervisor
- Sewer Maintenance Worker I
- Sewer Maintenance Worker II
- Sewer Serviceworker
- Storekeeper I
- Storekeeper II
- Stores Clerk
- Team Leader - Administration and Technology - WPC
- Team Leader - Environmental Compliance - WPC
- Team Leader - Operations and Maintenance - WPC
- Treatment Plant Mechanic
- Treatment Plant Utilityworker
- Treatment Process Controller - WPC
- Utilities Engineer
- Utilities Intern
- Wastewater Plant Lead Operator
- Wastewater Plant Maintenance Supervisor
- Wastewater Plant Mechanic
- Wastewater Plant Operations Foreman
- Wastewater Plant Operator
- Wastewater Plant Superintendent
- Water Pollution Control Administrator
- Water Pollution Control Manager

Seasonal

TIME

Environmental Services Aide.....	3-1 to 12-1
Laborer/Semi-Skilled Laborer	3-1 to 12-1
Public Service Worker I	3-1 to 12-1
Sewer Maintenance Foreman.....	3-1 to 12-1
Sewer Maintenance Worker I	3-1 to 12-1

Student Intern	School Schedule
Treatment Plant Utilityworker.....	3-1 to 12-1

DEPARTMENT OF PUBLIC SERVICE (continued)

WATER SUPPLY BUREAU

WATER DISTRIBUTION DIVISION

Account Clerk I
Account Clerk II
Accounts Analyst I
Accounts Analyst II
Application Analyst
Applications Programmer
APUB Trainer
Blacksmith Welder
Building Electrician
Building Maintenance Foreman
Business Services Administrator
Cable and Line Utility Worker
Cashier I
Cashier II
Civil Engineer I
Civil Engineer II
Civil Engineer III
Clerical Intern
Communications Technician I
Communications Technician II
Computer Operations Supervisor
Computer Operator I
Computer Operator II
Computer Technician
Construction Inspector
Consumer Services Clerk
Custodian
Data Control Assistant
Data Control Coordinator
Data Entry Operator
Database Administrator
Domestic Meter Reading Supervisor
Domestic Meter Route Foreman
Domestic Meter Service Foreman
Domestic Meter Worker
Drafter I
Drafter II
Drafter III
Electrical Engineer II
Electrical Engineer III
Electronics Technician I

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)
WATER DISTRIBUTION DIVISION (continued)

Engineering Aide I
Engineering Aide II
Engineering Associate Co-op
Engineering Co-op
Engineering Projects Coordinator
Engineering Technician I
Engineering Technician II
Engineering Technician III
Equipment Mechanic Foreman
Equipment Mechanic
Equipment Operator I
Equipment Operator II
Equipment Operator III
Equipment Serviceworker
Facilities and Maintenance Supervisor
Facilities Maintenance Foreman
Fire Hydrant Maintenance Worker
Fire Hydrant Repair Supervisor
Forestry Crew Leader
Forestry Foreman
Forestry Worker
Industrial Meter Foreman
Industrial Meterworker
Laboratory Analyst I
Laboratory Analyst II - Water
Laboratory Analyst II - Wastewater
Laboratory Analyst III - Water
Laboratory Analyst III - Wastewater
Laborer/Semi-Skilled Laborer
Maintenance Repairer I
Maintenance Repairer II
Master Equipment Mechanic
Master Equipment Mechanic Foreman
Master Equipment Operator
Mechanical Engineer
Mechanical Inspector II
Office Manager I
Office Manager II
Plant Automated Control Technician - WPC
Plant Electrician
Public Projects Crew Leader
Public Service Worker I

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)
WATER DISTRIBUTION DIVISION (continued)

Public Utilities Manager
Pumping System Maintenance Foreman
Pumping System Mechanic
Recreation Supervisor I
Recreation Supervisor II
Recreation Supervisor III
Re-Engineering Coordinator
Regulatory Compliance Coordinator
Reservoir Aide
Reservoir Recreation Supervisor
Reservoir Boathouse Attendant
Safety and Training Coordinator - WPC
Safety Officer
Secretary I
Secretary II
Secretary III
Secretary IV
Semi-Skilled Laborer
Senior Engineer
Sewer Maintenance Dispatcher
Sewer Maintenance Foreman
Sewer Maintenance Superintendent
Sewer Maintenance Supervisor
Sewer Maintenance Worker I
Sewer Maintenance Worker II
Sewer Serviceworker
Sewer Telemonitoring Technician
Storekeeper I
Storekeeper II
Stores Clerk
Survey Party Chief
Survey Projects Supervisor
Surveyor
Surveyor Aide I
Surveyor Aide II
Surveyor Aide III
Surveyor Technician
Team Leader – Administration and Technology - WPC
Team Leader - Environmental Compliance - WPC
Team Leader-Operations and Maintenance - WPC

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)
WATER DISTRIBUTION DIVISION (continued)

Treatment Plant Mechanic
Treatment Plant Utilityworker
Treatment Process Controller - WPC
Utilities Accounting Supervisor
Utilities Analyst
Utilities Engineer
Utilities Field Supervisor
Utilities Intern
Utilities Office Manager
Utilities Office Supervisor
Water and Sewer Systems Manager
Water Customer Serviceworker I
Water Customer Serviceworker II
Water Distribution Crew Leader
Water Distribution Dispatcher
Water Distribution Foreman
Water Distribution Lead Dispatcher
Water Distribution Superintendent
Water Distribution Supervisor
Water Maintenance Worker I
Water Maintenance Worker II
Water Meter Supervisor
Water Plant Lead Operator
Water Plant Maintenance Supervisor
Water Plant Mechanic
Water Plant Operations Foreman
Water Plant Operations Supervisor
Water Plant Operator
Water Plant Superintendent
Water Pollution Control Administrator
Water Pollution Control Manager
Water Supply Maintenance Foreman
Water Supply Manager
Watershed Assistant Superintendent
Watershed Chief Ranger
Watershed Property Maintenance Worker
Watershed Ranger
Watershed Ranger Supervisor
Watershed Superintendent

DEPARTMENT OF PUBLIC SERVICE (continued)
 WATER SUPPLY BUREAU (continued)
 WATER DISTRIBUTION DIVISION (continued)

Seasonal

	TIME
(S) Laborer/Semi-Skilled Laborer.....	3-1 to 12-1
(S) Public Service Worker I.....	3-1 to 12-1
(S) Sewer Maintenance Worker I.....	3-1 to 12-1
(S) Student Intern.....	School Schedule
(S) Treatment Plant Utilityworker.....	3-1 to 12-1
(S) Water Maintenance Worker I.....	3-1 to 12-1
(S) Watershed Ranger.....	3-1 to 12-1
(S) Sewer Maintenance Foreman.....	3-1 to 12-1
(S) Water Distribution Foreman.....	3-1 to 12-1

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)

WATER PLANT DIVISION

Account Clerk I
Account Clerk II
Accounts Analyst I
Accounts Analyst II
Application Analyst
Applications Programmer
APUB Trainer
Blacksmith Welder
Building Electrician
Building Maintenance Foreman
Business Services Administrator
Cable and Line Utility Worker
Cashier I
Cashier II
Civil Engineer I
Civil Engineer II
Civil Engineer III
Clerical Intern
Communications Technician I
Communications Technician II
Computer Operations Supervisor
Computer Operator I
Computer Operator II
Computer Technician
Construction Inspector
Consumer Services Clerk
Custodian
Data Control Assistant
Data Control Coordinator
Data Entry Operator
Database Administrator
Domestic Meter Reading Supervisor
Domestic Meter Route Foreman
Domestic Meter Service Foreman
Domestic Meter Worker
Drafter I
Drafter II
Drafter III
Electrical Engineer II
Electrical Engineer III

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)
WATER PLANT DIVISION (continued)

Electronics Technician I
Engineering Aide I
Engineering Aide II
Engineering Associate Co-op
Engineering Co-op
Engineering Projects Coordinator
Engineering Technician I
Engineering Technician II
Engineering Technician III
Equipment Mechanic Foreman
Equipment Mechanic
Equipment Operator I
Equipment Operator II
Equipment Operator III
Equipment Serviceworker
Facilities and Maintenance Supervisor
Facilities Maintenance Foreman
Fire Hydrant Maintenance Worker
Fire Hydrant Repair Supervisor
Forestry Crew Leader
Forestry Foreman
Forestry Worker
Industrial Meter Foreman
Industrial Meterworker
Laboratory Analyst I
Laboratory Analyst II - Water
Laboratory Analyst II - Wastewater
Laboratory Analyst III - Water
Laboratory Analyst III - Wastewater
Laborer/Semi-Skilled Laborer
Maintenance Repairer I
Maintenance Repairer II
Master Equipment Mechanic
Master Equipment Mechanic Foreman
Master Equipment Operator
Mechanical Engineer
Mechanical Inspector II
Office Manager I
Office Manager II
Plant Automated Contrl. Technician - WPC
Plant Electrician
Public Projects Crew Leader

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)
WATER PLANT DIVISION (continued)

Public Service Worker I
Public Utilities Manager
Pumping System Maintenance Foreman
Pumping System Mechanic
Recreation Supervisor I
Recreation Supervisor II
Recreation Supervisor III
Re-Engineering Coordinator
Regulatory Compliance Coordinator
Reservoir Aide
Reservoir Recreation Supervisor
Reservoir Boathouse Attendant
Safety and Training Coordinator - WPC
Safety Officer
Secretary I
Secretary II
Secretary III
Secretary IV
Semi-Skilled Laborer
Senior Engineer
Sewer Maintenance Dispatcher
Sewer Maintenance Foreman
Sewer Maintenance Superintendent
Sewer Maintenance Supervisor
Sewer Maintenance Worker I
Sewer Maintenance Worker II
Sewer Serviceworker
Sewer Telemonitoring Technician
Storekeeper I
Storekeeper II
Stores Clerk
Survey Party Chief
Survey Projects Supervisor
Surveyor
Surveyor Aide I
Surveyor Aide II
Surveyor Aide III
Surveyor Technician
Team Leader - Administration and Technology - WPC
Team Leader - Environmental Compliance - WPC
Team Leader-Operations and Maintenance - WPC
Treatment Plant Mechanic
Treatment Plant Utilityworker

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)
WATER PLANT DIVISION (continued)

Treatment Process Controller - WPC
Utilities Accounting Supervisor
Utilities Analyst
Utilities Engineer
Utilities Field Supervisor
Utilities Intern
Utilities Office Manager
Utilities Office Supervisor
Water and Sewer Systems Manager
Water Customer Serviceworker I
Water Customer Serviceworker II
Water Distribution Crew Leader
Water Distribution Dispatcher
Water Distribution Foreman
Water Distribution Lead Dispatcher
Water Distribution Superintendent
Water Distribution Supervisor
Water Maintenance Worker I
Water Maintenance Worker II
Water Meter Supervisor
Water Plant Lead Operator
Water Plant Maintenance Supervisor
Water Plant Mechanic
Water Plant Operations Foreman
Water Plant Operations Supervisor
Water Plant Operator
Water Plant Superintendent
Water Pollution Control Administrator
Water Pollution Control Manager
Water Supply Maintenance Foreman
Water Supply Manager
Watershed Assistant Superintendent
Watershed Chief Ranger
Watershed Property Maintenance Worker
Watershed Ranger
Watershed Ranger Supervisor
Watershed Superintendent

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)
WATER PLANT DIVISION (continued)

Seasonal

	TIME
(S) Laborer/Semi-Skilled Laborer.....	3-1 to 12-1
(S) Public Service Worker I.....	3-1 to 12-1
(S) Sewer Maintenance Worker I.....	3-1 to 12-1
(S) Student Intern.....	School Schedule
(S) Treatment Plant Utilityworker.....	3-1 to 12-1
(S) Water Maintenance Worker I.....	3-1 to 12-1
(S) Watershed Ranger.....	3-1 to 12-1
(S) Sewer Maintenance Foreman.....	3-1 to 12-1
(S) Water Distribution Foreman.....	3-1 to 12-1

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)

WATERSHED DIVISION

Account Clerk I
Account Clerk II
Accounts Analyst I
Accounts Analyst II
Application Analyst
Applications Programmer
APUB Trainer
Blacksmith Welder
Building Electrician
Building Maintenance Foreman
Business Services Administrator
Cable and Line Utility Worker
Cashier I
Cashier II
Civil Engineer I
Civil Engineer II
Civil Engineer III
Clerical Intern
Communications Technician I
Communications Technician II
Computer Operations Supervisor
Computer Operator I
Computer Operator II
Computer Technician
Construction Inspector
Consumer Services Clerk
Custodian
Data Control Assistant
Data Control Coordinator
Data Entry Operator
Database Administrator
Domestic Meter Reading Supervisor
Domestic Meter Route Foreman
Domestic Meter Service Foreman
Domestic Meter Worker
Drafter I
Drafter II
Drafter III
Electrical Engineer II
Electrical Engineer III
Electronics Technician I

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)
WATERSHED DIVISION (continued)

Engineering Aide I
Engineering Aide II
Engineering Associate Co-op
Engineering Co-op
Engineering Projects Coordinator
Engineering Technician I
Engineering Technician II
Engineering Technician III
Equipment Mechanic Foreman
Equipment Mechanic
Equipment Operator I
Equipment Operator II
Equipment Operator III
Equipment Serviceworker
Facilities and Maintenance Supervisor
Facilities Maintenance Foreman
Fire Hydrant Maintenance Worker
Fire Hydrant Repair Supervisor
Forestry Crew Leader
Forestry Foreman
Forestry Worker
Industrial Meter Foreman
Industrial Meterworker
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Laboratory Analyst II - Water
Laboratory Analyst II - Wastewater
Laboratory Analyst III - Water
Laboratory Analyst III - Wastewater
Laborer/Semi-Skilled Laborer
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Maintenance Repairer II
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Master Equipment Mechanic Foreman
Master Equipment Operator
Mechanical Engineer
Mechanical Inspector II
Office Manager I
Office Manager II
Plant Automated Control Technician - WPC
Plant Electrician
Public Projects Crew Leader

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)
WATERSHED DIVISION (continued)

Public Service Worker I
Public Utilities Manager
Pumping System Maintenance Foreman
Pumping System Mechanic
Recreation Supervisor I
Recreation Supervisor II
Recreation Supervisor III
Re-Engineering Coordinator
Regulatory Compliance Coordinator
Reservoir Aide
Reservoir Recreation Supervisor
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Surveyor
Surveyor Aide I
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Surveyor Aide III
Surveyor Technician
Team Leader -- Administration and Technology - WPC
Team Leader - Environmental Compliance - WPC
Team Leader-Operations and Maintenance - WPC

DEPARTMENT OF PUBLIC SERVICE (continued)
WATER SUPPLY BUREAU (continued)
WATERSHED DIVISION (continued)

Treatment Plant Mechanic
Treatment Plant Utilityworker
Treatment Process Controller - WPC
Utilities Accounting Supervisor
Utilities Analyst
Utilities Engineer
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Utilities Intern
Utilities Office Manager
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Water Pollution Control Administrator
Water Pollution Control Manager
Water Supply Maintenance Foreman
Water Supply Manager
Watershed Assistant Superintendent
Watershed Chief Ranger
Watershed Property Maintenance Worker
Watershed Ranger
Watershed Ranger Supervisor
Watershed Superintendent

DEPARTMENT OF PUBLIC SERVICE
WATER SUPPLY BUREAU (continued)
WATERSHED DIVISION (continued)

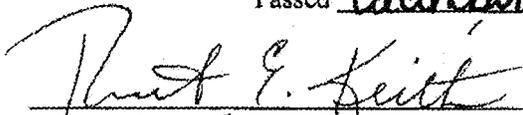
Seasonal

	TIME
(S) Laborer/Semi-Skilled Laborer.....	3-1 to 12-1
(S) Public Service Worker I.....	3-1 to 12-1
(S) Sewer Maintenance Worker I.....	3-1 to 12-1
(S) Student Intern.....	School Schedule
(S) Treatment Plant Utilityworker.....	3-1 to 12-1
(S) Water Maintenance Worker I.....	3-1 to 12-1
(S) Watershed Ranger.....	3-1 to 12-1
(S) Sewer Maintenance Foreman.....	3-1 to 12-1
(S) Water Distribution Foreman.....	3-1 to 12-1

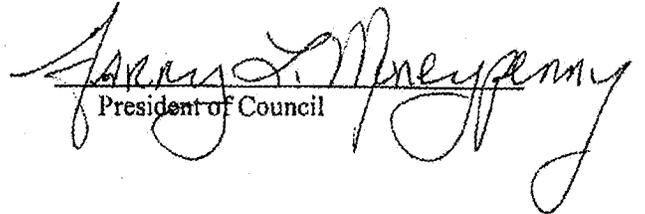
Section 3. That the positions established herein are to be filled as needed pursuant to the Charter of the City of Akron and the number of employees in each department shall be limited to the annual appropriation for the personnel services therefor. Temporary appointments to these positions may be made where feasible and as needed. Seasonal appointments may be made as needed. The Personnel Director is authorized to keep records as to the filling of the various positions hereby established and is directed to refuse certification for the filling of any position unless approved by the Director of Finance. Only budgeted funded positions shall be filled, as determined by the Director of Finance and as set forth in the budget.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety, for the reason that it is necessary for the departments to implement these changes to operate in an efficient and cost-saving manner, and provided this ordinance receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

Passed December 17, 2012



Clerk of Council



President of Council

Approved December 24, 2012



MAYOR

JOINT EXHIBIT C

MANUAL OF RULES AND REGULATIONS

REVISED
1991



DONALD L. PLUSQUELLIC
MAYOR
CITY OF AKRON, OHIO



PHILIP G. BARNES
CHIEF OF POLICE
AKRON POLICE DIVISION

EXHIBIT
Jt. C

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**DEFINITION OF TERMS USED IN POLICE DIVISION
RULES AND REGULATIONS, MANUALS, PROCEDURES, AND ORDERS**

UNITS:

- 1.01 **Beat:** a designated area to which an officer is assigned; to be patrolled on foot.
- 1.02 **Bureau:** a unit within a Subdivision
- 1.03 **Department of Public Safety:** made up of the following divisions: Police, Fire, Building Inspection, Weights and Measures, Communications, and Akron Corrections Facility.
- 1.04 **Detail:** members of the Police Division grouped together for the accomplishment of a specified mission in a continuing operation.
- 1.05 **District:** a designated area to which an officer(s) is assigned; to be patrolled by motor vehicle.
- 1.06 **Division:** one unit of the Department of Public Safety. Normally replaced in common usage by the word "department." Example: Police Department
- 1.07 **Headquarters:** Harold K. Stubbs Justice Center, 217 South High Street, Akron, Ohio 44308
- 1.08 **Section:** a unit within a bureau.
- 1.09 **Sector:** an area containing two or more beats, districts, or posts; supervised by a police sergeant.
- 1.10 **Shift:** the period within a day when an officer or other unit is on assigned duty.
- 1.11 **Special Detail:** one or more officers assigned to accomplish a specified mission; not a continuing operation.
- 1.12 **Subdivision:** a unit commanded by a Deputy Chief who is directly responsible to the Chief of Police; subdivisions are organized by purpose and/or task. There are three subdivisions in the Akron Police Division: Uniform, Investigative and Services.
- 1.13 **Unit:** members of the Police Division grouped together, under one commander, for the purpose of accomplishing one specified police purpose.

COMMAND:

- 2.01 **Chain of Command:** the unbroken line of authority from the Chief of Police downward through a single subordinate at each level of command to the level of execution.
- 2.02 **General Order:** permanent written orders issued by the Chief of Police. They are in effect until modified or cancelled by the Chief of Police.
- 2.03 **Line Supervisor:** the supervision by a ranking officer of a subordinate under his direct command.
- 2.04 **Official Channels:** through the hands of the ranking officers in the chain of command.
- 2.05 **Order:** an instruction or directive, either oral or written, given by an officer of higher rank to a subordinate.
- 2.06 **Shall/Will:** the words "shall" and "will" as used in orders, rules, regulations, procedures, manuals, and other official written documents, shall mean that the action required is mandatory.
- 2.07 **Special Order:** written orders issued by the Chief of Police relating to some specific circumstances or situation.
- 2.08 **Staff Supervision:** the supervision by a ranking officer of a subordinate not under his direct command.

PERSONNEL CLASSIFICATION:

- 3.01 **Acting:** serving temporarily in a position to which a member is not ordinarily assigned, usually in a position of higher rank. All the authority, responsibilities and duties of the position rest with the acting member.
- 3.02 **Captain:** officer in charge of a bureau, section, detail, or other such unit or shift as the Chief of Police may direct.
- 3.03 **Chief of Police:** the executive head of the Police Division.
- 3.04 **Commanding Officer:** a supervisor above the rank of Sergeant who command a subdivision, bureau, section, shift, unit or special detail of the Police Division.
- 3.05 **Deputy Chief of Police/Major:** serves as commander of a police subdivision and can assume the duties of the Chief of Police if assigned to do so during the absence of the Chief of Police.
- 3.06 **Detective:** an officer assigned to the Investigative Subdivision or similar investigative function in one of the other subdivisions. The designation of "Detective" is an assignment, not a promotion.
- 3.07 **Employees:** those persons in the Police Division who do not have the police power. The term is applied without regard to sex, rank, duty, or subdivision. For purposes of these rules and regulations, the absence of the word "employee" from any applicable rule or regulation shall not exempt the employee from the obligation of adhering to that rule.
- 3.08 **Grade:** officers are in "grade" according to their pay step or length of service.
- 3.09 **Lieutenant:** officer in charge of a bureau, section, detail, or other such unit or shift as the Chief of Police may direct.
- 3.10 **Officer:** those persons in the Police Division that have police powers. The term is applied without regard to sex, rank, duty, or subdivision.
- 3.11 **Police Officer:** regularly appointed officer below the rank of supervisory officer. Normally does not have supervisory responsibility over a group of other officers.
- 3.12 **Police Reserve Officer:** trained civilian volunteers with full police authority under the control of the Police Division who are available for emergency duty.
- 3.13 **Rank:** the order of position in the job classification of the Police Division. The titles of the ranks are:
- Chief of Police
 - Deputy Chief of Police/Major
 - Captain
 - Lieutenant
 - Sergeant
 - Police Officer
- 3.14 **Ranking Officer:** the officer having the highest rank or grade. Officers of the same grade shall rank according to their appointment date. Those officers with the same appointment date shall rank according to their relative position on the original appointment list. When two or more officers are on-duty together, the officer of the highest rank is in command and shall be held responsible for the operation.
- 3.15 **Seniority:** established first by rank and secondly by time served in rank.
- 3.16 **Sergeant:** first level of supervision, has immediate charge of subordinates assigned to him, instructs and assists them in their duties and is responsible for their general appearance, good order, performance, and discipline.
- 3.17 **Subdivision Commander:** a Deputy Chief, or his/her designated replacement, assigned by the Chief of Police to command a subdivision.

- 3.18 **Supervisor or Supervising Officer:** officer above the rank of police officer who has supervisory responsibilities.
- 3.19 **Table of Organization:** a table showing the number and rank of officers, and other employees assigned to each unit.

PERSONNEL/ADMINISTRATION TERMINOLOGY:

- 4.01 **Annual Leave:** the vacation leave granted to all members/employees to the Police Division each year.
- 4.02 **Appointment:** the designation of a person by the appointing authority to any position within the Police Division. The Mayor is the appointing authority for all positions.
- 4.03 **Days Off:** those days, determined by the Chief of Police with the approval of the Mayor, on which an officer/employee is excused from duty.
- 4.04 **Disability Leave:** the period of time during which an officer/employee is excused from duty, with the approval of the Chief of Police, by reason of having incurred an on-duty injury.
- 4.05 **Off-Duty:** the state of an officer/employee during his/her day off or annual leave when he/she is free of the responsibility of performing his/her usual routine duties. Technically a police officer in on duty and subject to call at all times.
- 4.06 **On-Duty:** the state of an officer/employee during the period of the day (shift) when he/she is actively engaged in the performance of his/her duties.
- 4.07 **Promotion:** a change in the employment status of an officer/employee to a position in a higher classification.
- 4.08 **Sick Leave:** the period of time during which an officer/employee is excused from active duty by reason of illness, or injury sustained while off-duty; or the period of time during which an officer/employee is excused from active duty by reason of a death in his/her immediate family.
- 4.09 **Special Duty:** police service, the nature of which requires that an officer be excused from the performance of his/her regular duties.
- 4.10 **Tour of Duty:** the shift during which an individual officer/employee is on assigned duty.

OTHER TERMINOLOGY:

- 5.01 **Daily Bulletin:** the official daily publication of the Police Division which contains information regarding crime types and locations, wanted or missing persons, incidents or special locations calling for police attention, stolen vehicles and stolen or missing license plates, and special notices. All directives contained in the Daily Bulletin have the force and effect of Police Division Orders.
- 5.02 **He/She/Him/Her/His:** used without regard to gender.
- 5.03 **Immediately:** the term "immediately" is to be constructed to mean as soon as possible and practicable.
- 5.04 **May/Should:** the words "may" or "should" as herein used shall mean that action indicated is permissive.
- 5.05 **Notebook:** a book in which officers are required to record an account of their work and official action and required information provided at roll calls.
- 5.06 **Off the Air:** in service but not available for radio communication.
- 5.07 **On the Air:** in service with radio equipment in operation, and available for radio communication.

- 5.08 **Out of Service:** not available for service because of the breakdown of the vehicle or when withdrawn from active service for some special assignment; not available for radio communication.
- 5.09 **Patrol Car/Cruiser:** a passenger type vehicle used by uniformed officers to assist in the performance of their duties.
- 5.10 **Patrol Wagon:** a special conveyance used to transport arrested persons.
- 5.11 **Procedure:** the official method of dealing with any given situation.
- 5.12 **Procedural Manual:** a manual prepared under the direction of the Chief of Police to outline in detail the standard operating procedures of the Police Division.
- 5.13 **Report:** a written communication unless otherwise specified, relating to police matters.
- 5.14 **Rules and Regulations:** directions issued by the Chief of Police, with the approval of the Mayor, defining the police purpose, duties, and conduct of all members and employees of the Police Division.
- 5.15 **Solo/Motorcycle:** a two wheeled motorcycle.
- 5.16 **Three-Wheeler:** a three wheeled motorcycle; servi-car.
- 5.17 **Training Bulletin:** bulletins distributed by the Police Division designed to keep officers abreast of information, practices and procedures in law enforcement.
- 5.18 **Suspension:** the act of temporarily denying an officer/employee the privilege of performing his/her duties in consequence of dereliction of duties or other violations of Police Division regulations. Suspension is either the first step in the disciplinary process or the penalty assessed.

CHAPTER 100

- 100.01 All officers/employees of the Akron Police Division shall be issued a copy of these Rules and Regulations, and each shall be responsible for the maintenance of this manual and the making of changes as required.
- 100.02 Officers/employees who are issued departmental procedures, training bulletins, orders or other directives are responsible for their maintenance and updating of same as required. Notebooks are to be carried by all officers and important information obtained during roll calls or by radio transmission shall be maintained therein. Manuals and notebooks may be inspected periodically. A violation of this section is a minor offense of the third degree
- 100.03 Officers/employees of the Akron Police Division are expected to be familiar with statutes and ordinances of the United States of America, the State of Ohio, and the City of Akron to that extent necessary for the capable performance of their duties.
- 100.04 All officers/employees shall study the Police Division Daily Bulletin each day to familiarize themselves with all new orders, descriptions of missing and wanted persons, stolen motor vehicles or license plates, stolen or lost property, and other information contained therein.
- 100.05 Amendments, deletions and addition to these rules may be made at any time by the Chief of Police, with the approval of the Mayor, by posting any such amendment, deletion or addition on all police bulletin boards or by delivery of a copy of said rule change to each officer. Such rule shall clearly state that any amendment, addition or deletion is intended to become a permanent rule, and, if discipline may be imposed for violation of any such rule, the degree of the offense shall be stated in the posted rule.
- 100.06 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as defined by Section 1300 of this Manual.

CHAPTER 200

- 200.01 Officers/employees shall be courteous and orderly in their dealings with the public, and shall perform their duties quietly, not using harsh, violent, profane, or insolent language, and remaining calm despite provocation to do otherwise. A violation of this section is a minor offense of the third degree
- 200.02 Officers/employees are required to give their names in a courteous manner upon request; officers are required to give their badge numbers or identification numbers upon request.
- 200.03 Officers/employees shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other units, officers, or organizations.
- 200.04 No person shall be allowed to ride in a Police Division vehicle except officers/ employees of the Police Division, individuals detained or being transported in the course of regular police duties, other people specifically approved by the shift commander concerned, or by the subdivision commander or the Chief of Police, or any person designated by a subdivision commander.
- 200.05 The use of physical force shall be restricted to circumstances specified by law, and then only when necessary to accomplish a police task successfully.
- 200.06 The officers/employee of the Police Division shall respond without delay to all calls for police assistance from citizens and other members.
- a) Emergency calls take precedence over all other calls; however, all calls shall be responded to promptly, consistent with normal safety precautions and motor vehicle laws.
 - b) Failure to answer a call for police assistance promptly, without justification, constitutes a violation and is a major offense of the third degree.
- 200.07 Officers/employees shall not institute any civil action arising out of their official duties without first notifying the Chief of Police in writing.
- 200.08 Officers/employees answering Police Division telephones shall respond by giving the unit in which they work, and their surname.
- a) Officers/employees of the Communications Bureau shall answer 9-1-1 calls promptly with the words, "Akron 9-1-1...what is your emergency?"
- 200.09 Devote Entire Time to Police Business: Each officer/employee of the Police Division shall devote his entire time and attention, and shall give his undivided loyalty to the services of the Police Division while on-duty. A violation of this section is a minor offense of the third degree.
- 200.10 Officers shall not loiter in cafes, restaurants, drive-ins, service stations or other public or private places except for the purpose of transacting police business, or to take regular meals or refreshments as provided for in Police Division orders. No more than two identified cruisers shall be in a coffee shop, restaurant or drive-in at one time, excluding supervisors, unless approved by the shift commander.

- a) Officers on-duty, or in uniform, shall not enter taverns, theaters, or other public or private places except to perform a police task; loitering and unnecessary conversations in such places is forbidden.
- b) Officers/employees shall not loiter in Police Division offices.
- c) Off-duty officers and employees shall not loiter in Police Division areas except while on official standby, and then such officer or employee shall stay in Police Division areas officially designated for such standby.

200.11 National Colors and Anthem: Uniformed officers shall render full military honors to the national colors and anthem at appropriate times.

- a) Officers/employees in civilian dress shall render proper civilian honors to the national colors and anthem at appropriate times.

200.12 Off-Duty Neighborhood Disputes: Officers shall not intentionally become involved in neighborhood quarrels or disputes while off-duty. Any such quarrel or dispute should be referred to an on-duty police officer. A violation of this section is a minor offense of the third degree.

200.13 Identification as a Police Officer: Except when impractical or unfeasible, or where the identity is obvious, officers shall identify themselves by displaying the official badge or identification card before taking police action.

200.14 Keys, Possession of: No officer, unless authorized by his commanding officer, shall possess keys to any premises on or near his beat, district or sector.

- a) Upon obtaining such key or keys, the officer shall report the possession of the key or keys to his subdivision commander in writing.
- b) A violation of Section 200.14 is a minor offense of the third degree.

200.15 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as defined by Section 1300 of this manual.

CHAPTER 300

300.01 Officers shall not carry or use, either on or off-duty, any ammunition not issued or approved by the Police Division. A violation of this section is a major offense of the third degree.

300.02 The regulation firearm shall be a blue all-steel, or armaloy or stainless steel, Smith & Wesson or Colt revolver chambered for .38 caliber special ammunition with a 4" barrel; or Smith & Wesson semi-automatic 9mm pistol, Model #5906, or other Smith & Wesson 9mm semi-automatic models as issued or authorized by the Chief of Police.

- a) The regulation firearm shall be carried by all officers of the Police Division with the exceptions noted in Rule 300.13.
- b) Nothing in this rule shall prohibit Police Division weapons of other types from being assigned.
- c) A violation of Section 300.02 is a major offense of the first degree.

300.03 Officers shall maintain and use firearms only with due regard for the safety of the public and other officers. No officer shall:

- a) Discharge weapons except where it is reasonably believed that said officer or any other person is in danger of death or great bodily injury or to apprehend a fleeing felon reasonably known to be armed with a deadly weapon or reasonably known to have committed a felony involving great bodily injury. A violation of Section 300.03 is a major offense of the first degree.

300.04 The firing of warning shots is prohibited. A violation of this section is a major offense of the third degree.

300.05 The firing of an unintentional shot(s) by an officer shall be a minor offense of the third degree.

300.06 Officers shall, in addition to those situations set forth in Section 300.03 of these rules, be permitted to fire weapons:

- a) To kill a dangerous animal or one that is posing a threat to officers or persons nearby.
- b) For target practice on the Police Division range or other established shooting range.

300.07 Officers are required to report any deliberate or unintentional discharge of firearms as follows:

a) Oral Report

1. On-Duty Incident: Immediately, or as soon as is practical, the officer shall orally report the incident to his/her immediate supervisor, who shall conduct a thorough investigation of the incident.
2. Off-Duty Incident: Immediately, or as soon as is practical, the officer shall orally report the incident to the on-duty shift commander of the Uniform Subdivision who shall cause a thorough investigation of the incident to be conducted.

b) Written Report – On or Off Duty

1. A written report, describing in full the circumstances of the incident, shall be submitted by the police officer(s) involved, directed to his/her subdivision commander, prior to the end of the shift during which the firearm was discharged.
 2. A written report, describing in full the circumstances of the incident, shall be submitted by the investigating supervisor, directed to his/her subdivision commander, prior to the end of the shift during which the firearm was discharged.
- c) Failure to report the discharge of firearms as required by Section 300.07 is a major offense of the third degree.
- d) This rule does not apply to rounds fired as instructed during regular practice on a target range.

300.08 When death or injury has resulted from the use of a firearm by a police officer, that officer shall as soon as practical be relieved from field duty by his/her shift or unit commander pending a full investigation into the incident by the Police Division.

- a) During the period of time an investigation into the incident is being carried on, the Chief of Police shall assign the police officer to duty inside the station house.
- b) Such relief from duty shall not be considered a suspension or disciplinary action taken against the police officer, but rather an administrative course of action for the purpose of:
 1. Relieving the police officer from further performance of field duties while undergoing the emotional stress of having used deadly force; and,
 2. Permitting the Police Division time to conduct an objective investigation into the matter.
- c) The length of time a police officer shall be relieved from field duty shall be determined by the Chief of Police.

300.09 There shall be established within the Police Division a board consisting of three (3) subdivision commanders, or in the event they are not available, their designated replacements, which shall have the responsibility of reviewing each incident in which a firearm is discharged deliberately or unintentionally by a member of the Police Division and report their findings and recommendations to the Chief of Police.

- a) The senior subdivision commander present shall be chairman of this board.
- b) This board shall be convened by the Chairman of the Board within ten (10) working days subsequent to any incident reported for a review of such incident.
- c) In any incident resulting in the death or injury of a person, the identity of the officer or officers involved shall not be made public until such time as the Chief of Police decides to make such identity public, In making his decision, his consideration shall include, but shall not be limited to:
 1. Completion of all aspects of the investigation; and
 2. The safety of the officer and his/her family.

d) Only the Chief of Police or his authorized representative shall make such identity public.

300.10 Officers shall never display firearms unnecessarily or draw their firearms in a public place except in the line of duty. A violation of this section is a major offense of the third degree.

300.11 Officers who unnecessarily use their firearm in any manner against a fellow officer(s) are subject to disciplinary action. A violation of this section is a major offense of the first degree.

300.12 Officers may carry firearms when off-duty but are not required to do so. In the event that a weapon is carried by an officer while not on-duty:

a) Proper police identification shall be carried by the officer.

300.13 In addition to weapons described in Rule 300.02, officers may carry optional firearms, as described in this rule:

1) A Smith & Wesson or Colt revolver chambered for .38 special ammunition but with a barrel at least 2" long, or a Smith & Wesson 9mm semi-automatic pistol may be carried.

a) While on assigned uniform duty in the station house.

b) While assigned to plainclothes duty.

c) While off-duty.

d) As a second weapon securely concealed on the person while on-duty;

1. The division neither encourages nor discourages the practice of carrying a second handgun while on-duty. If carried, it is understood that this is an emergency weapon to be used only if the primary gun becomes inoperable or for use if the officer becomes disarmed.

2) Other personal firearms of a different make, model or configuration may only be carried on or off-duty with the specific and individual written permission of the Chief of Police.

3) A violation of Section 300.13 is a major offense of the third degree.

300.14 Officers are required to register with the Police Division the serial number and descriptions of all firearms they carry either on or off-duty and be range qualified with said weapons. A violation of this section is a major offense of the third degree.

300.15 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as defined by Section 1300 of this manual.

CHAPTER 400

400.01 Male officers/employees permitted to wear civilian clothing during a tour of duty shall wear either a business suit or sport coat and slacks.

400.02 Female officers/employees permitted to wear civilian clothing shall wear clothing that conforms to standards normally worn by office personnel in private business firms.

400.03 Subdivision commanders may prescribe other types of clothing to be worn when necessary to meet particular police objectives or seasonal orders.

400.04 Officers on-duty shall wear uniforms or other clothing in accordance with established departmental procedures.

Except when acting under orders from a supervisor, officers and communication technicians on duty shall maintain a neat, well-groomed appearance. Officers shall style their hair according to the following guidelines:

a) Male Officers

1. Hair shall be neat, clean, trimmed and present a groomed appearance. Hair may not overlap the ear. Hair at the back of the head and neck will not touch the shirt collar when the head is held in the position of attention except for the closely cut hair on the back of the neck. Hair in front will be groomed so that it does not fall below the band of properly worn headgear. The bulk or length of hair shall be groomed so that it does not bush out or curl up while wearing the standard police hat or helmet. Hairstyles such as pleated, braided, ponytail, Mohawk or other eccentric styles are prohibited. In no case will the bulk or length of the hair interfere with the proper wearing of any authorized headgear.
2. Wigs or hairpieces are permitted if they conform to the above standards for natural hair.
3. Sideburns will be neatly trimmed and not bushy. They will not extend below the tips of the earlobes and will end with a clean-shaven horizontal line.
4. A short and neatly trimmed mustache may be worn. It shall not extend over the top of the upper lip, not upward from, beyond, nor below the corners of the mouth.
5. The face will be clean-shaven except for the acceptable mustache or sideburns.

b) Female Officers:

1. Hair must be clean, neat and combed. Hair shall not be worn longer than the top of the shirt collar at the back of the neck when standing with the head in a normal posture. Hairstyles such as pleated, braided, ponytail, Mohawk or other eccentric styles are prohibited. The bulk or length of the hair shall not interfere with the normal wearing of all standard headgear.
2. Wigs or hairpieces are permitted if they conform to the above standards for natural hair.

- c) Members may be excused from the above regulations because of special assignment with the approval of their commanding officer, but shall be in compliance with the above regulations when wearing the official uniform.

400.05 Officers will wear the official Police Division uniform as prescribed by the Police Division Uniform Specifications while on-duty.

- a) Wearing of the uniform cap is optional except under the following conditions:
 - 1. When directing traffic
 - 2. When working crowd control (special events)
 - 3. With the dress uniform
 - 4. When performing outdoor uniformed foot patrol
- b) Subdivision commanders may prescribe other types of clothing to be worn as required by the nature of the duty to which a particular member may be assigned.
- c) A violation of Section 400.05 is a minor offense of the third degree

400.06 No officer/employee of the Police Division shall at any time while off-duty wear any part of the official police or Communications Technician uniform except at such time as the member is en route to or from work, or while on an off-duty police extra job.

400.07 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as described by Section 1300 of this manual.

CHAPTER 500

- 500.01 Any officer/employee receiving a written communication for transmission to a higher command shall in every case forward such communication.
- 500.02 An officer/employee receiving a communication from a subordinate directed to a higher command shall endorse it indicating approval, disapproval or acknowledgement.
- 500.03 No officer/employee of the Police Division shall forward correspondence of a division nature over a signature other than that of the Chief of Police or a subdivision commander except when such officer/employee has been specifically authorized to do so by the Chief of Police or his/her subdivision commander.
- 500.04 Officers/employees shall not use Police Division letterheads for private correspondence, nor shall any member or employee sue the address of the Police Division for private purposes.
- 500.05 Officers/employees are required to answer questions by, or render material and relevant statements to, a supervisor in a Police Division personnel investigation when so directed. A violation of this section is a major offense of the third degree.
- 500.06 Officers/employees shall submit all reports required by the performance of their duties:
- a) Prior to completing their tour of duty, or
 - b) Prior to completing secondary police jobs, or
 - c) As directed by supervisory officers
 - d) Investigative report shall be submitted as soon as practical consistent with efficient police operations.

A violation of Section 500.06 is a minor offense of the third degree.

- 500.07 Upon receipt of an order conflicting with any previous order or instruction, the officer/employee affected will advise the person issuing the new order of the conflict.
- a) Responsibility for countermanding the original order or instruction rests with the person issuing the new order.
 - b) Responsibility for notifying the person who issued the previous order or instruction rests with the person issuing the new order.
 - c) When so directed by a supervisor, the officer/employee who receives a conflicting order or instruction shall carry out that order or instruction after informing the supervisory officer of the conflict. No officer/employee shall be found guilty of any improper conduct for following a conflicting order after he/she has notified the person issuing the order of the conflict.
 - d) Conflicting orders shall only be issued when circumstances make it reasonably necessary to carry out the required task.

500.08 Officers/employees shall treat supervisors, subordinates and fellow employees with respect; they shall be courteous and civil at all times in their relationships with one another. A violation of Section 500.08 is a minor offense of the first degree.

500.09 When on-duty and addressing a supervisor, particularly in the presence of other officers/employees, or the public, supervisors should be referred to by rank and surname.

500.10 An order from a supervisor to a subordinate shall be given in clear, understandable language, civil in tone, and issued in pursuance of Police Division business.

500.11 Any order posted on a Police Division bulletin board over the signature of the Chief of Police shall have the same effect as these Rules and Regulations.

500.12 No officer/employee shall:

a) Ridicule or criticize and order given him/her by a supervisor.

b) Ridicule or criticize a supervisor, whether in or out of his/her presence.

1. A violation of Sections 500.12 (a) or (b) constitutes insubordination, a minor offense of the first degree.

c) Deliberately refuse to obey a lawful order.

1. A violation of Section 500.12 (c) constitutes insubordination, a major offense of the first degree.

d) Fail to obey a lawful order.

1. A violation of Section 500.12 (d) constitutes insubordination, a major offense of the first degree if serious physical harm as defined by ORC 2901.01 (e) or death occurs to any person; otherwise, this is a minor offense of the first degree.

500.13 No supervisor shall knowingly issue any order, which is in violation of any law, ordinance, or any Police Division Rule or Regulation.

a) Obedience to an unlawful order is never a defense for an unlawful act.

1. No officer/employee is required to obey any order which is contrary to Federal or State law, or to an ordinance of the City of Akron

2. Responsibility for the refusal to obey any order, which is contrary to Federal or State law, or to an ordinance of the City of Akron, rests with the officer/employee and he/she shall be strictly required to justify his/her action.

3. No officer/employee shall be held responsible for failure to obey an order when it has been determined that the order was contrary to Federal or State law, or to an ordinance of the City of Akron.

4. A violation of Section 500.13 (a) is a major offense of the first degree if serious physical harm as defined by ORC 2901.01 (e) or death occurs to any person; otherwise, it is a major offense of the third degree.

b) An officer/employee who has been given an order, which he/she feels, is unjust, improper, or contrary to the Rules and Regulations of the Police Division must first obey the order to the best of his/her ability and then proceed to appeal the order through the chain of command.

1. A violation of this section constitutes insubordination and is subject to the provisions of Section 500.12 (c).

c) An officer/employee who receives an unlawful, unjust, or improper order shall, at his/her first opportunity, report said order in writing to his/her subdivision commander and the Chief of Police through official channels. Any such reports submitted to the concerned subdivision commander and Chief of Police shall contain all of the facts pertinent to the incident and a description of the actions taken by the officer/employee in complying, or not complying with the order.

1. A violation of Section 500.13 (c) is a major offense of the third degree.

500.14 A member temporarily filling the position of a supervisor in an acting capacity shall be vested with the authority and responsibility of the supervisory officer whose position he/she is filling.

500.15 Violations of this Chapter which are not otherwise defined as being either major or minor offenses shall be considered informal offenses as defined by Section 1300 of this manual

CHAPTER 600

600.01 Officers/employees of the Police Division are required to have a telephone at their place of residence, and shall submit their address and telephone number to their commanding officer.

- a) All changes of address or telephone number shall be reported to the officer's/ employee's commanding officer within twenty-four (24) hours after such change.
- b) This rule shall be complied with by all officers/employees of the Police Division whether such officer/employee is working or on leave.

600.02 Officers on-duty or officially on call shall be directly available by normal means of communication, or they shall keep their supervisor informed of their whereabouts and the means by which they can be reached when not immediately available.

- a) All officers will advise the Communications Bureau when they discontinue radio contact.
- b) This notification should indicate the officer's location and reason for going off the air, and the name of the authorizing supervisor.
- c) A violation of Section 600.02 is a minor offense of the third degree.

600.03 Officers/employees who operate a Police Division radio from a portable or mobile unit or in the Communications Bureau shall strictly observe the following:

- a) The radio will be used to conduct official police business only on all frequencies.
- b) Personnel will refrain from using bantering, sarcastic, derogatory, inflammatory remarks and unnecessary voice reflections or any off-color or profane speech when operating the police radio.
- c) Where practicable, lengthy messages shall be given by public service.
- d) Supervisors shall be held accountable for monitoring radio discipline.
- e) A violation of Section 600.03 is a minor offense of the third degree.

600.04 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as defined by Section 1300 of this manual.

CHAPTER 700

700.01 Officers/employees are expected to conform their activities to the Rules and Regulations of the Akron Police Division. A member or employee may be suspended, reduced in grade or class, dismissed or reprimanded for just and reasonable cause and upon specific written charges that one or more of these rules and/ or civil service rules have been violated.

700.02 Officers/employees of the Akron Police Division shall obey all laws of the United States and of any State or local subdivision thereof. The following will be prima facie evidence of a violation of this section:

- a) Failure to report to their subdivision commander any time they are arrested or summonsed for any criminal offense. A violation of Section 700.02 (a) is a minor offense of the third degree.
- b) A conviction of any offense for which the possible punishment is more than one (1) year in a correctional facility in any jurisdiction. A violation of Section 700.02 (b) is a major offense of the first degree.
- c) A conviction of any offense involving moral turpitude, dishonesty, or fraud and for which incarceration of one (1) year or less is possible. A violation of Section 700.02 (c) is a major offense of the second degree.
- d) A conviction of any offense for which any incarceration is a possible penalty. A violation of Section 700.02 (d) is a minor offense of the third degree.

700.03 No officer/employee shall knowingly make a false statement:

- a) To any other officer or employee of the Akron Police Division in the course of a felony or misdemeanor investigation. A violation of Section 700.03 (a) is a major offense of the second degree.
- b) To any other officer or employee of the Akron Police Division in the course of any interdepartmental investigation. A violation of Section 700.03 (b) is a major offense of the third degree.
- c) To any other official or agency, whether or not under oath. A violation of Section 700.03 (c) is a minor offense of the first degree.
- d) No officer/employee of the Police Division shall make false official reports, or knowingly enter or cause to be entered in any Police Division book, record or report any inaccurate, false or improper police information or other material matter. A violation of Section 700.03 (d) is a major offense of the third degree.

700.04 Officers/employees shall, except where excused by circumstance of emergency, obey the normal chain of command established within the Division of Police. No officer/employee shall:

- a) Fail to report known violations of a felony statute of any jurisdiction whatever by any member or employee of the Akron Police Division. A violation of 700.04 (a) is a major offense of the first degree.
- b) Fail to report a known violation of a misdemeanor statute or ordinance (other than minor misdemeanors and/or fourth degree misdemeanors) of any jurisdiction whatever by any officer

/employee of the Akron Police Division. A violation of Section 700.04 (b) is a minor offense of the second degree.

- c) Appeal to any court in any jurisdiction for leniency in any case pending before that court except with the express permission of the prosecutor and the officer/employee's subdivision commander. A violation of Section 700.04 (c) is a minor offense of the second degree.
- d) Compromising Criminal Cases: Officers/employees shall not interfere with the proper administration of criminal justice.
 - 1. Officers/employees shall not attempt to interrupt legal process, or participate in any activity, which might interfere with the process of law.
 - 2. Officers/employees shall not attempt to have any traffic citation or notice to appear reduced, voided, or stricken from the calendar except in the interest of justice and with the approval of the member or employee's subdivision commander.
 - 3. Any officer/employee having knowledge of such action who fails to inform his supervising officer thereof shall be subject to Police Division charges.
 - 4. A violation of Section 700.04 (d) is a major offense of the third degree

700.05 Officers/employees shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Officers/employees shall perform their duties in a manner, which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Akron Police Division. Unsatisfactory performance shall include, but not be limited to the following:

- a) Inability to perform the duties of a police officer by reason of failure to be physically and mentally alert. A violation of Section 700.05 (a) is a minor offense of the second degree.
- b) Inability to perform the duties of a police officer by reason of lack of knowledge of the Rules and Regulations of the Police Division, and the ordinances of the City of Akron, the laws of the State of Ohio, and the United States of America. A violation of Section 700.05 (b) is a minor offense of the second degree.
- c) For violation of a procedure of the Division of Police. A violation of Section 700.05 (c) is a minor offense of the first degree.
- d) For cowardice of such character as to render the officer incapable of the discharge of his/her duties. A violation 700.05 (d) is a major offense of the first degree.
- e) For failure to take appropriate action at the scene of a crime, disorder, or other conditions deserving prompt and efficient police attention. A violation of Section 700.05 (e) is a minor offense of the second degree.

700.06 Officers/employees of the Police Division shall not knowingly disclose to any person, without privilege to do so, any information, which is known to be kept in confidence. No officer/employee shall:

- a) Make known any proposed action, raid, or movement planned by any member or members of the Police Division. A violation of Section 700.06 (a) is a major offense of the first degree.

- b) Make known any evidence or information concerning any investigation to any other person. A violation of Section 700.06 (b) is a major offense of the second degree.
- c) Communicate information relating to police work, or any criminal record without the permission of a subdivision commander. A violation of Section 700.06 (c) is a minor offense of the first degree.
- d) No officer/employee shall divulge the private telephone number of any other officer/employee of the Police Division except for official police purposes or to another officer/employee.

700.07 Officers/employees shall at all times seek to contribute to the fair and impartial administration of justice. No officer shall:

- a) Exercise unnecessary or unwarranted violence to another.
 - 1. A violation of Section 700.07 (a), which results in serious physical harm or causes the death of any person, is a major offense of the first degree.
 - 2. All other violations of Section 700.07 (a) are major offenses of the second degree.
- b) Offer to any person or accept from any person anything of value in exchange for any type of preferable treatment. A violation of Section 700.07 (b) is a major offense of the first degree.
- c) Keep any fee or gift given in connection with their official duties without the express permission of their subdivision commander. A violation of Section 700.07 (c) is a minor offense of the third degree.
- d) Willfully conceal any information, which might lead to the solution of a crime or the arrest of a person wanted for a felony or misdemeanor. A violation of Section 700.07 (d) is a major offense of the second degree.
- e) Willfully conceal any information tending to shed light upon the innocence of any person accused of the commission of a crime. A violation of Section 700.07 (e) is a major offense of the second degree when the offense with which the accused has been charged is a misdemeanor. When the accused has been charged with a felony, a violation of this section is a major offense of the first degree.
- f) Free Admissions and Passes: Officers/employees shall not solicit free admission to theaters and other places of amusement for themselves or others except in the line of duty.
- g) Property, Personal Use: Officers/employees shall not convert to their own use, or have any claims in, any found property, recovered property, or property held as evidence. A violation of Section 700.07 (g) is a major offense of the third degree.
- h) Crime Information: Members and employees of the Police Division shall report to the proper authority all information they acquire concerning crime, any other condition requiring police service and any situation requiring the attention of another City of Akron department. A violation of Section 700.07 (h) is a minor offense of the third degree.

700.08 Officers/employees shall not participate in any activity, which impairs their ability to perform their duties or causes the department to be brought into disrepute. No officer/employee shall:

- a) Consume any intoxicating beverage while in uniform or on-duty except in the performance of that duty and while acting under proper and specific orders from a supervisor. A violation of Section 700.08 (a) is a major offense of the third degree.
- b) Appear for duty, or be on-duty, while under the influence of any intoxicating beverage to any degree whatsoever. A violation of Section 700.08 (b) is a major offense of the third degree.
 - 1. Appear for duty, or be on-duty, with the odor of any intoxicant on their breath. A violation of Section 700.08 (b) (1) is a minor offense of the third degree.
- c) While off-duty, consume intoxicating beverages to the extent that it results in behavior, which discredits them or the Police Division. A violation of Section 700.08 (c) is a minor offense of the third degree.
- d) Store in, or bring into any police facility or vehicle, alcoholic beverages, controlled substances, narcotics, or hallucinogens except for those alcoholic beverages, controlled substances, narcotics, or hallucinogens, which are being held as evidence. A violation of Section 700.08 (d) is a major offense of the second degree.
- e) Possess or use any controlled substance, narcotic, or hallucinogen except when prescribed in the treatment of an injury or illness by a physician or dentist licensed to practice his profession. A violation of Section 700.08 (e) is a major offense of the first degree.
- f) Sleep while on-duty. A violation of Section 700.08 (f) is a major offense of the third degree.
- g) Engage or participate in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders from a supervisor. A violation of Section 700.08 (g) is a major offense of the third degree.
- h) Knowingly visit, enter, or frequent a house of prostitution or gambling house or any other establishment wherein the laws of the State of Ohio, or the City of Akron are regularly violated except in the performance of duty or while acting under proper and specific orders from a supervisor. A violation of Section 700.08 (h) is a major offense of the third degree.
- i) Address public gatherings, appear on radio or television, prepare any article for publication, act as correspondent to any newspaper or periodical, while holding themselves out as representing the Akron Police Division in such matters without the prior approval of the Chief of Police or his subdivision commander. Officers may lecture on police or other related subjects only with the prior approval of the Chief of Police or their subdivision commander. A violation of Section 700.08 (i) is a minor offense of the third degree.
- j) Fail to operate official vehicles in a careful and prudent manner, and shall obey all laws and all departmental orders pertaining to such operation. Revocation or suspension of any driver's license shall be reported to their immediate supervisor, immediately. A violation of Section 700.08 (j) is a minor offense of the third degree.
- k) Conduct unbecoming an officer/employee: Officers/employees shall not perform any acts or make any statements oral or written, for publication or otherwise, which tend to bring the Police Division or its administrative officers into disrepute or ridicule; or which destructively criticize the Police Division or its administrative officers in the performance of their official duties; or which tend to disrupt or impair the officers/employees of the Police Division; or

which tend to interfere with or subvert the reasonable supervision of proper discipline of the officers/employees of the Police Division and any other conduct unbecoming an officer/employee of the department. A violation of Section 700.08 (k) is a major offense of the third degree.

700.09 Physical Fitness: All officers/employees of the Police Division shall maintain good physical condition so that they will be able to carry out the strenuous physical contacts often required of law enforcement officers.

- a) It shall be the responsibility of each commanding officer to observe and note any signs of physical unfitness in the police officers under his command.
 1. The following are all examples of possible signs that should be watch for: obesity, extreme weight loss, personality changes, excessive use of sick time, excessive use of alcoholic beverages, extreme reduction in work output, etc.
- b) The following steps shall be taken by the commanding officer who notes signs of physical unfitness in any member of his command:
 1. As soon as is practical, he shall discuss the situation privately with the police officer to determine the cause or causes of the problem.
 2. If it appears that the police officer has a problem that requires professional attention, the officer should be advised to seek such help immediately.
 3. If the problem does not appear to require professional attention, the police officer should be advised to take immediate steps to correct it.
 4. The commanding officer shall notify his subdivision commander in writing of his observations and actions in each case.
 5. The commanding officer shall follow-up each case to determine if the police officer is taking the required steps to correct his problem.
 6. In the event the police officer fails to comply with his suggestions, the commanding officer shall, after a reasonable length of time, serve the officer with a written warning to take immediate action, and he shall forward a copy of the written warning to his subdivision commander.
- c) A police officer who has been verbally warned by his commanding officer about his physical condition shall take the following steps:
 1. If he feels that his problem is one that requires professional help, he shall immediately seek such help and shall notify his commanding officer in writing of his actions.
 2. If it is determined that the officer's problem does not require professional treatment, then the officer shall take immediate steps to correct his condition.
- d) Once an officer has received a written warning about his physical condition from his commanding officer, failure to take corrective action within a reasonable length of time shall be considered unfit for duty and shall be the subject of charges.

- e) Officers who have signed the Health Maintenance Requirements Agreement as a condition of employment shall comply with the terms of that agreement.
- f) A violation of Section 700.09 (d) or (e) is a major offense of the third degree.

700.10 Political activity:

a) Officers/employees shall be permitted to:

1. Register to vote in any election.
2. Express opinions as individuals privately on political issues and candidates.
3. Attend political conventions, rallies, fund raising functions, and similar political gatherings while not in uniform or on-duty.
4. Actively engage in any nonpartisan political function while not in uniform or on-duty.
5. Sign political petitions as individuals.
6. Make financial contributions to political organizations.
7. Hold membership in a political party.
8. Otherwise participate fully in public affairs, except as prohibited by law, or by Section 700.10 (b) of the Rules and Regulations of the Akron Police Division, to the extent that such endeavors do not impair the neutral and efficient performance of official duties.

b) Officers/employees are prohibited from:

1. Using their official capacity to influence, or interfere with, or affect the results of a partisan election.
2. Assume active roles in the managing or organizing of partisan political clubs, the campaign of any individual candidate for office, or party.
3. Serve as an officer of any partisan political party or club.
4. Become a candidate for office, or campaign for any partisan elective candidate.
5. Solicit votes in support of, or in opposition to, any candidate for partisan political office.
6. Serve as a delegate to a political party convention.
7. Endorse or oppose a candidate for public office in a political advertisement, broadcast, or campaign literature.
8. Initiate or circulate a partisan nominating petition.
9. Organize, sell tickets to, or actively participate in a fund raising function for a partisan political party or candidate.
10. Address a political gathering in support of, or in opposition to, a partisan political candidate.

11. Otherwise actively engage in prohibited partisan political activity on the federal, state, county, or municipal level.

12. A violation of any subsection of Rule 700.10 is a minor offense of the first degree.

700.11 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as defined by Section 1300 of this manual.

CHAPTER 800

800.01 Officers/employees shall not mark, alter or deface any surface of Police Division premises.

- a) Officers/employees shall not mark, alter, remove or deface any notice posted on any Police Division premises.
- b) Officers/employees shall not post or remove any material in or on any Police Division premises without the specific authorization of the Chief of Police or the subdivision commander involved.
- c) A violation of Section 800.01 is a minor offense of the first degree.

800.02 Officers/employees of the Police Division shall be responsible for the care of Police Division property in their possession or assigned for their use, and the proper reporting of loss, damage, or defect of said property.

- a) Property shall only be used for official purposes and in the capacity for which it has been designed.
- b) Property issued to an officer/employee shall only be transferred to another officer/employee with the explicit permission of the issuing officer.
- c) A violation of Section 800.02 is a minor offense of the third degree.

800.03 Officers/employees shall immediately report in writing to his/her immediate supervisor the loss of, or damage to, any Police Division property assigned to or used by them. Officers/employees shall notify their immediate supervisor of any defect or hazardous condition existing in any Police Division equipment or property.

Damaged or lost property or equipment may subject the responsible officer/employee to reimbursement charges and/or disciplinary action. A violation of Section 800.03 is a minor offense of the third degree.

800.04 Officers/employees shall obtain permission from their shift or bureau commander before having duplicates made of any Police Division key, or before lending or furnishing any Police Division key to any person not employed by the Police Division.

800.05 Officers/employees shall not use any Police Division vehicle not assigned to them or their subdivision without the permission of the shift commander of the subdivision to which the vehicle is assigned. A violation of Section 800.05 is a minor offense of the third degree.

800.06 Accidents involving police personnel or property must be reported in accordance with adopted procedure. A violation of Section 800.06 is a minor offense of the third degree.

800.07 Officers/employees are required to surrender all Police Division property in their possession upon separation from the Police Division. Failure to return all nonexpendable items shall cause the officer/ employee to reimburse the Police Division for the fair market value of the item or items.

800.08 Officers/employees shall not utilize any business or personal card other than an official card issued by the Police Division.

800.09 Officers/employees shall not carry, either on their person or in a Police Division vehicle, or use, equipment not furnished by or specifically authorized by the Police Division.

a) Nothing in this rule shall prohibit the use of privately owned vehicles or equipment, by officers of the Police Division to accomplish their task when they have been specifically authorized to use such privately owned vehicle or equipment by the Chief of Police of their subdivision commander.

b) A violation of Section 800.09 is a minor offense of the third degree.

800.10 No officer shall loan Police Division equipment to a civilian without the approval of the Chief of Police or subdivision commander.

800.11 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as defined by Section 1300 of this manual.

CHAPTER 900

- 900.01 Attendance at a court, quasi-judicial hearing, or deposition, as required by subpoena or other official notice is an official duty assignment and shall be carried out. Where there is sufficient reason, permission to omit this duty must be obtained from the attorney serving the subpoena or other official notice, prior to the hearing.
- 900.02 When appearing in court, officers shall wear the official uniform of the Akron Police Division, or at their option, appropriate civilian clothing as defined by Sections 400.01 or 400.02.
- 900.03 Weapons shall not be displayed in court unless the regulation uniform is worn.
- 900.04 Officers shall present a neat and clean appearance in court and avoid any mannerism, which might imply disrespect of the court.
- 900.05 Officers/employees shall not volunteer to testify in civil or criminal actions that result from their official duties, and shall not testify in any civil action, nor give any deposition, unless served prior to such testimony with a subpoena or notice of deposition. A violation of Section 900.05 is a minor offense of the third degree.
- 900.06 An officer/employee shall immediately notify his/her subdivision commander and the Director of Law, or his/her designee, in writing, if he/she is served with a subpoena in a civil action that results from Police Division employment. No officer/employee shall enter into any financial agreement for appearing as a witness in a civil action, except as provided in Section 900.08.
- 900.07 Where any officer/employee is to testify for the defense in any criminal trial, hearing or deposition, he/ she shall immediately notify his/her subdivision commander in writing upon receipt of a subpoena. A violation of Section 900.07 is a minor offense of the third degree.
- 900.08 Officers/employees appearing in a court or quasi-judicial hearing may either receive Court Time for their appearance or accept the witness fee tendered to them, but may not accept both forms of compensation. An officer/employee who elects to receive Court Time shall forward to his/her subdivision commander any witness fee tendered to him/her. A violation of Section 900.08 is a minor offense of the second degree.
- 900.09 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as defined by Section 1300 of this manual.

CHAPTER 1000

1000.01 The first officer to arrive at the scene of a crime or other police incident is responsible for the following actions as they may apply to the situation:

- a) Summoning medical assistance and administering first aid as required to prevent further injury or loss of life.
- b) Arrest of violator or violators.
- c) Security of the scene.
- d) A violation of Section 1000.01 is a minor offense of the second degree.

1000.02 Officers specifically assigned to perform the preliminary, technical, continuing or follow-up investigation of an alleged crime or other incident are responsible for the following:

- a) Securing statements and other information.
- b) Locating, collecting, and preserving physical evidence material to the alleged crime or incident.
- c) Preparing and submitting written reports relative to the alleged crime or incident according to Police Division procedure.
- d) A violation of Section 1000.02 is a minor offense of the second degree.

1000.03 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as defined by Section 1300 of this manual.

CHAPTER 1100

- 1100.01 Officers of the Police Division are always subject to duty, although they are periodically relieved of its routine performance.
- 1100.02 All officers/employees shall perform their duties as required or directed by law, or other Police Division rule, regulation, procedure or order, or upon order from a supervisor.
- a) Officers assigned to a beat, district, sector, or any other assigned area, shall not leave the assigned area unless permission is received from a supervisor or is in conformity with some specific problem. A violation of Section 1100.02 is a minor offense of the second degree.
- 1100.03 The administrative delegation of the enforcement of certain laws and ordinances to particular units of the Police Division does not relieve other officers from the responsibility of taking prompt and effective police action within the scope of those laws and ordinances when the occasion so requires. Officers assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment when necessary.
- 1100.04 Officers/employees seeking early relief from duty because of illness or personal reasons shall contact their supervisor and request early relief. Officers/employees shall not leave their assignment until permission has been given to do so except in cases of emergency illness. A violation of Section 1100.04 is a minor offense of the third degree.
- 1100.05 Officers/employees off-duty shall, upon official orders, report for duty immediately upon receipt of notification, and shall comply with any instructions given at time of notification.
- 1100.06 Officers shall report immediately, with or without any official orders, in the event of any major disaster.
- a) If telephone service is available, officers shall report by telephone to their subdivisions and shall comply with any orders or instructions given at that time.
 - b) In the event that no form of communication exists, officers shall report to their subdivisions in person, properly uniformed and equipped for duty.
- 1100.07 Officers off-duty shall perform necessary police service whenever and wherever they are aware of a criminal offense within their jurisdiction, excluding minor traffic incidents.
- 1100.08 Officers/employees of the Police Division shall, unless otherwise directed, or properly excused, report for duty at the time and place designated, in the attire and with the equipment specified by Police Division regulations. A violation of this section constitutes absence without leave.
- a) Officers shall give careful attention to orders and instructions given at roll calls, and shall avoid unnecessary talking or movement during roll call.
 - b) Inability to report for duty due to illness or injury must be reported to the Information Desk officer at least one hour prior to the time that the officer/employee is due to report for duty.
 - c) In the event one hour's notice of the employee's inability to report cannot be given, the shift commander shall be notified by the employee or his/her representative.

- d) Once having reported off sick or disabled, the officer/employee shall keep the Police Division advised as to his/her status and expected date of return to duty. Should such officer/employee, including an officer/ employee on disability leave, need to leave his/her home at any time, the Information Desk officer shall be notified.
- e) Once having reported off sick or disabled, the officer/employee shall not work a police-type extra job or any other type of employment for twenty-four (24) hours from the starting time of his assigned shift.
- f) A violation of Section 1100.08 is a minor offense of the third degree.

1100.09 Officers may suspend their normal assigned police duties for a lunch period.

- a) Lunch periods are to be taken on the officer's assigned beat or duty area unless such officer has permission from his/her immediate supervisor to take his/her lunch period elsewhere.
- b) Officers on lunch period are subject to call and responsible for taking any necessary police action, which might come to their attention, and shall therefore monitor radio traffic while on said break.

1100.10 No officer/employee shall request time off when he/she has not accumulated time available. In an emergency, he/she may receive leave without pay with approval of the shift commander. A violation of Section 1100.10 is a minor offense of the third degree.

1100.11 The Chief of Police shall be given notice in writing by any officer or employee immediately upon filing an application for retirement, disability, or having any other intentions of terminating his service with the Akron Police Division. A violation of Section 1100.11 is a minor offense of the third degree.

1100.12 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as defined by Section 1300 of this manual.

CHAPTER 1200

- 1200.01 While making arrests, officers shall strictly observe the laws of arrest and current procedures.
- 1200.02 Only that amount of restraint needed to insure the safe custody of the person arrested shall be used by any officer/employee in the arrest of a suspect.
- 1200.03 The arresting officer is responsible for the safety and protection of the arrested person while in his/her custody.
- 1200.04 The arresting officer shall notify the transportation officers of any injury, apparent illness, or other physical or mental condition, which may indicate that the arrested person may need special care.
- 1200.05 The arresting officer is responsible for the security of the personal property in the possession of the arrested person or under his/her control at the time of arrest. This responsibility transfers to the transportation officer when he/she accepts custody of the arrested person from the arresting officer.
- 1200.06 The arresting officer is responsible for the security of any vehicle in the possession of the arrested person and under his/her control at the time of the arrest. Nothing in this rule shall prevent an officer from allowing an arrested subject to park and secure his/her vehicle in any lawful parking place; or from allowing an arrested subject to authorize another to take possession of his/her vehicle.
- 1200.07 An officer/employee shall not act as bailor for any person in custody except that an officer/employee may act as a bailor for a person in custody who is a member of his/her immediate family.
- 1200.08 An officer/employee charged with the custody of a prisoner or prisoners shall observe all laws and Police Division orders regarding the custody of prisoners.
- a) All prisoners shall be kept securely and treated humanely.
 - b) An officer with a person or persons in his/her custody is responsible for the safety and well being of said persons. An officer with a person in his/her custody who must use physical force to restrain such person shall immediately call a supervisor to the scene, and notify his/her subdivision commander and the Chief of Police in writing as soon as practical, but in no case later than the end of his/her current tour of duty.
 - c) The supervisor responding to the scene shall immediately investigate the use of force involved and shall notify his/her subdivision commander and Chief of Police of the incident.
 - d) An officer with a prisoner in his/her custody shall immediately report in writing to his/her subdivision commander and the Chief of Police any incident in which any other officer/employee physically or verbally abuses the prisoner in his/her custody.
 - e) A supervisor who is notified by an officer that he/she has a prisoner in his/her custody that is physically ill, unconscious, injured or has been abused by another officer/employee shall immediately investigate the incident.

1. The officer shall see that a prisoner who is physically ill, unconscious or injured is immediately transported to the nearest emergency hospital for treatment.
2. The supervisor shall require a report in writing from the officer who had custody of the prisoner.
3. The supervisor shall submit the officer's report to his/her shift commander for approval and forwarding to his/her subdivision commander a report of his/her findings in the incident and the final disposition of the prisoner.

1200.09 Female prisoners or suspects shall only be touched by male police officers when it is necessary during the arrest procedure to subdue them, restrain them, conduct a frisk type search for concealed weapons, or administer first aid.

- a) Complete body searches of female prisoners charged with a felony shall only be conducted by female police officers or matrons, preferably but not necessarily, in the station house.
- b) Strip type searches or body cavity searches of females arrested or detained for the commission of a misdemeanor or traffic offense shall be conducted in accordance with the laws of the State of Ohio and current Division rules and procedures governing the subject.
- c) This rule shall not restrict a male police officer from making a necessary search of a female prisoner for evidence in a felony arrest when female police officers or matrons are not present, or in making an immediate field search of a female prisoner in a felony arrest when the evidence being searched for is of such a nature that it could be quickly and easily destroyed.
- d) When it is necessary for a male police officer to conduct a search of a female prisoner or suspect charged with a felony that goes beyond a mere frisk for weapons, he shall immediately report the search, the circumstances surrounding the search, and the results of the search to his immediate supervisor by the end of the shift or before going off-duty.

1. A commanding officer who has received such a report shall sign the report and forward it to his subdivision commander with his appraisal of the incident.

1200.10 Male prisoners or suspects shall only be touched by female police officers when it is necessary during the arrest procedure to subdue them, restrain them, conduct a frisk type search for concealed weapons, or administer first aid.

- a) Complete body searches of male prisoners charged with a felony shall only be conducted by male police officers, preferably but not necessarily, in the station house.
- b) Strip type searches or body cavity searches of males arrested or detained for the commission of a misdemeanor or traffic offense shall be conducted in accordance with the laws of the State of Ohio and current Division rules and procedures governing the subject.
- c) This rule shall not restrict a female police officer from making a necessary search of a male prisoner for evidence in a felony arrest when male police officers are not present, or in making an immediate field search of a male prisoner in a felony arrest when the evidence being searched for is of such a nature that it could be quickly and easily destroyed.

d) When it is necessary for a female officer to conduct a search of a male prisoner or suspect charged with a felony that goes beyond a mere frisk for weapons, she shall immediately report the search, the circumstances surrounding the search, and results of the search to her immediate supervisor by the end of the shift or before going off-duty.

1. A commanding officer who has received such a report shall sign the report and forward it to his/her subdivision commander with his appraisal of the incident.

1200.11 An officer/employee shall not engage in any business transaction with any person who is his/her prisoner or with any other person in the custody of any police officer, or any person confined.

1200.12 An officer transporting a prisoner shall do so in accordance with Police Division rules, regulations, procedures and orders.

a) Prisoners who require medical attention shall be taken to the nearest appropriate emergency hospital. The transporting officer shall be responsible for the security of the prisoner until properly relieved except when he/she is directed otherwise by a supervisor.

b) Any prisoner transported to a hospital in an ambulance shall be accompanied and guarded by a police officer unless circumstances are such that it is impossible or a supervisor directs otherwise.

1200.13 No officer/employee shall place a weapon or an object adaptable for use as a weapon, which could inflict serious bodily injury, or permit such weapons or objects to remain unattended in any location normally accessible to a prisoner or suspect. This rule does not apply to fixtures or furnishings, which are a part of the physical plant.

1200.14 Violations of this Chapter, which are not otherwise defined, as being either major or minor offenses shall be considered minor offenses of the third degree as, defined by Section 1300 of this manual.

CHAPTER 1300

- 1300.01 Pursuant to this Chapter, offenses are hereby designated as being either "minor" or "major." Nothing in this Chapter nor in these Rules and Regulations shall prevent the Chief of Police, with the approval of the Mayor, from establishing, creating or promulgating any other rule or regulation following the procedure set forth in Section 100.05 of these Rules and Regulations. Those infractions for which a suspension of up to two (2) working days is a possible maximum punishment for a first offense shall form a third classification of offenses, which shall be called "informal" offenses, and said informal offenses shall be enforceable as defined in Section 1300.06 of these Rules and Regulations or as otherwise defined by the Chief of Police.
- 1300.02 All duties, obligations, rights and privileges relating to discipline which may be imposed upon, or accrue to the benefit of any officer/employee from the applicable laws, statutes and ordinances of the United States of America, the State of Ohio, or the City of Akron, or which may be bargained in any executed contract between any labor organization representing officers/employees and the City of Akron are made a part of this Chapter as if fully written herein.
- 1300.03 Nothing in this Chapter or in these Rules and Regulations shall deny to any officer/employee his right to waive the appellate procedure granted by the Charter of the City of Akron in a knowing, intelligent and voluntary manner. For all offenses defined as "minor" by this Chapter or for any "informal" offense, nothing in this Chapter shall deny to the Chief of Police, any of his designated supervisors or to the officer/employee the right to knowingly, intelligently and voluntarily agree to punishment of a different type or in a different degree than the minimum specified for the charged offense by Section 1300.06 of this Chapter. When the officer/employee agrees to punishment of a different type, he/she waives his/her right to further appeal and remains subject to penalties as provided for second and third offenses pursuant to 1300.06.
- 1300.04 Notwithstanding the provisions of Section 1300.03 of this Chapter, should the officer/employee and the Chief of Police or any of his designated supervisors be unable to knowingly, intelligently and voluntarily agree on a course of action arising out of a disciplinary action relating to an offense defined as "minor" or "informal," then those penalties set forth in Section 1300.06 of this Chapter shall control.
- 1300.05 When circumstances dictate, an officer/employee may be temporarily relieved from duty by a supervisory officer for any violation of these rules and regulations, or for any other just and reasonable cause.
- a) An officer/employee relieved from duty by a supervisor shall be ordered to appear before the shift or bureau commander immediately upon being relieved from duty.
 - b) The shift or bureau commander shall investigate the circumstances that lead to the relief from duty of an officer/employee of this/her command, and, if he/she concurs in the action taken, he/she shall order the relieved officer/employee to appear before a subdivision commander no later than the end of the next scheduled working day of the subdivision commander.
 - c) An officer/employee temporarily relieved from duty pursuant to this rule shall be relieved from duty until such time as he/she has been ordered to return to duty by the subdivision commander.

- d) Any supervisory officer relieving another officer from duty shall, no later than the end of his/her current tour of duty, submit a full written report to his/her shift or bureau commander regarding the incident and reasons for relieve from duty.
- e) A shift or bureau commander, upon reviewing a report of temporary relief from duty shall, as soon as practical, but in no case later than the end of his current tour of duty, submit a full written report of his/her investigation of the incident to his/her subdivision commander.
- f) A subdivision commander shall, upon receiving a report that an officer/employee under his/her command has been relieved from duty, conduct a full inquiry into the circumstances surrounding the incident and report his/her findings in writing to the Chief of Police.
- g) The Chief of Police shall have the power to indefinitely suspend any officer/employee for violations of these rules and regulations, which are defined as major offenses.

1300.06 Where an investigation has determined that an offense defined as "major" has been committed by an officer/employee, or in any case where a knowing, intelligent and voluntary resolution of a "minor" or "informal" offense cannot be obtained, the following schedule of punishment shall apply:

Classification	First Offense Minimum-Maximum Suspension	Second Offense Minimum-Maximum Suspension	Third Offense Minimum-Maximum Suspension
Major 1st Degree	30 days - dismissal	60 days – dismissal	90 days - dismissal
Major 2nd Degree	10 days – dismissal	30 days – dismissal	60 days - dismissal
Major 3rd Degree	5 days – dismissal	10 days – dismissal	30 days - dismissal
Minor 1st Degree	3 days – 15 days	7 days – 60 days	30 days – 90 days
Minor 2nd Degree	1 day – 10 days	3 days – 30 days	7 days – 60 days
Minor 3rd Degree	Written Repr. – 5 days	1 day – 10 days	3 days – 30 days
Informal	Written Repr. – 2 days	1 day – 3 days	1 day – 5 days

1300.07 For purposes of these Rules and Regulations, the terms "second offense" and "third offense" are meant to mean discipline arising out of incidents resulting in charges of the same rule violation for which the officer/employee has been previously disciplined.

In the event that an officer/employee is charged with a major offense as defined by this Chapter, a prior violation of the section charged shall be used as the basis of charging the officer/employee with either a "second offense" or "third offense" regardless of the time elapsed between the prior violation and the date of the alleged occurrence with which the officer or employee is now charged.

In the event that an officer/employee is charged with a minor offense as defined by this Chapter, no prior violation of the section charged shall be used as the basis for charging the officer/employee with either a "second offense" or "third offense" where the prior disciplinary action taken against the officer or employee was imposed more than two (2) years prior to the date of the alleged occurrence with which the officer or employee is now charged.

In the event that an officer/employee is charged with an informal offense as defined by this Chapter, no prior violation of the section charged shall be used as the basis for charging the officer/employee with a "second offense" or "third offense" where the prior disciplinary action taken against the officer/employee was imposed more than two (2) years prior to the date of the alleged occurrence with which the officer/employee is now charged.

1300.08 Nothing in this Chapter, nor in these Rules and Regulations, shall deny to the Chief of Police the right to recommend to the Mayor of the City of Akron that, in those cases where it is found upon investigation that the officer/employee is guilty of two or more offenses, that the penalty imposed, if any, be served concurrently or consecutively with one another.

1300.09 Violations of this Chapter, which are not otherwise defined as being either major or minor offenses, shall be considered informal offenses as defined by Section 1300 of this manual.

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Correspondence, division	500.03
Court apparel	900.02
Court attendance mandatory	900.01
Court conduct	900.04
Court weapons	900.03
Crime scene responsibilities	1000.01
Crime scene responsibilities, follow-up	1000.02
Criminal cases, compromising of	700.04
Custody of prisoners	1200.08

Damaged, lost, inoperative property/equipment	800.03
Directives	100.02
Discharge of firearms permitted	300.05
Discharge of firearms report	300.06
Discharge of firearms resulting in death/injury	300.07
Disciplinary action	700.01
Disciplinary considerations	1300.02
Discipline, disagreement concerning	1300.04
Discipline, radio	600.03
Discipline, waiving appellate procedure	1300.03
Display of firearms	300.09
Disputes, off-duty	200.12
Division correspondence	500.03
Dress code	400.04
Driver's license required	700.08
Duty availability	600.02
Duty, early relief from	1100.04
Duty, performance of	700.08
Duty, relieved from	600.02
Duty responsibilities	1100.03
Duty, performance of	1100.02
Duty, subject to	1100.01
Emergency calls	200.06
Emergency off-duty reporting	1100.05
Emergency off-duty reporting (major disaster)	1100.06
Endorsement of communications	500.02
Equipment, authorized	800.09
Equipment, loaning of	800.10
Equipment, damaged, lost, inoperative	800.03
Equipment, surrender of	800.07
False statements	700.03
Firearms, authorized	300.02
Firearms, authorized use of	300.03
Firearms, display of	300.10
Firearms, off-duty	300.12
Firearms, optional	300.13
Firearms, registering	300.14
Firearms, relief from field duty	300.08
Firearms, report of discharge	300.07
Firearms Review Board	300.09
Firearms, unintentional shots	300.05
Firearms, used against officer	300.11
Firearms, warning shots prohibited	300.04
Force, use of	200.05, 700.07, 1200.02
Gambling, prohibited	700.08
Gifts, acceptance of	700.07

Hair standards, female officer	400.04
Hair standards, male officer	400.04
Hallucinogens	700.08
Incarceration of officer/employee	700.02
Identification number, upon request	200.02
Identification as police officer	200.13
Informal offense	1300.01
Information, confidential	700.06
Intoxicating beverages	700.08
Investigations, personnel	500.05
Judicial hearing compensation	900.08
Justice, administration of	700.03, 700.06, 700.07
Keys, Police Division	800.04
Keys, possession of	200.14
Laws, obedience of	700.02
Lectures	700.08
Letterhead, use of	500.04
License, driver's	700.08
Liquor	700.08
Loitering	200.10
Lunch periods	1100.09
Major offense	1300.01
Minor offense	1300.01
Misdemeanor, members to report	700.04
Misdemeanor, violation by member	700.02
Name, upon request	200.02
National colors/anthem	200.11
Neighborhood disputes, off-duty	200.12
Notebook, maintaining	100.02
Off-duty police service	1100.07
Offenses, concurrent, consecutive	1300.08
Offenses, second and third	1300.07
Orders, conflicting	500.07
Orders, failure to obey	500.12
Orders, manner of issuing	500.10
Orders, posted	500.11
Orders, unlawful, unjust, improper	500.13
Ordinance, knowledge of	100.03
Penalties, table of	1300.09
Personnel classification	3.0
Personnel investigations	500.05
Personnel terminology	4.0

Physical fitness	700.09
Physical force, use of	200.05
Police building, care of	800.01
Police business, devote entire work time	200.09
Police calls, responding to	200.06
Police Division keys	800.04
Police Division vehicle use	800.05
Police Division vehicles, civilian riders	200.04
Police officer, identification of	200.13
Police property, care of	800.02
Police property, lost, damaged	800.03
Political activity	700.10
Prisoners, availability of weapons	1200.13
Prisoners, business transaction	1200.11
Prisoners, injury/illness	1200.04
Prisoners, property of	1200.05
Prisoners, safety of	1200.03
Prisoners, search of female	1200.09
Prisoners, search of male	1200.10
Prisoners, transporting	1200.12
Prisoners, use of force	1200.08
Prisoners vehicle	1200.06
Procedures	100.02
Prostitution	700.08
Public, assisting	200.03
Public, conduct of	200.01
 Questioning of officer/employee	 500.05
 Radio discipline	 600.03
Radio (Police), availability of officer	600.02
Radio, TV, public appearance	700.08
Raid, disclosure of	700.06
Relief from duty	1100.04
Reporting of accident involving police personnel	800.06
Reports, submitting	500.06
Restraint, necessary	1200.02
Retirement, resignation notification	1100.11
Rules and regulations, changes	100.05
Rules and Regulations Manual, knowledge of	100.01
 Statements, false	 700.03
Statutes, knowledge of	100.03, 700.05
Subpoenas, civil action	900.06
Subpoenas for defense	900.07
Supervisor, acting	500.14
Supervisors, addressing	500.09
Supervisors, respect for	500.08

Telephone, address change	600.01
Telephone, confidentiality of numbers	700.06
Telephone courtesy	200.08
Television, radio, public appearance	700.08
Terminology	5.0
Testimony, volunteer	900.05
Time off requests	1100.10
Training bulletins	100.02
Uniform, department procedure	400.04
Uniform, female	400.02
Uniform, male	400.01
Uniform, off-duty	400.06
Uniform, official	400.05
Units	1.0
Vehicle, operation of	700.08
Vehicle, securing after arrest	1200.06
Vehicle use, civilian	200.04
Vehicle use, Police Division	800.05
Weapons, availability to prisoners	1200.13

JOINT EXHIBIT D



POLICE DEPUTY CHIEF

DEFINITION

This is management level work in the Police Division, assisting in the formulation of departmental policy, goal setting and team building to meet objectives of the City and the Police Division. Directs the activity of one or more subdivisions in the Akron Police Division.

Works under the direction and control of the Chief of Police for a period of time determined by the Chief of Police. Exercises considerable independent responsibility for planning and directing all activities of a major police function.

CHARACTERISTIC WORK

Assists the Police Chief in all aspects of management of the Police Division. Plans and directs all activities of one or more subdivisions of the Akron Police Division. Assists in the creation, implementation and revision of departmental goals, objectives and policies. Performs leadership and other managerial duties in direct assistance to the Police Chief and Mayor. Participates in the development and administration of the division budget and forecasting necessary to staff and equip the Police Division. Acquires knowledge of current trends and innovations in law enforcement and recommends implementation for the efficient and effective delivery of public service and management objectives. Acts as a liaison with other law enforcement and judicial agencies, government officials, community groups and general public. Works closely with the Mayor, City Council, City departments and a variety of public and private organizations and citizen groups. Engages in public speaking. Prepares analytical reports on behalf of the Police Division for internal and external use. Represents the Police Chief at various public and private functions. Responds to major incidents and emergencies as needed. Prepares clear, accurate written reports and presentations. Administers Akron Police Department Rules, Regulations and Procedures. Serves as Acting Police Chief as assigned. Performs related work as required.

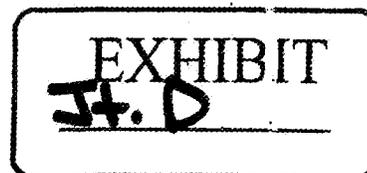
MINIMUM QUALIFICATIONS

A permanent employee of the Police Division; a minimum of five years of experience in police work with at least two years of experience as a Police Captain in the Akron Police Division. Possession of a valid State of Ohio Driver's license.

Thorough knowledge of the principles and practices of modern police administration.; Thorough knowledge of the Rules and Regulations of the Akron Police Division. Knowledge of federal, state and local law. Thorough knowledge of the techniques of crime prevention. Knowledge of the proper uses of force and other modern police equipment and tactics. Knowledge of the principles and practices of crisis management and the National Incident Management System (NIMS). Knowledge of principles and practices of organization, administration, budget and personnel management.

Skill in the use and care of firearms. Skill in problem resolution and diplomacy. Skill in development of objectives, policies and procedures.

Approved: 1968 Survey
 Revised: 8/29/1978
 Revised: 6/28/2012





Ability to analyze complex issues. Ability to work under stressful conditions and exercise good judgment. Ability to implement and administer goals and objectives in order to produce effective and efficient public safety services. Ability to plan, organize and coordinate the work of subordinate personnel. Ability to communicate clearly and concisely, both orally and in writing. Ability to establish and maintain effective relationships with the Police Chief, fellow employees and citizens of varied backgrounds. Ability to effectively interact with other law enforcement and judicial agencies, government officials and community groups. Ability to operate standard office equipment, personal computers and devices using program applications for assigned duties.

Approved: 1968 Survey
Revised: 8/29/1978
Revised: 6/28/2012

JOINT EXHIBIT E

**ASSISTANT CHIEF OF POLICE
SUMMARY OF JOB DUTIES**

The primary function of this unclassified position is to perform police leadership and administrative duties. This position will be assigned to the Office of the Chief of Police and assist the Police Chief in the supervision and direction of all police functions. The administrative nature of this position requires considerable independent judgment.

The duties of this position include but are not limited to:

Representing the Police Chief, Mayor and City of Akron at various public and private meetings and events as required;

Assisting the Police Chief in the supervision and direction of all Police Department functions;

Monitoring the daily operations of the Police Department;

Developing, recommending and/or instituting policies with the Chief of Police to maintain or improve the Department's effectiveness, efficiency and customer service;

Reviewing and providing guidance on administrative investigations and personnel issues;

Analyzing data and information to evaluate departmental activities to determine effective allocation of resources;

Communicating with the media, public and employees;

Taking police action, if necessary;

Performing related duties as required by the Police Chief and Safety Director.





JOINT EXHIBIT F

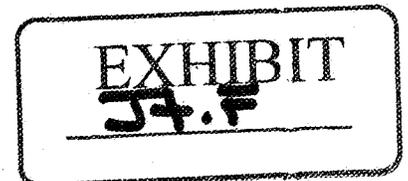
AKRON POLICE DEPARTMENT S-LIST

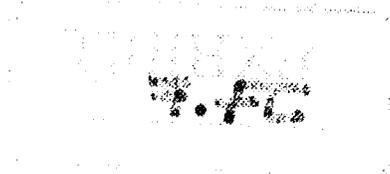
Thursday, January 17, 2013

S-1	CHIEF JAMES NICE Total CHIEFS: 1	S-51	SERGEANT DANIEL GORRING
S-2	ASSISTANT CHIEF CHARLES BROWN	S-52	SERGEANT JEFFREY MCNEIL
S-3		S-53	SERGEANT GERALD MILES
S-4		S-54	SERGEANT FRANK WILLIAMS
S-5	Total DEPUTY CHIEFS: 0	S-55	SERGEANT JAMES CURRIE
S-6	CAPTAIN ELIZABETH DAUGHERTY	S-56	SERGEANT NANCY VOUGHT
S-7	CAPTAIN PAUL CALVARUSO	S-57	SERGEANT TIMOTHY GIVENS
S-8	CAPTAIN DANIEL ZAMPELLI	S-58	SERGEANT DAVID GARRO
S-9	CAPTAIN MARTHA SULLIVAN	S-59	SERGEANT AGOSTINO MICOZZI
S-10	CAPTAIN MICHAEL SHEARER, JR.	S-60	SERGEANT ALLEN FITE, JR.
S-11	CAPTAIN SYLVIA TRUNDLE	S-61	SERGEANT KRIS BETIZEL
S-12	CAPTAIN KENNETH BALL II	S-62	SERGEANT GARY COLE
S-13	CAPTAIN MICHAEL PREBONICK	S-63	SERGEANT MICHAEL YOHE
S-14	CAPTAIN MICHAEL CAPREZ	S-64	SERGEANT DOUGLAS SANDOR
S-15	Total CAPTAINS: 9	S-65	SERGEANT BRIAN HARDING
S-16	LIEUTENANT JERRY HUGHES	S-66	SERGEANT JASON MALICK
S-17	LIEUTENANT RICHARD DECATUR	S-67	SERGEANT DAVID LAUGHLIN
S-18	LIEUTENANT BRIAN OLDAKER	S-68	SERGEANT THOMAS WOODILL
S-19	LIEUTENANT JAMES PHISTER, JR.	S-69	SERGEANT WAYNE ANDREWS, JR.
S-20	LIEUTENANT DAVID WHIDDON	S-70	SERGEANT JOHN MOSTAR
S-21	LIEUTENANT CLARK WESTFALL	S-71	SERGEANT KENNETH BUTLER
S-22	LIEUTENANT MELISSA SCHNEB	S-72	SERGEANT MICHAEL LUGENBEAL
S-23	LIEUTENANT STEPHEN PHILLIPS	S-73	SERGEANT CHRISTOPHER BROWN
S-24	LIEUTENANT RICHARD EDWARDS	S-74	SERGEANT ANTHONY STARVAGGI
S-25	LIEUTENANT CYNTHIA CHRISTMAN	S-75	SERGEANT GERALD FORNEY
S-26	LIEUTENANT TERRY PASKO	S-76	SERGEANT OSCAR MORRIS, JR.
S-27	LIEUTENANT ROGER ERWIN	S-77	SERGEANT DENNIS WOODALL
S-28	LIEUTENANT BRIAN SIMCOX	S-78	SERGEANT DALE DORN
S-29	LIEUTENANT CHRISTOPHER BREWER	S-79	SERGEANT DAVID HAMMOND
S-30	LIEUTENANT JESSE LEESER	S-80	SERGEANT MARK FARRAR
S-31		S-81	SERGEANT ERIK WELLS
S-32		S-82	SERGEANT MICHAEL RINN
S-33		S-83	SERGEANT STEVEN SWARTZ
S-34		S-84	SERGEANT ERIC PAULL
S-35		S-85	SERGEANT SCOTT LIETKE
S-36	Total LIEUTENANTS: 15	S-86	SERGEANT ROBERT HORVATH
S-37	SERGEANT JOHN CALLAHAN	S-87	SERGEANT VINCE YURICK
S-38	SERGEANT MICHAEL STOTT	S-88	SERGEANT MICHAEL JOYNER
S-39	SERGEANT WILLARD CONGROVE	S-89	SERGEANT DANIEL ENGELHART
S-40	SERGEANT MICHAEL CIANCIOLA	S-90	SERGEANT MICHAEL VAVRO
S-41	SERGEANT JEFFREY SHAFER	S-91	SERGEANT CHRISTOPHER DAVIS
S-42	SERGEANT WARREN WEBB	S-92	SERGEANT KEVIN WILLIAMS
S-43	SERGEANT TIMOTHY MCLEOD	S-93	SERGEANT GARY GARRETT
S-44	SERGEANT GEORGE WITEOF	S-94	SERGEANT PATRICK DUGAN
S-45	SERGEANT DANIEL CAPREZ	S-95	SERGEANT DAVID LONG, JR.
S-46	SERGEANT JEFFREY MULLINS	S-96	SERGEANT KARL BURTON
S-47	SERGEANT LEONARD MITCHELL, JR.	S-97	SERGEANT DREW KELLY
S-48	SERGEANT TROY MINEARD	S-98	
S-49	SERGEANT RONALD BLACK	S-99	
S-50	SERGEANT BRUCE GRAHAM	S-100	
		S-101	
		S-102	
		S-103	
		S-104	
		S-105	
		S-106	
		S-107	
		S-108	
		S-109	

Total SERGEANTS: 61

GRAND TOTAL: 87





JOINT EXHIBIT G

Muskovitz & Lemmerbrock LLC

Susannah Muskovitz

muskovitz@mllabor.com

January 18, 2013

Via Email (PAmbrose@Akronohio.gov)

Patricia Ambrose-Rubright
Director of Labor Relations
City of Akron
202 Ocasek Building
161 South Street
Akron, Ohio 44308

RE: Assistant Chief of Police

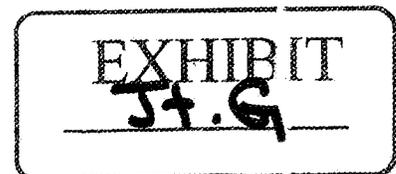
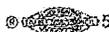
Dear Ms. Ambrose-Rubright:

I am writing on behalf of the Fraternal Order of Police, Akron Lodge No. 7. On January 14, 2013, I sent you an email requesting information on Mr. Charles Brown and the newly created position of Assistant Chief of Police. Specifically, I asked the following questions:

1. What is the job description for the new position? Can you forward it to me?
2. Can you send me the hiring ordinance under which Mr. Brown was hired?
3. Can you send me the current organizational chart for the police department, showing the position of Assistant Chief of Police, and if the position falls within the chain of command? (Today [January 14th], Chief Nice assigned Mr. Brown the responsibility of running the shift meeting – placing him in rank between the Chief of Police and the Captains.)
4. How does the Assistant Chief's position relate to the position of Deputy Chief?
5. Can you clarify whether Mr. Brown is employed as a sworn police officer or a civilian?

On January 15, 2013, the Police Chief's secretary, Marlene Long, sent an email to all police personnel, stating that "due to numerous requests regarding the status and title of Charles Brown," all personnel should be advised that he resigned from the police department but was still a City employee. His formal title is Assistant Chief of Police and he is still a sworn Ohio Peace Officer.

The BF Keith Building | 1621 Euclid Avenue, Suite 1750 | Cleveland, OH 44115
p 216-621-2020 | f 216-621-3200 | www.mllabor.com





Patricia Ambrose-Rubright
January 18, 2013
Page 2

Then on January 17, 2013, the Police Department issued a revised seniority list, which lists Mr. Brown as S-2, directly within the police chain of command between the Chief and the (unfilled positions of) Deputy Chief and the positions of Captain.

This means that the Mayor hired a civilian from outside the City, into a civil service position as a police officer within the chain of command below the rank of Chief and above the ranks of Deputy Chief and Captain.

Given the above, it has become clear that the City's actions violate the City Charter as well as the City's Civil Service Rules. The Mayor does not have the authority to hire an individual from outside of the police department as a ranking police officer within the chain of command. Furthermore, the Mayor does not have the authority to hire a civilian to work as a police officer. The fact that Mr. Brown may still hold a police commission does not change his employment status as a civilian.

In addition to being unlawful, this action has caused an enormous disruption within the police department as to Mr. Brown's authority and duties. I am requesting a meeting as soon as possible to discuss this situation. I am also advising the FOP on the legal options they have available.

Upon receipt of this letter, please contact me so we can discuss the situation and so I know how to proceed.

Very truly yours,

MUSKOVITZ & LEMMERBROCK, LLC

Susannah Muskovitz

SM: mlm12287

cc: (Via email)
Paul Hlynsky, President, FOP, Akron Lodge #7 (p364@aol.com)
Michael Leslie, FOP Benefits Officer (fop7leslie@msn.com)
Cheri Cunningham, Director of Law (ccunningham@akronohio.gov)

JOINT EXHIBIT H

4.44

JOINT EXHIBIT I

CITY OF AKRON, OHIO

DEPARTMENT

CHIEF'S DIRECTIVE

CHIEF'S OFFICE

2013-CD-11

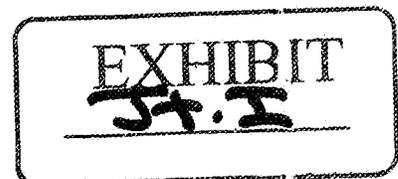
February 5, 2013

DIRECTIVE

During my absence from 5PM Monday, February 11, 2013 through 5PM Friday, February 15, 2013, Assistant Chief Charles Brown will be Acting Chief of Police.



**James D. Nice
Chief of Police**



1. 11

JOINT EXHIBIT J

January 8, 2013

Mayor Don Plusquellic
City of Akron, Ohio

Police Chief James Nice
Chief of Police
City of Akron, Ohio

Patricia Ambrose Rubright
Interim Personnel Director
City of Akron, Ohio

Officer Michael Leslie
Benefits Officer
Akron Police Department

To Whom It May Concern:

Effective midnight Saturday, January 12, 2013, I am submitting my resignation from the classified position of Police Lieutenant in the City of Akron and accepting an appointment as an unclassified Assistant to the Mayor.

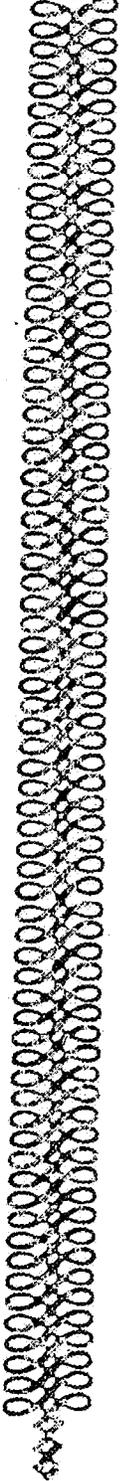


Lieutenant Charles Brown
Community Relations
Uniform Sub-division
Akron Police Department

EXHIBIT
57.5

2.42

JOINT EXHIBIT K



I, CHARLES ANTHONY BROWN, DO SOLEMNLY PLEDGE

UPON MY HONOR THAT I WILL UPHOLD AND SUPPORT THE CONSTITUTION OF THE UNITED STATES AND THE LAWS THEREOF, THE CONSTITUTION OF THE STATE OF OHIO AND THE LAWS THEREOF, THE CHARTER AND ORDINANCES OF THE CITY OF AKRON AND THE RULES AND REGULATIONS OF THE AKRON POLICE DEPARTMENT, AND THAT I WILL FAITHFULLY, HONESTLY AND IMPARTIALLY DISCHARGE AND PERFORM THE DUTIES OF A RESERVE OFFICER TO THE BEST OF MY ABILITY.

I DO SO PLEDGE.

C.A. Brown

Signature

AFFIRMED BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 10TH DAY OF JANUARY, 2013.

Donald L. Plusquellic

DONALD L. PLUSQUELLIC, MAYOR

EXHIBIT
54.12

100

JOINT EXHIBIT L

*Although sworn in as a reserve officer on 01/10/2013, Charles Brown will continue to be a full-time officer until 01/12/2013. His reserve status will begin on 01/13/2013.



MIKE DEWINE

OHIO ATTORNEY GENERAL



Ohio Peace Officer Training Commission
Office 800-346-7682
Fax 740-845-2675

P.O. Box 309
London, OH 43140
www.OhioAttorneyGeneral.gov

NOTICE OF PEACE OFFICER APPOINTMENT

1. Within ten days of the appointment or status change, submit one copy of this form either by email, fax or mail.
2. Type or print legibly and complete all blanks. Enter N/A if not applicable.
3. Submit pages 1 and 2 for a New Appointment. A new appointment occurs when an officer is first sworn into your agency, or has previously left the agency and returns.
4. Submit only page 1 for a Status Change. A status change occurs when an officer continues to be appointed by your agency, but has a change from one status, as listed in Box 15, to a different status.
5. Enter any necessary information for a Correction to Record, submitting all affected pages, and attach a letter explaining the requested change.

OFFICER INFORMATION		1. Name (Last) Brown	(First) Charles	(Middle) Anthony	2. Social Security Number [REDACTED]
3. Alias (Last) N/A		(First)	(Middle)		
4. Birth date (mm/dd/yyyy) 06/17/1961	5. Email Address N/A		6. Phone Number 330-798-0523		
7. Home Mailing Address (#/Street/PO Box) [REDACTED]		(City) [REDACTED]	(State) OH	(Zip Code) [REDACTED]	(County Name) [REDACTED]
8. Basic Training Academy (Only complete if this is the officer's first appointment or OSP) N/A		(Academy Name)	(Academy Number)	(Dates of Training)	

AGENCY INFORMATION		9. Agency Name Akron Police Department			
10. Agency Email Address MLong@akronohio.gov (contact person)		11. Agency Phone Number 330-375-2244			
12. Agency Mailing Address (#/Street/PO Box) 217 South High Street		(City) Akron	(Zip Code) 44308	(County Name) Summit	

APPOINTMENT INFORMATION (Complete Date, Status and ORC)		13. New Appointment Date / /	14. Status Change Date 01 / 13 / 2013
15. Select New Status <input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input checked="" type="checkbox"/> Reserve <input type="checkbox"/> Special <input type="checkbox"/> Seasonal			
16. Select New ORC <input type="checkbox"/> City/Municipality Full-Time/Part-Time (737.02) <input checked="" type="checkbox"/> City/Municipality Auxiliary/Reserve/Special (737.051) <input type="checkbox"/> City/Municipality Chief (737.02) <input type="checkbox"/> Village Full-Time/Part-Time/Special (737.16) <input type="checkbox"/> Village Auxiliary/Reserve (737.161) <input type="checkbox"/> Village Chief (737.15) <input type="checkbox"/> Township Police Officer (505.49) <input type="checkbox"/> Township Constable (509.01) <input type="checkbox"/> Other Chief - List ORC/Charter _____ <input type="checkbox"/> Other - List ORC/Charter _____ <input type="checkbox"/> Deputy Sheriff (311.04) <input type="checkbox"/> Sheriff (311)			

ATTESTATION OF REPORTING AUTHORITY		I attest that the information provided on this form is true and correct and is based on my personal knowledge or inquiry.	
17. Signature of Reporting Authority <i>[Signature]</i>	18. Name and Title Daniel D. Zampelli, Acting Chief of Police	19. Date 01 / 11 / 2013	
NOTARY Sworn to and subscribed before me this <u>11th</u> day of <u>January</u> , 20 <u>13</u> in the county of <u>Summit</u> , Ohio. <i>[Signature]</i> My commission expires <u>April 18, 2017</u> . Affix Seal Here Signature of Notary			



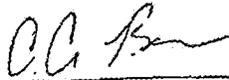
This form may be emailed to: SF400@ohioattorneygeneral.gov



Officer Name (Last) (First) (Middle) Social Security Number
 Brown Charles Anthony 284-72-9909

20. OATH OF OFFICE

I do solemnly swear or affirm that I will support the Constitution and Laws of the United States of America, the Constitution and Laws of the State of Ohio, and Laws and Ordinances of the political subdivision to which I am appointed and to the best of my ability will discharge the duties of this office.


 Signature of Appointee

Donald L. Plusquellic
 Name of Appointing Authority (Typed or Printed Legibly)


 Signature of Appointing Authority

Mayor
 Title of Appointing Authority (Typed or Printed Legibly)

OHIO PEACE OFFICER APPOINTMENT HISTORY

Please list all prior appointments. Use additional copies of page 2, as needed, to list the entire appointment history.

21. Appointed By (Agency Name and County): Akron Police Department Summit	22. From(mm/dd/yyyy): 01 / 13 / 2013	To(mm/dd/yyyy): / /
23. Appointment Status (Check Appropriate Box) <input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input checked="" type="checkbox"/> Reserve <input type="checkbox"/> Special <input type="checkbox"/> Seasonal		

24. Appointed By (Agency Name and County): Akron Police Department Summit	25. From(mm/dd/yyyy): 07 / 01 / 1986	To(mm/dd/yyyy): 01 / 12 / 2013
26. Appointment Status (Check Appropriate Box) <input checked="" type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special <input type="checkbox"/> Seasonal		

27. Appointed By (Agency Name and County):	28. From(mm/dd/yyyy): / /	To(mm/dd/yyyy): / /
29. Appointment Status (Check Appropriate Box) <input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special <input type="checkbox"/> Seasonal		

30. Appointed By (Agency Name and County):	31. From(mm/dd/yyyy): / /	To(mm/dd/yyyy): / /
32. Appointment Status (Check Appropriate Box) <input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special <input type="checkbox"/> Seasonal		

33. Appointed By (Agency Name and County):	34. From(mm/dd/yyyy): / /	To(mm/dd/yyyy): / /
35. Appointment Status (Check Appropriate Box) <input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special <input type="checkbox"/> Seasonal		

36. Appointed By (Agency Name and County):	37. From(mm/dd/yyyy): / /	To(mm/dd/yyyy): / /
38. Appointment Status (Check Appropriate Box) <input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time <input type="checkbox"/> Auxiliary <input type="checkbox"/> Reserve <input type="checkbox"/> Special <input type="checkbox"/> Seasonal		

