

CHARTER
OF THE CITY OF
MONROE OHIO
TABLE OF CONTENTS

EDITOR'S NOTE: The original Charter of the Municipality of Monroe was approved by the voters on May 7, 1974, and an amended Charter was approved by the voters on June 8, 1982. Dates appearing in parentheses following section numbers, if any, indicate that such sections were subsequently amended, added or repealed on the date given.

PREAMBLE

ARTICLE I NAME, BOUNDARIES AND FORM OF GOVERNMENT

- | | | |
|---------|------|---------------------|
| Section | 1.01 | Name. |
| | 1.02 | Boundaries. |
| | 1.03 | Form of Government. |

ARTICLE II INCORPORATION AND POWERS

- | | | |
|---------|------|------------------------------|
| Section | 2.01 | Incorporation. |
| | 2.02 | Powers. |
| | 2.03 | Manner of Exercising Powers. |
| | 2.04 | Construction. |

ARTICLE III MAYOR

- | | | |
|---------|------|--|
| Section | 3.01 | Term of Office. (Nov. 5, 1991; Nov. 6, 2001) |
| | 3.02 | Judicial Powers. |
| | 3.03 | Vice Mayor. (Nov. 6, 2001) |

ARTICLE IV COUNCIL

- | | | |
|---------|------|--|
| Section | 4.01 | Composition and Terms. |
| | 4.02 | Organization. (Nov. 5, 1991; Nov. 6, 2001) |
| | 4.03 | Repealed June 8, 1982. |
| | 4.04 | Powers and Duties. |
| | 4.05 | Repealed November 6, 2001. |
| | 4.06 | Removal. |
| | 4.07 | Vacancies. |
| | 4.08 | Qualifications. |
| | 4.09 | Rules and Journal. |
| | 4.10 | Clerk of Council. (Nov. 5, 1991) |

ARTICLE V AUDITOR-TREASURER

- | | | |
|---------|------|------------------------|
| Section | 5.01 | Repealed June 8, 1982. |
| | 5.02 | Repealed June 8, 1982. |
| | 5.03 | Repealed June 8, 1982. |

ARTICLE VI		MANAGER
Section	6.01	Appointment; Qualifications.
	6.02	Removal.
	6.03	Acting Manager.
	6.04	Powers and Duties.
	6.05	Relationship of Council, Manager and Employees.
ARTICLE VII		ORDINANCES, RESOLUTIONS AND MOTIONS
Section	7.01	Action to be Taken.
	7.02	Introduction.
	7.03	Style. (Nov. 6, 2001)
	7.04	Subject.
	7.05	Reading. (Nov. 5, 1991)
	7.06	Vote Requirement for Passage.
	7.07	Emergency Ordinances and Resolutions.
	7.08	Effective Date.
	7.09	Authentication.
	7.10	Recording.
	7.11	Amendment.
	7.12	Referral of Zoning Ordinances to Planning Commission.
	7.13	Public Hearing on Zoning Ordinance or Resolution. (Nov. 5, 1991; Nov. 6, 2001)
	7.14	Adoption of Technical Codes by Reference.
	7.15	Codification.
	7.16	Publication. (Nov. 6, 2001)
ARTICLE VIII		ADMINISTRATIVE DEPARTMENTS
Section	8.01	Creation of Departments.
	8.02	Police and Fire Protection. (Nov. 6, 2001)
	8.03	Department Heads. (Nov. 6, 2001)
	8.04	Law Department.
	8.05	Department of Finance. (Nov. 6, 2001)
ARTICLE IX		BOARDS AND COMMISSIONS
Section	9.01	Council Power to Create.
	9.02	Removal of Members.
	9.03	Open Meetings. (Nov. 5, 1991)
	9.04	Organization.
	9.05	Quorum.
	9.06	Personnel Board. (Nov. 6, 2001)
	9.07	Merit System.
	9.08	Rules and Regulations.
	9.09	Promotion.
	9.10	Probation Period. (Nov. 5, 1991; Nov. 6, 2001)
	9.11	Establishment and Membership of Planning Commission.
	9.12	Powers and Duties of Planning Commission.
	9.13	Board of Zoning Appeals.
	9.14	Park and Recreation Board.
	9.15	Repealed November 6, 2001.
ARTICLE X		FINANCE
Section	10.01	General.
	10.02	Limitation on Tax Rate.
	10.03	Limitation of Debt.
	10.04	Contracting Procedures. (Nov. 5, 1991)
	10.05	Credit for Tax Paid to Another Municipality. (Nov. 4, 2003)

ARTICLE XI		NOMINATIONS, ELECTIONS AND SALARIES
Section	11.01	Elections.
	11.02	Recall.
	11.03	Initiative and Referendum.
	11.04	Municipal Elections.
	11.05	Conduct of Elections.
	11.06	Nominations.
	11.07	Sponsoring Committee. (Nov. 5, 1991)
	11.08	Ballots.
	11.09	Salary of Elected Officials. (Nov. 5, 1991)
ARTICLE XII		GENERAL PROVISIONS
Section	12.01	Oath of Office.
	12.02	Conflict of Interest.
	12.03	Amendments to the Charter.
	12.04	Saving Clause.
	12.05	Charter Review Commission.
ARTICLE XIII		TRANSITIONAL PROVISIONS
Section	13.01	Succession.
	13.02	Effect of Charter on Existing Laws and Rights.
	13.03	Effective Date of Charter.
	13.04	Abolishment of Statutory Offices and Election of First Officers Under Charter.
	13.05	Continuance of Present Employees.
	13.06	Abolishment of the Election of the Mayor and of the Office of Auditor-Treasurer.
	13.07	Amended Effective Date of Charter.

CHARTER
OF THE MUNICIPALITY OF
MONROE, OHIO

PREAMBLE

We, the people of the Municipality of Monroe, Butler and Warren Counties, in order to secure for ourselves the benefits of local self-government under the Constitution of the State of Ohio, do hereby ordain and establish this Charter for the government of the Municipality of Monroe, Ohio.

ARTICLE I
NAME, BOUNDARIES AND FORM OF GOVERNMENT

Section 1.01 Name.

The Municipality now existing in the Counties of Butler and Warren, State of Ohio, and known as Monroe, shall continue to be a body politic and corporate under the name of the Village of Monroe. If and when the Municipality of Monroe shall, under the Constitution and the general laws of the State of Ohio, become a City, it shall be known as the City of Monroe.

Section 1.02 Boundaries.

The Municipality of Monroe shall have the same boundaries as now exist, but with power and authority to change its boundaries in the manner authorized by the laws of Ohio.

Section 1.03 Form of Government.

The form of government provided in this Charter shall be known as the Council-Manager. The powers and functions of the Municipal Government shall be distributed among the Municipality, its citizens, and the various offices, bodies, boards and commissions as provided in the Charter.

ARTICLE II
INCORPORATION AND POWERS

Section 2.01 Incorporation.

The present Municipality, as its limits are now or may hereafter be established, shall be and continue to be a Municipal corporation of the State of Ohio in perpetuity.

Section 2.02 Powers.

The Municipality shall have all the powers, general or special, governmental or proprietary, that may now or hereafter lawfully be possessed or exercised by municipal corporations under the Constitution and laws of the State of Ohio.

Section 2.03 Manner of Exercising Powers.

All such powers shall be exercised in the manner prescribed in this Charter, or if not prescribed herein, in such manner as shall be provided by ordinance of Council, then such powers shall be exercised in the manner provided by the general laws of the State of Ohio until the Council shall provide a different manner of exercising such powers.

Section 2.04 Construction.

The powers of the Municipality under this Charter shall be construed liberally in favor of the Municipality, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power stated in the Article.

ARTICLE III
MAYOR

Section 3.01 Term of Office.

The term of office for the Mayor shall be as provided in Section 4.02 and he/she shall have the following authority:

- (A) Preside at Council meetings when present.
 - (B) While presiding over special or regular meetings of the Council the Mayor may vote upon all matters coming before the Council, but in no event shall the Mayor, in the dual capacity as Council member and presiding officer of the Council, cast more than one vote on any action, nor shall he have power of veto.
 - (C) To appoint committees of Council and coordinate such committees.
 - (D) Act as the ceremonial head of the Municipality but shall have no administrative authority.
- (Amended 11-5-91; 11-6-01)

Section 3.02 Judicial Powers.

Until such time as the Mayor's Court is abolished by law and/or its jurisdiction transferred to another court, the Mayor shall have all judicial powers granted generally by the laws of Ohio to the mayors of Ohio municipalities and shall exercise all or any such powers in accordance with the procedure established by law governing Mayors' Courts.

Section 3.03 Vice Mayor.

The term of the office of Vice Mayor shall be as provided in Section 4.02 and he/she shall act as presiding officer of the Council in the absence or disability of the Mayor and shall exercise all the powers and duties granted the Mayor by this Charter during the absence or disability of the Mayor. While presiding over special or regular meetings of the Council the Vice Mayor may vote upon all matters coming before the Council, but in no event shall the Vice Mayor, in the dual capacity as Council member and presiding officer of Council, cast more than one vote on any action. In the event that the office of Mayor shall become vacant, the Vice Mayor shall become Mayor for the unexpired term, and the Council shall elect a successor from among the membership of the Council to the office of Vice Mayor for that unexpired term.

(Amended 11-6-01)

ARTICLE IV COUNCIL

Section 4.01 Composition and Terms.

The Council shall consist of seven members, elected at large for a term of four years beginning on the first day of January next following their election. Four members of the Council shall be elected at the regular Municipal election in 1975 and every fourth year thereafter, and three members of the Council shall be elected at the regular Municipal election in 1977 and every fourth year thereafter.

Section 4.02 Organization.

The Council shall meet and organize in January next, following each Council election. Council shall select, by majority vote from its own members, one to serve as Mayor and one to serve as Vice Mayor for a term of two years until their successors are chosen. In addition the Council shall select by a majority vote one Council member as a member of the Planning and Zoning Commission, to serve until a successor shall have been elected unless the person in the meantime shall cease to be a Council member.

(Amended 11-5-91; 11-6-01)

Section 4.03 Repealed June 8, 1982.

Section 4.04 Powers and Duties.

All legislative powers of this Municipality shall be vested in the Council except as expressly limited by this Charter and the Constitution of the State of Ohio. Without limitation of the general powers hereinbefore stated, the Council shall:

- (A) Originate, introduce and pass ordinances and adopt resolutions.
- (B) Fix the number and salary ranges of all officers and employees of the Municipality whether elected or appointed.
- (C) Require and fix bond for the faithful discharge of the duties of office by officers and employees, the premium of any bond required by Council shall be ordered by the Council to be paid by the Municipality.
- (D) Adopt an annual appropriation ordinance based upon the annual budget in the manner set forth in the general laws of Ohio.
- (E) In addition to financial audits conducted by the State under the general laws of Ohio, the Council may authorize financial audits at such other times as it deems necessary. The reports of all examinations and audits will be made available to all members of Council.
- (F) Have the power to make investigations into the affairs of the Municipality and the conduct of any Municipal department, office or agency, and for this purpose may subpoena witnesses, administer oaths, take testimony and require production of evidence. Any person or persons who fail or refuse to obey a lawful order issued in exercise of these powers by the Council, shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than six months, or both.
- (G) Have the power to levy taxes and incur debts subject to the limitations imposed thereon by this Charter.
- (H) Have the power to adopt and to provide for the enforcement of local police, sanitary and other similar regulations as are not in conflict with general laws.

- (I) Have the power to provide for the exercise of all powers of local self government granted to the Municipality by the Constitution of the State of Ohio in a manner not inconsistent with this Charter or the Constitution of the State of Ohio.
- (J) Exercise all other powers granted to the Council by this Charter and by the Constitution and laws of the State of Ohio.

Section 4.05 Repealed November 6, 2001.

Section 4.06 Removal.

The Council shall be the judge of the qualifications of its members. Council may, by two-thirds of its membership, expel or remove any member for failure to meet or maintain qualification of office, or for violation of his oath of office, or for the conviction of a felony or other crime involving moral turpitude, or for persistent failure to abide by the rules of Council. Prior to any such action by Council, the accused member shall be notified in writing of the charge against him at least fifteen days in advance of any hearing upon such charge, and he and counsel shall be given an opportunity to be heard, present evidence or examine under oath any witness in support of such charge. The accused member shall not vote on the question of his removal.

A Councilman who is absent, without being excused by the majority of the other members of Council, from four consecutive regular meetings of Council, shall automatically vacate his office on the Council.

Section 4.07 Vacancies.

When a seat of Council becomes vacant, the vacancy shall be filled with a qualified person for the unexpired term by a majority vote of the remaining members of Council. If the vacancy be not so filled within thirty days, the Mayor shall fill it by appointment; such appointment by the Mayor does not then require approval by the Council.

Section 4.08 Qualifications.

Each Councilman shall have been a resident and qualified elector of the Municipality for at least one year immediately prior to election and shall continue to be a resident and qualified elector of the Municipality throughout the term of office.

Except as provided by or under this Charter, members of Council shall not hold any other compensated office or position of employment with the Municipality, nor shall they hold any other compensated elected public office.

A Councilman shall forfeit his office as Councilman in the event he is called to full-time military service for a period exceeding sixty-one consecutive days.

Any member of Council who shall cease to possess, or who violates, any of the qualifications herein enumerated may be removed from his office, but failure to maintain said qualifications shall not render void or ineffective any action of Council in which such member has participated.

Section 4.09 Rules and Journal.

Council shall adopt its own rules, regulations or by-laws in so far as they are not set forth in this Charter, and shall keep a Journal of all of its proceedings. The Journal shall be open for public inspection during the Municipal Building's regular office hours.

Section 4.10 Clerk of Council.

The Council shall, by a majority vote, appoint a Clerk of Council who shall serve at the pleasure of Council. The Clerk may be appointed to serve full-time or part-time and the Council may assign the duties of the Clerk of Council to any employees of the Municipality as an additional duty. The Clerk shall give notice of Council meetings, keep the Journal, advertise public hearings, record in separate books all ordinances and resolutions enacted by Council and have the same published in the manner provided by this Charter. The Clerk shall perform such other duties as may be assigned to the Clerk by this Charter or by ordinance. In the absence of the Clerk of Council, Council shall appoint a temporary clerk for the purpose of recording minutes of the meeting. (Amended 11-5-91)

ARTICLE V
AUDITOR-TREASURER

Section 5.01 Repealed June 8, 1982.

Section 5.02 Repealed June 8, 1982.

Section 5.03 Repealed June 8, 1982.

ARTICLE VI
MANAGER

Section 6.01 Appointment; Qualifications.

Council shall appoint the Manager with the approval of a majority for confirmation. If a Manager has not been employed within 180 days after a vacancy occurs, the Mayor may appoint a Manager.

The Manager shall be appointed solely on the basis of his executive and administrative qualifications. He need not be a resident of the Municipality or the State at the time of his appointment, but within six months after this appointment, he shall reside within the Municipality unless such residence requirement is waived by ordinance.

Section 6.02 Removal.

The Manager may be removed from office by the following procedure:

- (A) A majority of Council may suspend the Manager for a period not to exceed forty-five days by informing the Manager in writing of its reasons for said suspension.
- (B) The Manager may file a written request for a public hearing on his suspension with the Council within seven days notice of suspension.
- (C) If the Manager does not file a written request for a public hearing with the Council his employment will be terminated after fourteen days from the date the Council's suspension letter was received by the Manager.
- (D) If the Manager does request a public hearing from the Council, this hearing shall be held at a Council meeting not earlier than fifteen days nor later than thirty days after the request is filed. If a majority of Council does not vote to overrule the suspension, the Manager's employment will be terminated at that time. If a majority does vote to overrule the suspension, the Manager will be reinstated with back pay.

Section 6.03 Acting Manager.

By motion, Council may appoint a qualified administrative officer of the Municipality or other person suitably qualified to exercise the powers and duties of the Manager during his temporary absence, disability or suspension or when a vacancy occurs. After thirty days absence or disability of the Manager, the Council may declare the position vacant.

Section 6.04 Powers and Duties.

The Manager shall be responsible to the Council for the administration of all Municipal affairs placed in his charge by the Charter.

- (A) He shall appoint, suspend or remove all Municipal employees and appointed administrative officers provided by law or personnel rules adopted pursuant to this Charter. He may authorize any administrative officer who is subject to his direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.
- (B) He shall direct and supervise the administration of all departments, offices and agencies of the Municipality, except as otherwise provided by this Charter.
- (C) He shall attend Council meetings on request of Council.
- (D) He shall see that all laws, provisions of this Charter and acts of Council, subject to enforcement by him or by officers subject to his direction and supervision, are faithfully executed.
- (E) He shall formulate and arrange contracts, franchises and agreements, and sign all contracts, bonds and notes on behalf of the Municipality, provided proper Council approval has been given.
- (F) He shall formulate job descriptions as deemed necessary for the Municipal employees.
- (G) He shall perform such other duties as are specified in this Charter or may be required by the Council by ordinances.
- (H) He shall make such other reports as the Council may require concerning the operations of Municipal departments, offices and agencies subject to his direction and supervision.
- (I) He shall prepare and submit the annual budget, capital program and appropriation ordinance to the Council.

Section 6.05 Relationship of Council, Manager and Employees.

Except for the purpose of inquiry or investigation, any member of Council shall deal with the administrative employees solely through the Manager. No member of the Council shall interfere in the appointment, removal or direction of officers or employees subordinate to the Manager, except that the Clerk of the Mayor's Court shall be under the direct control and supervision of the Mayor.

ARTICLE VII
ORDINANCES, RESOLUTIONS AND MOTIONS

Section 7.01 Action to be Taken.

Action of Council shall be by ordinance, resolution or motion.

- (A) An ordinance is the formal written enactment of Council in the exercise of a governmental power vested by the Constitution or statutes in the Municipality for the regulation of the conduct of its citizens or others subject to its control, and intended to be of permanent duration. Every action of a general and permanent nature; or granting a franchise; or levying a tax; or appropriating money; or contracting an indebtedness, to be evidenced by the issuance of bonds or notes; or for the purchase, lease or transfer of public property; or establishing an offense and fixing the penalty therefor, shall be taken by ordinance.
- (B) A resolution is the formal written enactment of Council of a less permanent nature, not prescribing any permanent rules of conduct and usually required or applied to the preliminary declaration of legislative intent to be effectuated by the subsequent passage of an ordinance, or for the disposition of a specific matter not required by statute or Charter provision to be done by ordinance.
- (C) All other action may be done by motion.

Section 7.02 Introduction.

Any member of Council may, at a regular or special meeting, introduce any ordinance or resolution.

Section 7.03 Style.

Each ordinance shall contain an enacting clause as follows: "Be it Ordained by the Council of the City of Monroe, State of Ohio:" and each resolution shall contain an enacting clause as follows: "Be it Resolved by the Council of the City of Monroe, State of Ohio:"
(Amended 11-6-01)

Section 7.04 Subject.

Each ordinance or resolution shall contain only one subject which shall be expressed in its title, provided, however, that appropriation ordinances may contain the various subjects, accounts and amounts for which monies are appropriated, and that ordinances and resolutions which are codified or recodified are not subject to the limitation of containing one subject.

Section 7.05 Reading.

Each ordinance or resolution shall be read fully and distinctly on two separate days. The Council may, by a vote of five members elected or appointed thereto, dispense with the requirement that an ordinance or resolution be read on two separate days, and authorize the adoption of an ordinance or resolution upon its first reading, and the Council may, by a majority vote of all members elected thereto, dispense with the requirement that an ordinance

or resolution be read fully and distinctly for its first or second reading or for both its first and second readings, and authorize such reading or readings to be by title only. Motions to dispense with the requirement that an ordinance or resolution be read on two separate days and motions to dispense with the requirement that an ordinance or resolution be read fully and distinctly may be separately stated and a separate vote be taken on each such motion or they may be combined with a vote taken on one inclusive motion. When combined the motion shall require an affirmative vote of five members for passage.
(Amended 11-5-91)

Section 7.06 Vote Requirement for Passage.

The vote on the question of passage of each ordinance, resolution and motion shall be taken by yeas and nays and entered on the Journal, and no ordinance, resolution or motion relative to passage of ordinances, resolutions and motions shall be passed without concurrence of at least four members of the Council, except that each emergency ordinance or resolution shall require the affirmative vote of at least five members of the Council for its enactment; provided, however, that if such emergency ordinance or resolution shall fail to receive the required five affirmative votes, but receives the necessary majority for passage as a nonemergency ordinance or resolution, it shall be considered passed as a nonemergency ordinance or resolution and shall become effective as hereinafter provided by this Charter. A majority of the members present at any regular or special Council meeting may compel the attendance of absent members.

Section 7.07 Emergency Ordinances and Resolutions.

Each emergency ordinance or resolution shall determine that said ordinance or resolution is necessary for the immediate preservation of the public peace, health, safety or welfare, and shall contain a statement of the necessity for such emergency. No ordinance or resolution pertaining to the following matters may be adopted as an emergency measure: zoning classifications, districts or regulations, regulations governing the platting and subdivision of land or the levying of a tax unless such tax shall be necessary to provide or replace Municipal facilities, equipment or buildings and the need for such facilities, equipment or buildings arises out of a public exigency, or the changing of salaries of members of Council.

Section 7.08 Effective Date.

No ordinance or resolution shall go into effect until thirty days following its passage with the following exceptions:

- (A) Any emergency ordinance or resolution shall take effect, unless a later time be specified therein, immediately upon its passage.
- (B) Any ordinance or resolution providing for the following shall take effect, unless a later time be specified therein, immediately upon its passage:
 - (1) Appropriation of money.
 - (2) Annual tax levy for current expenses.
 - (3) Improvements petitioned for by the owners of the requisite majority of the front footage or of the area of the property benefited and to be especially assessed therefor.
 - (4) Submission of any question to the electorate or the determination to proceed with an election.

- (5) Providing for the approval of a revision, codification, recodification or rearrangement of ordinances and resolutions, or publication thereof in book form.
- (C) Motions, except as otherwise provided by Council, shall take effect immediately upon passage.

Section 7.09 Authentication.

Each ordinance or resolution shall be authenticated by the signature of the Mayor and the Clerk of Council; however, the failure or refusal of such officers to sign such ordinances or resolutions shall not invalidate an otherwise properly enacted ordinance or resolution.

Section 7.10 Recording.

Each ordinance or resolution shall be recorded in a book or other record prescribed by the Council, established and maintained for that purpose, and shall be open for public inspection during regular office hours. The Clerk of Council or a duly authorized deputy to said Clerk shall, upon the request of any person, and upon the payment of a fee as established by the Council, certify true copies of any ordinance or resolution.

Section 7.11 Amendment.

No ordinance or resolution, or any section thereof, shall be revised or amended unless the new ordinance or resolution contains the entire ordinance, resolution or section or subsection as revised or amended, and the ordinance, resolution or section or subsection so amended shall be repealed. This requirement shall not prevent the amendment of an ordinance or resolution by the addition of a new section, sections, subsection or subsections, and in such case the full text of the former ordinance or resolution need not be set forth.

Section 7.12 Referral of Zoning Ordinances to Planning Commission.

Each application seeking to establish, amend, revise, change or repeal a zoning classification, district, use or regulation shall be referred to the Planning Commission before any ordinance or resolution establishing, amending, revising, changing or repealing a zoning classification, district, use or regulation is considered by the Council for passage. Within thirty days of such referral, the Planning Commission shall cause such application to be returned to the Clerk of Council together with the written recommendations of the majority of the members of such Commission. No such ordinance or resolution which violates, differs from or departs from the written recommendation of the Planning Commission shall take effect unless passed and approved by a vote of not less than five members of Council.

Section 7.13 Public Hearing on Zoning Ordinance or Resolution.

The presiding officer of the Council shall set a date for a public hearing on each ordinance or resolution establishing, amending, revising, changing or repealing zoning classifications, districts, uses or regulations, which hearing shall be after the thirty-day period provided in Section 7.12 within which the Planning Commission is required to return its written recommendations to the Clerk of Council. The Clerk of Council shall cause a notice of said public hearing to be published or delivered in accordance with the Codified Ordinances and Resolutions of the City of Monroe.
(Amended 11-5-91; 11-6-01)

Section 7.14 Adoption of Technical Codes by Reference.

Council may, by ordinance or resolution, adopt standard ordinances and codes prepared by the State or any department, board or other agency or political subdivision of the State, or any standard or model ordinance or code prepared and promulgated by a public or private organization, including, but not limited to, codes and regulations pertaining to fire, fire hazards, fire prevention, plumbing code, electrical code, building code, refrigeration, machinery code, piping code, heating code, air conditioning code, housing code, and such other matters as the Council may determine to be appropriate for adoption by reference, by incorporation by reference. The ordinance adopting any such standard ordinance or code shall make reference to the date and source of such standard ordinance or code without reproducing the same at length in the ordinance. In such cases, publication of the standard ordinance or code shall not be required, but at least three copies of such code shall be kept at all times in the office of the Clerk of Council and available for reference by interested persons, and copies of such standard ordinance and code shall be available for sale by said Clerk. If the standard ordinance or code, after its adoption by reference by the Council, is amended, the Council may adopt the amendment or change by incorporation by reference in an ordinance under the same procedure as is established herein for the adoption of the original standard ordinance or code without the necessity of setting forth in full in the ordinance the provisions either of the amendment or change to the original ordinance or the standard ordinance or code.

Section 7.15 Codification.

(A) The Council shall, at least every four years, cause the ordinances and resolutions of the Municipality to be revised, codified, recodified, rearranged or published in book form. Such revisions, codification, recodification, rearrangement or publication of ordinances and resolutions in book form shall be immediately effective upon approval of not less than four members of the Council, and may contain new matters therein.

(B) The Clerk of Council shall cause a notice of such proposed revision, codification, recodification, rearrangement or publication of ordinances and resolutions in book form to be published one time in a newspaper, circular or publication as determined by the Council to be of circulation within the Municipality at least seven days prior to the final approval thereof by the Council. The notice that is to be published shall state the date, time and place of the meeting. The full text of the revision, codification, recodification, rearrangement or publication of ordinances and resolutions in book form need not be published.

(C) A current service supplementing such revision, codification, recodification, rearrangement or publication of ordinances and resolutions in book form shall be maintained in the manner prescribed by the Council.

Section 7.16 Publication.

The Clerk of Council shall cause each ordinance and resolution adopted to be published in one of the following manners to be determined by ordinance:

- (A) By posting a copy of the ordinance or resolution in one or more public places in the Municipality as determined by the Council by ordinance, for a period of fifteen days;
- (B) By publishing the title of the ordinance or resolution once in a newspaper, circular or other publication determined by Council to be of circulation within the Municipality; or
- (C) By publishing a concise summary of the provisions of the ordinance or resolution once in a newspaper, circular or other publication determined by Council to be of circulation within the Municipality.

Failure to post or publish ordinances or resolutions as required by this section, or an omission, delay or error in such posting or publication, or failure to maintain posting of an adopted ordinance or resolution for a period of fifteen days as required by paragraph (A) of this section, shall not invalidate any ordinance or resolution, nor shall such failure give rise to a defense to any action or prosecution brought under any ordinance or resolution, and in such event, the Clerk of Council may authorize posting or publication at a later date, but such later posting or publication shall not be mandatory or necessary to the validity of any ordinance or resolution or action or prosecution thereunder.

In addition to the publication required above after an ordinance or resolution has been adopted, the Council may direct the Clerk of Council to post or publish notices of pending ordinances and resolutions prior to their adoption, but such prior posting or publication of such notices shall not be mandatory or necessary to the validity of any ordinance or resolution or action or prosecution thereunder.

The Clerk of Council shall affix the following certification to the copy of the ordinance or resolution maintained in the official Journal or record required by Section 7.10 of this Charter, and such certification shall be prima-facie evidence of such publication:

"I, the undersigned Clerk of Council of the City of Monroe, Ohio, hereby certify that the foregoing (ordinance or resolution) was published as required by Section 7.16 of the Charter of the City of Monroe.

(Amended 11-6-01)

/s/

 Clerk of Council
 City of Monroe, Ohio"

ARTICLE VIII
ADMINISTRATIVE DEPARTMENTS

Section 8.01 Creation of Departments.

For the purpose of carrying on the administrative functions of the Municipality, the following departments are hereby established: Department of Finance, Department of Law, Department of Engineering and Inspection, Department of Fire, Department of Parks, Department of Police, Department of Streets and Department of Utilities. The work of the departments of the Municipality shall be distributed among such divisions and bureaus as provided in the Charter and as provided by ordinance. The Council may establish new departments and divisions of the Municipality, and define the powers and functions of each organizational unit. Where the administrative code is silent, the officers and employees of the Municipality shall have and may exercise all powers and duties provided for similar officers and employees by the State law.

Section 8.02 Police and Fire Protection.

The Council shall provide for police and fire protection adequate to the needs of the City to be administered according to the general laws of Ohio or, if not in conflict with such general laws, by ordinance.

(Amended 11-6-01)

Section 8.03 Department Heads.

Each Municipal department shall be headed by a full or part-time department head. The Manager shall appoint all department heads, subject to approval by Council, except the heads of the Departments of Law and Finance which shall be appointed by Council. All departments, except the Department of Fire and Police, shall be headed by the Manager unless provided otherwise by Council ordinance. The Manager shall not be a department head of the Law or Finance Departments.

Section 8.04 Law Department.

The Law Director shall be the head of the Department of Law. He shall be appointed by a majority vote of the Council and shall serve at the pleasure of the Council. The Law Director must be admitted to the practice of law in the State of Ohio. The Law Director shall be the legal advisor, attorney and counsel for the Municipality, and for all offices, departments, divisions, bureaus, boards, commissions and bodies of the Municipality in connection with Municipal affairs; and subject to the direction of the Council, shall represent the Municipality in all proceedings in Court or before any administrative board or body. He shall perform such other duties consistent with his office, as may be required by this Charter, by ordinance or resolution of the Council, or by the laws of the State of Ohio. The Law Director shall be the prosecuting attorney on behalf of the Municipality and shall prosecute cases brought before courts of competent jurisdiction; provided, however, that the Law Director may, with the approval of Council, appoint qualified assistants to act on behalf of the Municipality in civil matters and to act as the prosecuting attorney.

Section 8.05 Department of Finance.

The Finance Director shall be the head of the Department of Finance. The Finance Director shall perform those functions customarily performed by the Auditor and Treasurer under the general laws of Ohio and shall be responsible as the fiscal officer of the City for all the accounting, collecting and custody of public funds, and shall control disbursements. The Finance Director shall countersign all bonds and notes issued to the Municipality and shall perform such other functions as may be assigned by ordinance. The Finance Director shall be appointed by the Manager subject to approval of Council.

(Amended 11-6-01)

ARTICLE IX
BOARDS AND COMMISSIONS

Section 9.01 Council Power to Create.

In addition to the boards, commissions, agencies and authorities created by this Charter or amendments thereto, the Council may establish such boards, commissions, agencies and authorities as it may deem necessary and determine their powers and duties, except that no power or duty shall be taken from any board, commission, agency or authority created by this Charter or amendments thereto.

Section 9.02 Removal of Members.

The Council shall have the right to remove, for misfeasance, malfeasance or nonfeasance, any appointed member of any board, commission, agency or authority created by or pursuant to this Charter.

Section 9.03 Open Meetings.

All meetings of any board, commission, agency or authority of the Municipality as created by this Charter or by ordinance of Council shall be conducted in compliance with the Ohio Revised Code.

(Amended 11-5-91)

Section 9.04 Organization.

In January of each year or within thirty days after formation, each board, commission, agency or authority of the Municipality as created by this Charter or by ordinance of Council, shall meet for the purpose of organization and shall elect officers from among its membership.

Section 9.05 Quorum.

A majority of the members of a board, commission, agency or authority shall constitute a quorum, and a majority vote of the members shall be required to take any action.

Section 9.06 Personnel Board.

There shall be a Personnel Board consisting of five members who shall be appointed by Council for five year terms. Effective January 1, 2002, the existing appointees shall complete their prior appointed terms and three individuals shall be appointed; one to serve a term of three years, one to serve a term of four years and one to serve a term of five years. The Council shall fill all vacancies by appointment for the unexpired term. Members shall be electors of the City, holding no compensated position therein.

(Amended 11-6-01)

Section 9.07 Merit System.

All compensated positions in the service of the Municipality shall be in the classified service and shall be appointed pursuant to competitive examination, so far as practicable, except the following, which shall comprise the unclassified service of the Municipality:

- (A) All officers elected by the people.
- (B) The Clerk of Council.
- (C) The Manager.
- (D) The department heads.
- (E) Members of boards, commissions, agencies and authorities appointed by the Council and by this Charter.
- (F) One personal secretary to the Manager and one clerk or deputy to the Law Director, Treasurer and each department head.
- (G) Employees of exceptional professional or scientific qualification engaged as consultants.
- (H) The Law Director, Assistant Law Directors and special counsel.
- (I) Volunteer personnel in the Department of Fire and Auxiliary Police within the Department of Police.
- (J) Secretary of each board and commission established by this Charter or Council, provided that if such secretary holds other employment within the classified service of the Municipality, this section shall not exempt such person from the requirement of competitive examination to hold other such employment.
- (K) Temporary employees who are not employed for more than ninety continuous days or for more than ninety work days in one year.
- (L) Unskilled laborers as defined and authorized by Council.

Additional positions created by Council shall be under the classified service unless the ordinance or resolution creating the position states otherwise.

Section 9.08 Rules and Regulations.

The Council shall, by ordinance, establish the procedures and causes for which employees in the classified service of the Municipality may be promoted, demoted, suspended or dismissed from Municipal employment. The Council shall, by ordinance, establish procedures for appeals to the Personnel Board by employees in the classified service of the Municipality from action by the Manager resulting in their demotion, suspension or dismissal from the Municipality's service. The Personnel Board shall adopt rules for the determination of merit and fitness as the basis for appointment and promotion of employees in the classified service of the Municipality.

Section 9.09 Promotion.

The Personnel Board shall provide for promotion to all positions in the classified service based on a competitive examination and records of merit, efficiency, character, conduct and seniority. Promotional examinations shall be restricted to employees of the Municipality, provided that promotional examinations may be opened to qualified candidates from outside the Municipal service upon recommendation of the Manager.

Section 9.10 Probation Period.

Any appointment of an employee shall not be deemed final until a probationary period has elapsed. Said probationary period shall not be less than six months but may be longer when established within each individual department with the approval of the Personnel Board. Such probationary employee in the classified service may be discharged without cause by the Manager at any time within the probationary period established for the department in which the probationer is employed and upon the recommendation of the head of the department in which said probationer is employed.

(Amended 11-5-91; 11-6-01)

Section 9.11 Establishment and Membership of Planning Commission.

The Planning Commission shall consist of five members: one member of Council who shall be selected by Council under Section 4.02 of this Charter, and four electors of the Municipality, not holding other Municipal office, to be appointed by Council. The terms of the citizen members shall be four years, except that the terms of the present members shall expire on December 31, 1983, and one new appointment shall be for a term of one year, a second for a term of two years, a third for a term of three years and the fourth for a term of four years; terms of the new appointment shall begin on January 1, 1984. A vacancy occurring during the term of any member of the Planning Commission shall be filled for the unexpired term in the manner authorized for the original appointment.

Section 9.12 Powers and Duties of Planning Commission.

The Planning Commission shall conduct studies and surveys and prepare plans, reports and maps relative to the overall planning of the growth, development and redevelopment of the Municipality, and may make such recommendations relative thereto, to the Council as it feels are in the best interests of the Municipality. The Planning Commission shall continuously review and report to the Council its recommendations concerning the Municipality's capital improvement programs, subdivisions, platting and zoning ordinances and regulations. The Planning Commission shall cooperate with other governmental or private planning agencies to secure the maximum benefit to the Municipality of the work, studies, surveys and reports of such other planning agencies. Other powers and duties of the Planning Commission shall include those established by the Council by ordinance or resolution, but until such ordinances or resolutions shall be passed, it shall possess such other powers and duties as are provided by the general laws of Ohio, to the extent such general laws do not conflict with the provisions of this Charter.

Section 9.13 Board of Zoning Appeals.

There shall be a Board of Zoning Appeals consisting of five members who shall be electors of the Municipality and hold no compensated position therein, appointed by Council, for overlapping terms of five years, so arranged that one member's term shall expire on January 1 of each year. The terms of the original appointees shall be for one, two, three, four and five years, respectively, beginning January 1, 1984. The Council shall fill all vacancies by appointment for the unexpired term. The Board shall have all the power, authority and duties conferred upon it by ordinance.

Section 9.14 Park and Recreation Board.

There shall be a Park and Recreation Board consisting of five members who shall be electors of the Municipality and hold no compensated position therein, appointed by Council. Terms of office shall be for five years and overlapping, so arranged that one member's term shall expire on January 1 of each year. The terms of the original appointees shall be one, two, three, four and five years, respectively, beginning January 1, 1984. The Council shall fill any vacancies by appointment for the unexpired term. The Board shall have all the power, authority and duties conferred upon it by ordinance.

Section 9.15 Repealed November 6, 2001.

ARTICLE X
FINANCE

Section 10.01 General.

The laws of the State of Ohio relating generally to budgets, appropriations, debts, bonds, assessments, deposit and investment of funds and other fiscal matters of the Municipality shall be applicable except as otherwise provided under this Charter or under ordinances passed by the Council.

Section 10.02 Limitation on Tax Rate.

The power of Council to levy taxes shall be subject to the limitations now or hereafter provided by the Constitution and the general laws of the State of Ohio, and nothing contained in this Charter shall be construed as authorizing the levy of any taxes in excess of such limitations without a vote of the people; provided that this Charter shall not operate as a limitation upon the power of Council to levy taxes upon such other subjects and for such other purposes as may be lawful under the Constitution and laws of the State of Ohio, nor shall the authority of Council to submit additional levies to a vote of the people under the authority of the Constitution or laws of the State of Ohio be deemed impaired or abridged by reason of any provision of this Charter.

Section 10.03 Limitation of Debt.

The Municipality shall not incur debt in excess of the limitations imposed by the Constitution and laws of the State of Ohio.

Section 10.04 Contracting procedures.

(A) The Manager shall be the contracting officer for the Municipality and shall award and execute all contracts on behalf of the Municipality.

(B) The Council may authorize the Manager to act as purchasing agent for the Municipality with authority to award and execute contracts not in excess of the limitation provided in Division (C) of this section.

(C) When an expenditure or contract exceeds the amount specified by the laws of Ohio for which work may be accomplished only after advertisement and bidding, the Manager shall be authorized to advertise and seek bids by motion of Council. Said advertisement shall be once a week for at least two weeks in a newspaper of circulation in the Municipality. Following receipt of bids and when authorized and directed by ordinance or resolution passed by Council, the Manager shall make written contract with the lowest and/or best bidder. In those instances

and circumstances where contracts and expenditures may be made without advertisement and bidding under the general laws of Ohio pertaining to municipalities, no advertising and bidding shall be required under the Charter, and the general laws of Ohio, if any, applicable in such instances and circumstances shall be followed.

(D) When it becomes necessary to make alterations or modifications to any work project, such changes shall be made only upon the order of the Manager. No such order shall be effective until the price to be paid for the work or materials, or both, under the altered or modified contract, shall have been agreed upon in writing and signed by the contractor and the Manager on behalf of the Municipality.

(Amended 11-5-91)

Section 10.05 Credit for Tax Paid to Another Municipality.

(A) Where a resident of the City of Monroe is subject to a municipal income tax in another municipality, he or she shall not pay a total municipal income tax on the same income greater than the tax imposed at the higher rate.

(B) Every individual taxpayer, who resides in the City of Monroe and receives net profits, salaries, wages, commissions or other personal service compensation for work done or services performed or rendered outside of the City of Monroe, shall receive a credit for municipal income taxes paid by the taxpayer or in the taxpayer's behalf to such other municipality.

(C) The credit for any municipal income tax paid to another municipality shall not exceed the tax liability imposed by the City of Monroe Income Tax.

(D) The Council may not exercise a power under Section 7.01 inconsistent with Section 10.05, and any existing ordinance inconsistent with this Section is void.

(E) If a provision of Section 10.05 is declared invalid by a court of competent jurisdiction, the remainder of the Section remains in effect.

(Enacted 11-5-03)

ARTICLE XI
NOMINATIONS, ELECTIONS AND SALARIES

Section 11.01 Elections.

The candidates for any elected office at the regular Municipal election, equal in number to the places to be filled in that office, who received the largest number of votes, shall be declared elected.

Section 11.02 Recall.

Any elected official may be removed from office by a recall election before the expiration of his term by the qualified voters of the Municipality. The procedure for such recall election shall be that as provided by Section 705.92 of the Revised Code of Ohio, as of the effective date of this Charter.

Section 11.03 Initiative and Referendum.

(A) Ordinances and resolutions may be proposed by initiative petition and adopted by election in the manner provided by the Constitution and laws of the State of Ohio, except:

- (1) Initiative petitions shall be filed with the Clerk of Council, and
- (2) Ordinances and resolutions initiated by petition shall be submitted to the electors for approval or rejection at the next general or primary election occurring subsequent to ninety days after certification of the text of the proposed ordinance or resolution to the election authorities as established by the general laws of Ohio.

(B) Ordinances and resolutions adopted by Council shall be subject to referendum to the extent and in the manner provided by the Constitution and the laws of the State of Ohio, except:

- (1) Referendum petitions shall be filed with the Clerk of Council, and
- (2) Ordinances and resolutions subjected to referendum shall be submitted to the electors for approval or rejection at the next general or primary election occurring subsequent to ninety days after certification of the text of the ordinance or resolution to the election authorities as established by the general laws of Ohio.

(C) Actions required to be taken by ordinance under Section 5, Article XVIII, of the Ohio Constitution, may be subjected to referendum in the manner provided by Section 5, Article XVIII, of the Ohio Constitution and subsections (B)(1) and (B)(2) of this section shall not apply.

Section 11.04 Municipal Elections.

The regular Municipal election for the election of officials of the Municipality shall be held on the first Tuesday after the first Monday in November in the odd-numbered years. This shall be known as the regular Municipal election. The Council may, at any time by resolution, order a special election the purpose of which shall be set forth in the resolution.

Section 11.05 Conduct of Elections.

Both regular and special Municipal elections shall be conducted by the election authorities as established by the general laws of Ohio, under the provisions of this Charter. Where the Charter is silent, the provisions of the State election law shall be followed.

Section 11.06 Nominations.

No primary election shall be held for the nomination of candidates for any elective office of the Municipality. Nominations for any elective office of the Municipality shall be made by petition as provided by the provisions of the Ohio Revised Code. Petitions shall be filed with the elective authorities as established by the general laws of Ohio.

Section 11.07 Sponsoring Committee.

Each candidate shall have a Sponsoring Committee if required by the general laws of Ohio.
(Amended 11-5-91)

Section 11.08 Ballots.

The names of all candidates shall be rotated on the ballot as provided by law. The names of all candidates nominated shall be printed on the official ballot without party designation. If two candidates with the same surname, or with names so similar as to be likely to cause confusion, are nominated, the addresses of their places of residence shall be placed below their names on the ballot.

Section 11.09 Salary of Elected Officials.

The salary of members of Council excluding the Mayor shall be sixty dollars (\$60.00) per month; the salary of the Mayor shall be three hundred dollars (\$300.00) per month, provided the Council may increase or decrease the salaries of any elected official of the Municipality by ordinance adopted by a vote of not less than five members of Council. Any ordinance changing the salary of any elected official shall be adopted at least 100 days prior to the next ensuing election at which members of the Council are to be elected, and shall be effective on the first day of December following such election. In case of a vacancy in any elective office of the Municipality, the salary to be paid for serving in that particular office may be changed prior to the date that any person is appointed to fill the vacancy for the period of the unexpired term. The compensation of all other officers and employees of the Municipality may be increased or decreased at any time by ordinance.

(Amended 11-5-91)

ARTICLE XII
GENERAL PROVISIONS

Section 12.01 Oath of Office.

Every elected and appointed official of the Municipality shall take and subscribe an oath or affirmation to uphold the Constitution and laws of the United States of Ohio; to uphold the Charter, ordinances, resolutions and other laws of the Municipality; and to faithfully discharge the duties and responsibilities of his or her office.

Section 12.02 Conflict of Interest.

The laws of the State of Ohio pertaining to interests of Municipal officials in contracts and the expenditures of money on behalf of the Municipality shall apply to the officials of the Municipality.

Section 12.03 Amendments to the Charter.

This Charter may be amended as provided by Article XVIII of the Ohio Constitution.

Section 12.04 Saving Clause.

The decision by a court of competent jurisdiction that any part of this Charter is invalid, shall not invalidate or impair the force or effect of any other part hereof, except that such other part is wholly dependent for its operation upon the part declared invalid.

Section 12.05 Charter Review Commission.

Not later than the last day of March in 1981, and every ten years thereafter, the Council shall appoint, by a majority vote of its members, a Charter Review Commission consisting of not less than five electors of the Municipality. Such Commission shall review the Charter of the Municipality and, within the time designated by the Council at the time the members are appointed, or within any extension thereof granted by the Council, recommend to Council such alterations, revisions and amendments, if any, to this Charter, as in its judgment are desirable. After consideration of the recommendations of the Charter Review Commission, the Council may submit any or all of such proposed alterations, revisions or amendments to this Charter to the electors of the Municipality in the manner provided by Article XVIII of the Constitution of Ohio. The terms of the members of the Commission shall terminate at the end of the period designated at the time of their appointment, or any extension thereof by the Council.

ARTICLE XIII
TRANSITIONAL PROVISIONS

Section 13.01 Succession.

The Municipality of Monroe under this Charter, is hereby declared to be the legal successor of the Village of Monroe, under the laws of the State of Ohio, and as such, it has title to all property, real and personal, owned by its predecessor, including all moneys on deposit and all taxes in process of collection together with all accounts receivable and rights of action. The Municipality is liable for all outstanding orders, contracts and debts of its predecessor and for any other obligations for which it may be held liable, as such successor, by any court of competent jurisdiction. All contracts entered into by the Municipality or for its benefit prior to January 1, 1975, shall continue in full force and effect.

Section 13.02 Effect of Charter on Existing Laws and Rights.

(A) The adoption of this Charter shall not affect any pre-existing rights of the Municipality, nor any right or liability or pending suit or prosecution, either on behalf of or against the Municipality or any officer thereof, nor any franchise granted by the Municipality, nor pending proceedings for the authorization of public improvements or the levy of assessments therefor. Except as a contrary intent appears herein, all acts of the Council of the Municipality, including ordinances and resolutions in effect at the date this Charter becomes effective, shall continue in effect until lawfully amended or repealed.

(B) No action or proceeding pending against the Municipality or an officer thereof shall be abated or affected by the adoption of this Charter, but all such actions or proceedings shall be prosecuted or defended under the laws in effect at the time of the filing thereof.

Section 13.03 Effective Date of Charter.

This Charter shall be submitted to the electors of the Village of Monroe at a special election to be held May 7, 1974, and if approved by the electors shall, for the purpose of nominating and electing officers of the Municipality and conducting Municipal elections, take effect from the time of its approval by the electors of the Village; and for all other purposes it shall take effect on January 1, 1975.

Section 13.04 Abolishment of Statutory Offices and Election of First Officers Under Charter.

(A) The term of office of the Mayor, Village Clerk-Treasurer and all members of the legislative authority of the Village serving, by election or appointment, under the general statutory plan of government for villages under the general laws of Ohio are hereby terminated and ended as of the last day of December, 1974, and such offices are hereby abolished as of such date.

(B) The first election of officials, including the offices of Mayor, Auditor-Treasurer and seven members of the Council, under this Charter shall be held at a special election on the first Tuesday after the first Monday in November, 1974. The nomination and election for such offices at such special election shall be made in accordance with the provisions of this Charter, as far as provided for, and if not provided for in this Charter, as provided by the general laws of Ohio, and if not provided for in such general laws, as provided by ordinance passed by the legislative authority of the Village then serving under the general statutory form of government.

- (1) The person who is elected Mayor at such special election shall take office January 1, 1975, and he, or his successor in office under this Charter, shall serve for a three-year term of office ending December 31, 1977.
- (2) The person who is elected to the office of Auditor-Treasurer at such special election shall take office January 1, 1975, and he, or his successor in office under this Charter, shall serve for a three-year term of office ending December 31, 1977.
- (3) Seven members of the Council shall be elected at such special election as hereinafter provided:
 - A. Candidates shall be declared elected in the order of the number of votes received, beginning with the candidate receiving the largest number of votes.

- B. The candidates for the office of member of Council receiving the largest, second largest and third largest number of votes at such special election shall be elected to a three-year term of office commencing January 1, 1975, and ending December 31, 1977.
- C. The candidates for the office of member of Council receiving the fourth, fifth, sixth and seventh largest number of votes at such special election shall be elected to a one-year term of office commencing January 1, 1975, and ending December 31, 1975.

(C) Thereafter, elections for all offices of the Municipality to be filled by election shall be held at the time, in the manner and for such terms of office as provided by the applicable provisions of this Charter.

Section 13.05 Continuation of Present Employees.

All persons, other than those holding elective office abolished under Section 13.04 of this Charter, employed at the time this Charter takes effect, shall continue in their office or position and in the performance of their duties until provisions shall have been otherwise made in accordance with this Charter for the performance or discontinuance of the duties of any such office or position. When such provision shall have been made, the term of any officer shall expire and the office shall be abolished, and the tenure of any employee shall end.

The powers which are conferred and the duties which are imposed upon any officer, body, commission, board, department or division of the Municipality under the laws of the State, or under any Municipal ordinance, resolution or contract in force at the time of the taking effect of this Charter shall, if such office, body, commission, board, department or division is abolished by this Charter, be thereafter exercised and discharged by the officer, body, commission, board, department or division upon whom are imposed corresponding functions, powers and duties by this Charter or by any ordinance or resolution of the Council thereafter enacted.

Section 13.06 Abolishment of the Election of the Mayor and of the Office of Auditor-Treasurer.

The term of the office of the Mayor and the Auditor-Treasurer serving by election under the Charter adopted by the voters of Monroe on May 7, 1974, are hereby terminated and ended as of the last day of December, 1983, and such offices are hereby abolished as of such date. The Mayor and the Treasurer shall hereafter be selected and appointed pursuant to the Charter, as amended.

Section 13.07 Amended Effective Date of Charter.

This amended Charter shall be effective on January 1, 1984.