REQUESTED BY: LAW DEPARTMENT
GREATHOUSE DRAFT NO. 0884

TITLE

AN ORDINANCE FOR THE PURPOSE OF REPEALING THE BALLOT ORDINANCE AS CERTIFIED BY THE BOARD OF ELECTIONS ON NOVEMBER 19, 2026, AND REPLACING SAID ORDINANCE WITH ORDINANCE NUMBER 13287/2023, EFFECTIVE IMMEDIATELY, AND AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE THE SALARIES OF THE CITY OF WARREN, OHIO'S ELECTED OFFICIALS, AND THEIR DEPUTIES, FOR THE TERMS BEGINNING JANUARY 1, 2028, AND JANUARY 1, 2030, AND FOR ALL TERMS THEREAFTER, AND DECLARING AN EMERGENCY.

ORDINANCE NO. _____

WHEREAS, the salaries of the offices of the Mayor, City Auditor, Director of Law, and members of Council of the City of Warren, Ohio, for the terms of said offices that shall begin January 1, 2028, and the salary of the office of the Treasurer, which term shall begin January 1, 2030, must be determined, established, fixed, and authorized before the next said terms begin if said offices are to receive any compensation whatsoever for said next term and thereafter; and

WHEREAS, the Ballot Ordinance, as certified by the Board of Elections on November 19, 2026, sought to set the salaries of City officials, decrease the salaries of Councilmembers while in-term, and prohibit future changes to the Ballot Ordinance unless by a vote of the people; and

WHEREAS, this Council recognizes that passage of a salary change of an elected official while in-term violates the Ohio Constitution Article II, Section 20, and Ohio Revised Code 731.07, and approval of any ordinance by a ballot vote of the people is not permitted in municipalities without a charter provision that provides for a ballot vote of the people to approve ordinances; and

WHEREAS, this Council does not have legislative authority to enact an ordinance that requires a ballot vote of the people to amend, and the initiative power of City of Warren citizens is co-extensive with the legislative authority of Council pursuant to Ohio Constitution Article II, Section 1f; and

WHEREAS, said Ballot Ordinance exceeds the home-rule power of a non-chartered municipality by prescribing a procedure for how certain ordinances are enacted; and

WHEREAS, said Ballot Ordinance unlawfully circumvents adoption of a municipal charter under Article XVIII, Section 8 of the Ohio Constitution, which requires an election to establish a 15-member Charter Commission; and

WHEREAS, said Charter Commission was voted down by the voters, as certified by the Trumbull County Board of Elections on May 19, 2023; and

WHEREAS, this Council desires to clarify the compensation of City officials now and at the commencement of future terms of elected City officials, lawfully and pursuant to the Ohio Constitution and the Ohio Revised Code; NOW, THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That, effective November 24, 2026, the Ballot Ordinance, as certified by the Board of Elections on November 19, 2026, is hereby repealed in its entirety.

Section 2: That, effective immediately, and thereafter, Ordinance Number 13287/2023, as duly and lawfully passed after three readings by this Council on November 8, 2023, be and is hereby reinstated, and shall remain in effect for the terms of all elected officials and referenced deputies and assistants until repealed and replaced by Council vote, which is a necessary and proper act of this legislative body.

Section 3: That, if any provision or provisions of this Ordinance are held unlawful or invalid by a court of competent jurisdiction, such provision or provisions shall be severable, and the remaining provisions shall not be affected thereby.

Section 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, welfare, and safety. A further reason is so that the integrity of offices of the Mayor, the Director of Public Service and Safety, the Auditor, the Deputy Auditor, the Director of Law, the Deputy Law Director, the Assistant Law Directors, the Treasurer, the President of Council, and the Members of Council may be set to value and better secured, the integrity of the City's budgetary and fiscal processes may be more greatly ensured, and that compensation for the next terms of said offices, which shall begin January 1, 2028, and January 1, 2030, respectively, be authorized, determined, established, and fixed without undue delay. WHEREFORE, this Ordinance shall go into immediate effect.

Passed in Council this _____ day of _____, 20_____.

SIGNED: _____ ATTEST: _____
PRESIDENT OF COUNCIL CLERK

FILED WITH THE MAYOR: _____

DATE APPROVED: _____

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MAYOR, CITY OF WARREN, OHIO