

## CHAPTER 234: VILLAGE ADMINISTRATOR

### Section

- 234.01 Appointment; removal; abolishment of position
- 234.02 Abolishment and re-establishment of Board of Trustees of Public Affairs
- 234.03 Powers and duties of Village Administrator

#### ***Cross-reference:***

- Board of Trustees of Public Affairs, see Ch. 270*
- Care, supervision and management of public institutions, see § 220.13*
- Contracts by Village Administrator, see § 226.03*
- Street Commissioner, see Ch. 242*

#### ***Statutory reference:***

- Gas, water and electricity, see R.C. §§ 743.26 et seq.*
- Sidewalks and sewers, see R.C. Ch. 729*
- Streets and public grounds, see R.C. Ch. 723*
- Water pollution, see R.C. § 743.25*
- Water works, see R.C. §§ 743.01 et seq.*

### **§ 234.01 APPOINTMENT; REMOVAL; ABOLISHMENT OF POSITION.**

The Council may establish the position of Administrator by ordinance. The Administrator established under this section shall have those powers provided by § 234.03. The Administrator shall be appointed by the Mayor, but shall not take office unless his or her appointment has been approved by a majority vote of the members elected to the Council. The Administrator need not be an elector or reside in the municipality at the time of his or her appointment; however, he or she shall become a resident of the municipality within six months after his or her appointment by the Mayor and confirmation by the Council, unless his or her residence outside the municipality is approved by ordinance. The Administrator shall not be an elected official of the municipality at the time of his or her appointment or during his or her tenure in office. The Administrator shall serve at the pleasure of the Mayor and Council and may be removed without cause by the Mayor with the consent of a majority of the members elected to the Council, or he or she may be removed without cause by the affirmative vote of three-fourths of the members elected to the Council, without the consent of the Mayor. The Council may abolish the position of Administrator by ordinance. (R.C. § 735.271)

### **§ 234.02 ABOLISHMENT AND RE-ESTABLISHMENT OF BOARD OF TRUSTEES OF PUBLIC AFFAIRS.**

(a) Upon the establishment of the position of Village Administrator, his or her appointment by the Mayor and confirmation by Council, as provided by § 234.01, the Board of Trustees of Public Affairs, if such a Board has been created in accordance with § 270.01, shall be abolished and the term of office of

members of the Board shall terminate. All contracts entered into by the Board and rules and regulations promulgated and other action taken by the Board shall continue in effect until they have terminated of their own accord or until they have been modified, changed, revised, amended or repealed in the manner provided by law.

(b) If Council abolishes the position of Village Administrator, as provided by § 234.01, a Board of Trustees of Public Affairs shall be established by operation of law and the Mayor shall appoint three members of the Board, subject to the confirmation of Council, who shall serve until the successors of the appointed members have been elected at the next regular election of municipal officers held in the municipality occurring more than 100 days after the appointment of such members by the Mayor, as provided by § 270.01. The Board shall have those powers and duties provided by §§ 270.01 and 270.02 and as otherwise provided by law.

(R.C. § 735.272)

### § 234.03 POWERS AND DUTIES OF VILLAGE ADMINISTRATOR.

(a) The Administrator shall manage, conduct and control the water works, electric light plants, artificial or natural gas plants or other similar public utilities, furnish supplies of water, electricity or gas, and collect all water, electric and gas rents.

(b) The Administrator may make such bylaws and regulations as it deems necessary for the safe, economical and efficient management and protection of the works, plants and public utilities. Such bylaws and regulations, when not repugnant to municipal ordinances and resolutions or to the Ohio Constitution, shall have the same validity of ordinances.

(c) The rates for service and charges for municipally owned utilities shall be determined by the Council.

(d) The Administrator shall have the same powers or perform the same duties as are provided in R.C. §§ 743.05 to 743.07, 743.10, 743.11, 743.18 and 743.24, and all the powers and duties relating to water works in any such sections shall extend to and include electric light, power, gas plants and other similar public utilities.

(e) The Administrator shall supervise the improvement and repair of streets, avenues, alleys, lands, lanes, squares, landings, market houses, bridges, viaducts, sidewalks, sewers, drains, ditches, culverts, streams and water courses as well as lighting, sprinkling and cleaning of all streets, alleys and public buildings and places.

(f) The Administrator shall appoint officers, employees, agents, clerks and assistants, provided the positions are first authorized by the Council, but the appointments shall be subject to approval by the Mayor. The appointments and the Mayor's approval shall be in writing, and shall be filed with the Clerk.

(g) The Administrator shall be under the general supervision and control of the Mayor, and shall have such other powers and duties as are prescribed by ordinance or by law and which are not inconsistent

herewith. The Administrator shall perform all duties and shall have all powers of Boards of Public Affairs and Street Commissioners as prescribed by law, except as otherwise provided by §§ 234.01 and 234.02. (R.C. § 735.273)

