

February 3, 2023

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Offered by: MAYOR HORRIGAN

ORDINANCE NO. 2023-016-2023 amending and/or supplementing Title 3, Chapter 31 and enacting Article 3 “Akron Citizens’ Police Oversight” including Section 31.50 “Definitions,” and 31.51 “Citizens’ Police Oversight Board - Term in order to orderly implement certain portions of Section 68a of the Charter; and declaring an emergency.

WHEREAS, on November 8, 2022, the people of Akron voted in favor of Issue 10 and as of November 29, 2022, new Section 68(a) of the Charter of the City of Akron (“Section 68(a)”) became effective; and

WHEREAS, pursuant to Charter Section 68a (H), further clarifying legislation is needed to implement certain functional aspects of the Citizens’ Police Oversight Board, including how terms of Board members will operate.

NOW, THEREFORE, BE IT ENACTED by the Council of the City of Akron:

Section 1. That Title 3, Chapter 31 is hereby amended and/or supplemented and Article 3 “Citizen Oversight of Police” is enacted as follows:

Article 3. – Citizen Oversight of Police

31.50- Definitions.

For the purposes of this Article, the following definitions shall apply:

“APD” means City of Akron Department of Public Safety, Police Division.

“Board” means the City of Akron Citizens’ Police Oversight Board.

31.51– Citizen’s Police Oversight Board.

A. Term.

Members of the Board shall serve staggered 4-year terms. To achieve a staggered term, upon their initial appointment, three (3) of the nine (9) members will serve one, 2-year, term. 2-year term members shall be eligible for one additional full, 4-year, term, after which they will not be eligible for reappointment. One (1) of the 2-year term members shall be a Mayoral appointee, and the remaining two (2) 2-year term members shall be appointed by Council. Thereafter, replacement members filling these positions, which will be appointed in the same manner and proportion as the original three (3) 2-year term members, shall be appointed to full, 4-year, terms. The remaining six (6) members of the initial Board will serve a full 4-year term upon appointment and will be eligible for a second consecutive 4-year term.

No Board member shall serve more than eight (8) consecutive years, nor may any member accept an appointment to a term that, if completed, would result in that member serving more than eight (8) consecutive years on the Board. Notwithstanding the foregoing term limitation, all members shall continue to serve until their successor has been appointed and is able to serve.

B. Vacancy.

In the event of a vacancy or vacancies on the Board, all replacement members will be selected by the respective appointing authority (either the Mayor or Council) responsible for the selection of the vacating member, subject to the same consent and approval requirements prescribed by Charter Section 68a (B). Individuals selected to fill vacant Board seats shall serve out only the remaining portion of the vacant term but may thereafter be reappointed to a new term assuming all other requirements of this provision and Charter Section 68a are met.

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare for the reason that it is immediately necessary to implement Section 68a of the Charter, 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 February 6, 2023

Diana R. Biscano
Clerk of Council

Raymond
President of Council

Approved 2/7, 2023

[Signature]
MAYOR