

CHARTER OF CITY OF CLEVELAND

Chapter 5 — The Council

§ 25 DIVIDING THE CITY INTO ~~TWENTY-ONE~~ WARDS

(a) ~~_____~~ The Council not later than ~~July 15, 1981~~April 1, 2009, shall redivide the City into 17 wards. The whole population of the City, as determined on a basis as the Council may direct, shall be divided by 17. The quotient of this division shall be the ratio of representation for the wards of the City.

(b) ~~_____~~ Each ward shall be compact and composed of contiguous territory, and the boundary of each ward shall be a single non-intersecting continuous line. The boundary lines of wards shall be so drawn as to delineate an area containing one or more whole neighborhoods as identified by the Cleveland City Planning Commission in accordance with Charter Section 76-2. Where the ratio of representation in a ward cannot be achieved in accordance with division (a) of this section by preserving one or more whole neighborhoods in the ward, neighborhoods may be divided along the census tract lines and census block lines within a neighborhood in accordance with the requirements of this division (b), provided that a neighborhood may not be divided between more than two wards. Where the ratio of representation in a ward cannot be achieved in accordance with division (a) of this section by preserving one or more whole neighborhoods in the ward, neighborhoods may be divided along census tract lines within a neighborhood. Where the ratio of representation in a ward cannot be achieved by dividing a neighborhood along the census tract lines within the neighborhood, a census tract may be further divided along census block lines, provided that no more than one census tract within a neighborhood may be divided along census block lines. If a census tract contains territory that is only partly within the boundaries of the City of Cleveland, the portion of the census tract within Cleveland shall be considered a whole census tract for the purposes of this division (b). ~~_____ and thereafter immediately after the proclamation by the Secretary of State stating the population of cities of Ohio, as determined by the Federal census decennially taken, shall redivide the City into 21 wards. The wards so formed shall be as nearly equal in population as may be fair and equitable, composed of contiguous and compact territory, and bounded by natural boundaries or street lines.~~

When any territory is annexed to the City the Council shall by ordinances declare it a part of the adjacent ward or wards.

(c) ~~_____~~ If the Council fails or neglects to redivide the City into ~~21~~17 wards by ~~July 15, 1981~~April 1, 2009, the Mayor shall within 7 days thereafter submit to Council the plan for redividing the City into ~~21~~17 wards, which division plan of the Mayor shall become effective until the next decennial Federal census when the wards shall be reapportioned as provided in Section 25-1.

(d) ~~_____~~ The ~~21 Councilmen~~17 members of Council to be elected under the terms herein shall be elected at the next regular Municipal election in accordance with the

provisions of Chapter 3 of the Charter of the City of Cleveland. The division of the City into wards existing at the time of the adoption of this amendment shall continue until changed as provided herein.

§ 25-1 REAPPORTIONMENT OF WARDS

(a) Commencing with the Federal census decennially taken in the closest proximity to January 1, ~~1980~~2010, and following each subsequent Federal decennial census the Council within ~~three months~~forty-five days after proclamation by the Secretary of State stating the population of the cities of Ohio as determined by any such Federal census shall fix the number of wards of the City in the manner provided in this section. The Council shall divide the population of the City as determined by the Federal Census by 25,000 resulting in a whole number and a remainder. If the whole number resulting from this division is an odd number then that number shall be the number of wards of the City until the reapportionment of wards in accordance with this section after the next decennial census. If the whole number resulting from this division is an even number then that number plus one shall be the number of wards of the City until the reapportionment of wards in accordance with this section after the next decennial census.

(b) The whole population of the City as determined by the Federal census shall be divided by the number of wards as determined in division (a) of this section. The quotient of this division shall be the ratio of representation for the wards of the City.

(c) Each ward shall be compact and composed of contiguous territory, and the boundary of each ward shall be a single non-intersecting continuous line. The boundary lines of wards shall be so drawn as to delineate an area containing one or more whole neighborhoods as identified by the Cleveland City Planning Commission in accordance with Charter Section 76-2. Where the ratio of representation in a ward cannot be achieved in accordance with division (b) of this section by preserving one or more whole neighborhoods in the ward, neighborhoods may be divided along the census tract lines and census block lines within a neighborhood in accordance with the requirements of this division (c), provided that a neighborhood may not be divided between more than two wards. Where the ratio of representation in a ward cannot be achieved in accordance with division (b) of this section by preserving one or more whole neighborhoods in the ward, neighborhoods may be divided along census tract lines within a neighborhood. Where the ratio of representation in a ward cannot be achieved by dividing a neighborhood along the census tract lines within the neighborhood, a census tract may be further divided along census block lines, provided that no more than one census tract within a neighborhood may be divided along census block lines. If a census tract contains territory that is only partly within the boundaries of the City of Cleveland, the portion of the census tract within Cleveland shall be considered a whole census tract for the purposes of this division (c). When any territory is annexed to the City, the Council shall by ordinances declare it a part of the adjacent ward or wards.

~~reapportion the wards of the City so that the wards so formed shall be as nearly equal in population as may be, composed of contiguous and compact territory, and bound by natural boundaries and street lines.~~

(d) If the Council fails to reapportion the wards within the ~~three monthforty-five day~~ period herein provided, the Mayor shall within ~~30 ten business~~ days thereafter submit to Council a plan for the reapportionment of the wards. The Council shall within ~~30 ten business~~ days after receiving the Mayor's plan, reapportion the wards as herein provided. If the Council does not reapportion the wards within this latter ~~30 ten business~~ day period, the reapportionment plan of the Mayor shall become effective until the next decennial Federal census when the wards shall be reapportioned as herein provided.

§ 76-2 Powers and Duties of Commission

It shall be the function and duty of the Planning Commission to make and adopt a general plan for the development and improvement of the City, and for any area outside of the City which in the judgment of the Commission bears relation to the planning of the City. No general plan or portions thereof or amendments thereto shall be adopted by the Commission until after a public hearing thereon. So much of the general plan as may be established or from time to time amended by ordinance of Council shall constitute the official map of the City of Cleveland. The Commission shall also make plans and proposals for specific improvements and projects which it deems desirable for the City and its surrounding area and recommend them to the appropriate authority. These plans and proposals shall not become a part of the general plan until adopted as such. The Commission shall have authority to call upon officers and employees of other departments and divisions of the City of Cleveland for assistance in City planning. On or before the 1st day of June in each year the Commission shall recommend to the Mayor a capital improvement budget for the following year and a comprehensive five-year capital improvement program. On or before the 1st day of June in the year prior to the conducting of the Federal decennial census, the Commission shall draw the boundaries of the neighborhoods of Cleveland. It shall be the duty of the Commission to take the initiative in planning for the City and surrounding area and it shall have full power to publish and distribute at public expense copies of plans or reports and to promote public interest in and understanding of general plans and of other recommendations or proposals. It shall have authority to make such investigations, maps and studies relating to the planning of the community as it may deem desirable. The Planning Commission may recommend to the appropriate public authorities or private agencies programs for the development and improvement of the community, for the enactment of legislation pertaining thereto, for the building of public structures and improvements and for the financing thereof. The Commission may enter into agreement with other governmental or private agencies necessary or desirable for carrying forward any of its purposes subject to the approval of Council.