

### **731.18. Style of ordinances.**

The style of all ordinances shall be, "Be it ordained by the ..... (filling the blank with the name of the legislative authority of the city or village) of ....., state of Ohio," (filling the blank with the name of the city or village.)

**HISTORY: RS Bates §§ 1536-626, 1536-850; 96 v 61, § 125; 96 v 82, § 196; GC § 4225; Bureau of Code Revision. Eff 10-1-53.**

### **§ 731.19. Subject and amendment of bylaws, ordinances, and resolutions.**

No ordinance, resolution, or bylaw shall contain more than one subject, which shall be clearly expressed in its title. No bylaw or ordinance, or section thereof, shall be revived or amended, unless the new bylaw or ordinance contains the entire bylaw, ordinance, or section revived or amended, and the bylaw, ordinance, or section so amended shall be repealed. Each such bylaw, resolution, and ordinance shall be adopted or passed by a separate vote of the legislative authority of a municipal corporation and the yeas and nays shall be entered upon the journal.

**HISTORY: RS § 1694; Bates §§ 1536-620, 1536-850; S&C 1521; 66 v 166, §§ 98, 99; 87 v 36; 90 v 136; 96 v 82, § 196; GC § 4226; Bureau of Code Revision. Eff 10-1-53.**

### **§ 731.20. Authentication and recording.**

Ordinances, resolutions, and bylaws shall be authenticated by the signature of the presiding officer and clerk of the legislative authority of the municipal corporation. Ordinances of a general nature or providing for improvements shall be published as provided by [sections 731.21](#) and [731.22](#) of the Revised Code before going into operation. No ordinance shall take effect until

the expiration of ten days after the first publication of such notice. As soon as a bylaw, resolution, or ordinance is passed and signed, it shall be recorded by the clerk in a book furnished by the legislative authority for that purpose.

**HISTORY: RS § 1695; Bates §§ 1536-621, 1536-850; 67 v 68, § 100; 80 v 26; 96 v 82, § 196; GC § 4227; Bureau of Code Revision. Eff 10-1-53.**

**§ 731.21. Publication of ordinance, resolution or summary; proof; charge for copies; posting.**

(A) Notwithstanding any conflicting provision of [section 7.12](#) of the Revised Code, each municipal ordinance or resolution, or a succinct summary of each municipal ordinance and resolution, and all statements, orders, proclamations, notices, and reports required by law or ordinance to be published shall be published as follows:

- (1) In two English language newspapers of opposite politics, published and of general circulation in the municipal corporation, if there are any such newspapers;
- (2) If two English language newspapers of opposite politics are not published and of general circulation in the municipal corporation, then in one such political newspaper and one other English language newspaper published and of general circulation therein;
- (3) If only one English language newspaper is published and of general circulation in the municipal corporation, then in that newspaper;
- (4) If no English language newspaper is published and of general circulation in the municipal corporation, then in any English language newspaper of general circulation therein or by posting as provided in [section 731.25](#) of the Revised Code, at the option of the legislative authority of such municipal corporation. Proof of the publication and required circulation of any newspaper used as a medium of publication as provided by this section shall be made by affidavit of the proprietor of either of such newspapers, and shall be filed with the clerk of the legislative

authority.

(B) If a summary of an ordinance or resolution is published under division (A) of this section, the publication shall contain notice that the complete text of each such ordinance or resolution may be obtained or viewed at the office of the clerk of the legislative authority of the municipal corporation and may be viewed at any other location designated by the legislative authority of the municipal corporation. The city director of law, village solicitor, or other chief legal officer of the municipal corporation shall review any summary of an ordinance or resolution published under this section prior to forwarding it to the clerk for publication, to ensure that the summary is legally accurate and sufficient.

(C) Upon publication of a summary of an ordinance or resolution in accordance with this section, the clerk of the legislative authority shall supply a copy of the complete text of each such ordinance or resolution to any person, upon request, and may charge a reasonable fee, set by the legislative authority, for each copy supplied. The clerk shall post a copy of the text at his office and at every other location designated by the legislative authority.

**HISTORY: RS Bates §§ 1536-619, 1536-850; 96 v 60, § 124; 96 v 82, § 196; GC § 4228; 106 v 492; 108 v Pt.I, 43; 109 v 229; 112 v 159; Bureau of Code Revision, 10-1-53; 141 v S 93. Eff 5-22-86.**

### **§ 731.22. Times of publication required.**

The publication required in [section 731.21](#) of the Revised Code shall be for the following times:

(A) Ordinances and resolutions, or summaries of ordinances or resolutions, and proclamations of elections, once a week for two consecutive weeks;

(B) Notices, not less than two nor more than four consecutive weeks;

(C) All other matters shall be published once.

**HISTORY: RS Bates §§ 1536-619, 1536-850; 96 v 60, § 124; 96 v 82, § 196; GC § 4229; 106 v 492; Bureau of Code Revision, 10-1-53; 141 v S 93. Eff 5-22-86.**

**§ 731.23. Publication and certification of ordinances in book form.**

When ordinances are revised, codified, rearranged, published in book form, and certified as correct by the clerk of the legislative authority of a municipal corporation and the mayor, such publication shall be a sufficient publication, and the ordinances so published, under appropriate titles, chapters, and sections, shall be held the same in law as though they had been published in a newspaper. A new ordinance so published in book form, which has not been published as required by [sections 731.21](#) and [731.22](#) of the Revised Code, and which contains entirely new matter, shall be published as required by such sections. If such revision or codification is made by a municipal corporation and contains new matter, it shall be a sufficient publication of such codification, including the new matter, to publish, in the manner required by such sections, a notice of the enactment of such codifying ordinance, containing the title of the ordinance and a summary of the new matters covered by it. Such revision and codification may be made under appropriate titles, chapters, and sections and in one ordinance containing one or more subjects.

Except as provided by this section, all ordinances, including emergency ordinances, shall be published in accordance with [section 731.21](#) of the Revised Code.

**HISTORY: RS § 1695; Bates §§ 1536-619a, 1536-621, 1536-850; 67 v 68, § 100; 80 v 26; 96 v 82, § 196; 97 v 321, § 124a; GC § 4230; 120 v 629; 121 v 360; Bureau of Code Revision.**

**Eff 10-1-53.**

**§ 731.24. Certificate of clerk as to publication.**

Immediately after the expiration of the period of publication for ordinances or summaries of ordinances required by [section 731.22](#) of the Revised Code, the clerk of the legislative authority of a municipal corporation shall enter on the record of ordinances, in a blank to be left for such purpose under the recorded ordinance, a certificate stating in which newspaper and on what dates such publication was made, and shall sign his name thereto officially. Such certificate shall be prima-facie evidence that legal publication of the ordinance or summary of the ordinance was made.

**HISTORY: RS § 1696; Bates § 1536-622; 66 v 166, § 101; GC § 4231; Bureau of Code Revision, 10-1-53; 141 v S 93. Eff 5-22-86.**

**§ 731.25. Publication when no newspaper in municipal corporation.**

Notwithstanding any conflicting provision of [section 7.12](#) of the Revised Code, in municipal corporations in which no newspaper is published, publication of ordinances, and resolutions, or summaries of ordinances and resolutions, and publication of all statements, orders, proclamations, notices, and reports, required by law or ordinance to be published, shall be accomplished in either of the following methods, as determined by the legislative authority:

(A) By posting copies in not less than five of the most public places in the municipal corporation, as determined by the legislative authority, for a period of not less than fifteen days prior to the effective date thereof;

(B) By publication in any newspaper printed in this state and of general circulation in such municipal corporation.

Notices to bidders for the construction of public improvements and notices of the sale of bonds shall be published in not more than two newspapers, printed in this state and of general circulation in such municipal corporation, for the time prescribed in [section 731.22](#) of the Revised Code.

Where such publication is by posting, the clerk shall make a certificate as to such posting, and as to the times when and the places where such posting is done, in the manner provided in [section 731.24](#) of the Revised Code, and such certificate shall be prima-facie evidence that the copies were posted as required.

**HISTORY: RS § 1697; Bates § 1536-623; 66 v 166, § 102; 97 v 447; GC § 4232; 106 v 492; Bureau of Code Revision, 10-1-53; 137 v H 42 (Eff 10-7-77); 141 v S 93. Eff 5-22-86.**

**§ 731.26. Effect of not making publication.**

It is a sufficient defense to any suit or prosecution under an ordinance, to show that no publication or posting was made as required by [sections 731.21](#) to [731.25](#), inclusive, of the Revised Code.

**HISTORY: RS § 1698; Bates § 1536-624; 66 v 166, § 103; GC § 4233; Bureau of Code Revision. Eff 10-1-53.**

**§ 731.27. Mayor's veto in cities.**

Every ordinance or resolution of a legislative authority of a city shall, before it goes into effect, be presented to the mayor for approval. The mayor, if he approves such ordinance or resolution, shall sign and return it forthwith to the legislative authority. If he does not approve it, he shall, within ten days after its passage or adoption, return it, with his objections, to the legislative

authority, or, if it is not in session, to the next regular meeting thereof, which objections shall be entered upon its journal. The mayor may approve or disapprove the whole or any item of an ordinance appropriating money. If he does not return such ordinance or resolution within the time limited in this section, it shall take effect in the same manner as if he had signed it, unless the legislative authority, by adjournment, prevents its return. When the mayor disapproves an ordinance or resolution, or any part thereof, and returns it with his objections, the legislative authority may, after ten days, reconsider it, and if such ordinance, resolution, or item, upon such reconsideration, is approved by a two-thirds vote of all the members elected, it shall then take effect as if signed by the mayor.

**HISTORY: RS Bates §§ 1536-626, 1536-850; 96 v 61, § 125; 96 v 82, § 196; GC § 4234; Bureau of Code Revision. Eff 10-1-53.**