

1 ORDINANCE NO. 2017-019

2
3 SPONSOR Ms. Shapiro

4
5 DATE January 30, 2017 COMMITTEE Rules

6
7 **An Ordinance amending Section 195.03 of the Codified Ordinances of the County of**
8 **Summit, entitled “Collection and Deposit of Public Moneys,” to provide the timeframe for**
9 **the deposit of public moneys received by the County, for the Executive’s Department of**
10 **Finance and Budget, and declaring an emergency.**

11
12 WHEREAS, General Provision 9.38 of the Ohio Revised Code provides that funds
13 received by any County employee be deposited on the next business day of the County; and

14
15 WHEREAS, General Provision 9.38 further allows for funds received by a County
16 employee that total less than \$1,000.00 on a business day to be deposited up to three business
17 days after receipt, provided, however, that this Council must authorize the practice and the office
18 or department receiving said funds must adopt a policy for safekeeping the funds until deposit;
19 and

20
21 WHEREAS, for purpose of improving the efficiency of the operation of the County, the
22 County Executive has recommended amending Section 195.03 of the Codified Ordinances
23 entitled “Collection and Deposit of Public Moneys,” to allow for sums totaling less than
24 \$1,000.00 to be deposited up to three business days after receipt; and

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26 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
27 that it is necessary and in the best interest of the County to amend Section 195.03 as set forth
28 above; and

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30 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
31 of Ohio, that:

32
33 SECTION 1

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35 Section 195.03 of the Codified Ordinance of the County of Summit, entitled “Payment or
36 Deposit of Public Moneys,” is hereby amended as follows:

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38 **“195.03 COLLECTION AND DEPOSIT OF PUBLIC MONEYS.**

39 All fees, costs, percentages, allowances, proceeds of sale of merchandise or equipment
40 received by law by any County official, judge or employee shall be received and collected for the
41 sole use of the treasury of the County of Summit and shall be held and accounted for and paid
42 over as public moneys to be credited to the General Fund except as provided by Ohio R.C.
43 325.31 or where applicable the permanent improvement or such other fund as otherwise provided
44 by law.

45 If the total amount of public moneys received by any employee of the County Council,
46 County Executive, County Fiscal Officer, County Prosecutor, County Sheriff, County Engineer,
47 County Clerk of Courts, Office of Information Technology, Internal Audit Department, or any
48 department or division thereof, does not exceed \$1,000.00 on any given day, the moneys
49 received shall be deposited no later than three business days following the day of receipt,
50 provided, that the office receiving the funds has adopted policies and procedures to safeguard the
51 public moneys until such time as they are deposited. Otherwise, all public moneys received shall
52 be deposited pursuant to the timeframes set forth in General Provision 9.38 of the Ohio Revised
53 Code.”

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2 PAGE TWO

3
4 SECTION 2

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6 This Ordinance is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the citizens of the County of Summit and for the further reason to immediately
8 provide the timeframe for the deposit of public moneys pursuant to General Provision 9.38 of the
9 Ohio Revised Code and to immediately improve the efficiency of the operation of the County.

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11 SECTION 3

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13 Provided this Ordinance received the affirmative vote of eight members, it shall take
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
15 effect and be in force at the earliest time provided by law.

16
17 SECTION 4

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19 It is found and determined that all formal actions of this Council concerning and relating
20 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
21 deliberations of this Council and of any of its committees that resulted in such formal action,
22 were in meetings open to the public, in compliance with all legal requirements, including Section
23 121.22 of the Ohio Revised Code.

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25
26 INTRODUCED January 9, 2017

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28 ADOPTED January 30, 2017

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32 _____
33 CLERK OF COUNCIL

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37 _____
38 PRESIDENT OF COUNCIL

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40 APPROVED January 31, 2017

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42 
43 _____
44 EXECUTIVE

45 ENACTED EFFECTIVE January 31, 2017

Voice Vote: YES 11-0 Crawford, Dickinson, Donofrio, Feeman, Hamilton,
Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite