

ORDINANCE NO. 2009-132

WITHDRAWN BY SPONSOR

4-13-09

SPONSOR Mr. Pry

DATE Withdrawn by Sponsor

COMMITTEE Rules

An Ordinance enacting Section 169.31 of the Codified Ordinances of the County of Summit, entitled “Prohibition against carrying firearms or handguns during County business,” to expressly prohibit County employees, other than those employees who are required to carry firearms in the performance of their job duties, from carrying firearms on their person or in a motor vehicle while on County business or in County motor vehicles at any time, in order to ensure a safe working environment for fellow employees and to protect the public, for the Executive's Department of Human Resources, and declaring an emergency.

WHEREAS, Article III, Section 3.03 of the County Charter authorizes County Council to establish personnel procedures, job descriptions, rankings, and uniform pay ranges for all County employees of the County Fiscal Officer, Clerk of the Court of Common Pleas, Medical Examiner, County Engineer, Prosecuting Attorney, Sheriff, County Council, County Executive, including the Department of Jobs and Family Services and the Department of Human Resources; and

WHEREAS, it is the responsibility of the County of Summit to provide both a safe working environment for its employees and to protect the public; and

WHEREAS, in order to fulfill this responsibility, it is necessary to expressly prohibit County employees, other than those employees who are required to carry firearms in the performance of their job duties, from carrying firearms on their person or in a motor vehicle while on County business or in County motor vehicles at any time; and

WHEREAS, this Council has determined by reviewing all pertinent information that it is necessary and in the best interest of the County of Summit to enact Section 169.31 of the Codified Ordinances of the County of Summit, entitled “Prohibition against carrying firearms during County business,” for the aforementioned reasons;

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

SECTION 1

Section 169.31 of the Codified Ordinances of the County of Summit, entitled “Prohibition against carrying firearms during County business,” is hereby enacted as follows:

"169.31 PROHIBITION AGAINST CARRYING FIREARMS DURING COUNTY BUSINESS.

The County of Summit has a strong commitment to the health, safety, and welfare of its employees and the public. All County employees, other than those employees who are required to carry firearms in the performance of their job duties, are expressly prohibited from carrying firearms on their person or in a motor vehicle while on County business or in County motor vehicles at any time. For purposes of this Section, “firearm” shall have the same meaning as in Section 2923.11(B) of the Ohio Revised Code, as amended, and shall include, but is not limited to, “handgun,” “semi-automatic firearm,” “automatic firearm,” “sawed-off firearm” or “zip gun”

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SECTION 1 (Cont.)

as defined by Section 2923.11, as amended. Any employee who violates this Section shall be subject to discipline, up to and including termination."

SECTION 2

This Ordinance is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason of immediately enacting Section 169.31 to expressly prohibit County employees, other than those employees who are required to carry firearms as part of their job duties, from carrying firearms on their person or in County motor vehicles during County business, in order to ensure a safe working environment for fellow employees and to protect the public.

SECTION 3

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

SECTION 4

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

INTRODUCED March 30, 2009

ADOPTED 4-13-09 **Withdrawn by Sponsor**

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

APPROVED _____

EXECUTIVE

ENACTED EFFECTIVE _____