

1 ORDINANCE NO. 2017-448

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3 SPONSOR Ms. Shapiro

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5 DATE October 30, 2017

COMMITTEE Rules

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7 **An Ordinance amending Sections 177.03(a)(3)(A) and 539.06(a)(3) of the Codified**
8 **Ordinances of the County of Summit, entitled “Local and Disadvantaged Business**
9 **Preference” and “Interference with Custody” to replace the words ‘mentally retarded’**
10 **with ‘intellectually disabled,’ for the Executive, and declaring an emergency.**

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12 WHEREAS, the Federal Government passed Rosa’s Law in 2010 in order to strike the
13 federal government’s usage of the term “mental retardation” from federal law and replace this
14 term with “intellectually disabled”; and

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16 WHEREAS, the State of Ohio passed House Bill 158 in 2016 in order to replace all usage
17 of “mentally retarded person” and its derivatives in state statutes and replace those instances with
18 “intellectual disability” and its derivatives; and

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20 WHEREAS, this change is a step forward to being more conscious of those who live with
21 an intellectual disability; and

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23 WHEREAS, this Council prides itself as being friendly and open to all residents,
24 regardless of intellectual disability; 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 Sections 177.03(a)(3)(A) and
28 539.06(a)(3) of the Codified Ordinances to replace the aforementioned terms;

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

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33 SECTION 1

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35 Section 539.06 of the Codified Ordinances of the County of Summit, entitled
36 “Interference with Custody” is hereby amended as follows:

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38 **“539.06 – Interference with Custody”**

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40 (3) A person committed by law to an institution for the mentally ill or mentally
41 retarded intellectually disabled.

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43 SECTION 2

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45 Section 177.03(a)(3)(A) of the Codified Ordinances of the County of Summit, entitled
46 “Local and Disadvantaged Business Preference” is hereby amended as follows:

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2 PAGE TWO

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4 SECTION 2 (continued)

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6 A. "Disadvantaged business" means either a small business (including a sole
7 proprietorship, partnership, corporation or joint venture of any kind) that is owned and controlled
8 by the United States citizens and residents of Ohio who are members of an economically
9 disadvantaged group (which includes minorities, females and persons with disabilities) or any
10 governmentally owned and operated sheltered workshop for the ~~mentally-retarded~~ intellectually
11 disabled and developmentally disabled located within the State of Ohio.

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13 SECTION 3

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15 This Ordinance is hereby declared an emergency in the interest of the health, safety, and
16 welfare of the citizens of the County of Summit and for the further reason to immediately amend
17 the Codified Ordinances in order to immediately update the terminology used in the Codified
18 Ordinances in accordance with federal statute.

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20 SECTION 4

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

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26 SECTION 5

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28 It is found and determined that all formal actions of this Council concerning and relating
29 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
30 deliberations of this Council and of any of its committees that resulted in such formal action,
31 were in meetings open to the public, in compliance with all legal requirements, including Section
32 121.22 of the Ohio Revised Code.

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35 INTRODUCED October 16, 2017

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37 ADOPTED October 30, 2017

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42 CLERK OF COUNCIL

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49 PRESIDENT OF COUNCIL

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51 APPROVED October 31, 2017

52 EXECUTIVE

53 ENACTED EFFECTIVE October 31, 2017

Voice Vote: 10-0 YES: Crawford, Dickinson, Feeman, Hamilton, Koehler,
Prentice, Rodgers, Schmidt, Walters, Wilhite
ABSENT: Donofrio