

1 ORDINANCE NO. 2021-240

2

3 SPONSOR Executive Shapiro

4

5 DATE \_\_\_\_\_ COMMITTEE Rules

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7 **An Ordinance amending Section 119A.02 of the Codified Ordinances of the County of**  
8 **Summit entitled “Payment Amounts; Reports Required,” to increase the amount that the**  
9 **Executive can approve for expenses associated with a sewer back-up claim brought by a**  
10 **resident for the Executive’s Department of Law and Risk Management and declaring an**  
11 **emergency.**

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13 WHEREAS, Chapter 119A of the Codified Ordinances of the County of Summit  
14 (“Codified Ordinances”), entitled “Environmental Services Sewer Backup Cleaning and  
15 Sanitation Claims,” sets forth the procedures whereby the Executive can settle a claim with a  
16 resident for expenses related to clean up of a sewer back-up into a home; and

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18 WHEREAS, Section 119A.02 of the Codified Ordinances, entitled “Payment Amounts;  
19 Reports Required,” sets forth the amount up to which the Executive can settle such a claim  
20 without prior approval of Council, which this section has not been amended since adoption in  
21 2008; and

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23 WHEREAS, the Executive has the authority, pursuant to Section 130.02 of the Codified  
24 Ordinances, to compromise and settle other small claims up to the amount of \$25,000.00; and

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26 WHEREAS, the Executive desires to amend Section 119A.02 of the Codified  
27 Ordinances, entitled “Payment Amounts; Reports Required.”, to increase the amount of  
28 settlement that the Executive can approve on sewer back-up claims from \$10,000.00 to  
29 \$25,000.00 to give the Executive consistent authority for settling claims; and

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31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
32 that it is necessary and in the best interest of the County of Summit to amend Section 119A.02 of  
33 the Codified Ordinances, entitled “Payment Amounts; Reports Required,” for the reason set forth  
34 above.

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

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39 SECTION 1

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41 Section 119A.02 of the Codified Ordinances, entitled “Payment Amounts; Reports  
42 Required,” is amended to increase the authority of the Executive to settle claims related to sewer  
43 back-ups in the home of a resident, as set forth in Exhibit A which is attached hereto and  
44 incorporated herein by reference.

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46 SECTION 2

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48 This Ordinance is hereby declared an emergency in the interest of the health, safety and  
49 welfare of the residents of the County of Summit and for the further purpose of immediately  
50 amending Section 119A.02 of the Codified Ordinances, entitled “Payment Amounts; Reports  
51 Required,” to increase the authority of the Executive to settle claims related to sewer back-ups in  
52 the home of a resident.

1 RESOLUTION NO. 2021-240

2 PAGE TWO

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4 SECTION 3

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

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10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating  
13 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all  
14 deliberations of this Council and any of its committees that resulted in such formal action, were  
15 in meetings open to the public, in compliance with all legal requirements, including Section  
16 121.22 of the Ohio Revised Code.

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19 INTRODUCED August 2, 2021

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21 ADOPTED \_\_\_\_\_

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25 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

27 APPROVED \_\_\_\_\_

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31 EXECUTIVE

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33 ENACTED EFFECTIVE \_\_\_\_\_

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