

1 ORDINANCE NO. 2009-436

2 SPONSOR Mr. Pry

3 DATE November 16, 2009

4 COMMITTEE Rules

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7 **An Ordinance enacting Section 113.13 of the Codified Ordinances of the County of**  
8 **Summit, entitled "Lead Testing Fee," to establish a fee to be charged by the County when**  
9 **performing lead tests on rehabilitated structures, for the Executive's Department of**  
10 **Community and Economic Development, and declaring an emergency.**

11  
12 WHEREAS, the Executive's Department of Community and Economic Development is  
13 the owner of certain lead testing equipment, and desires to contract with persons or entities who  
14 are rehabilitating homes within Summit County to test for the presence of lead in those homes;  
15 and

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17 WHEREAS, the County incurs certain costs in the performance of said lead tests and the  
18 maintenance of the equipment necessary to perform said tests; and

19  
20 WHEREAS, it is necessary to adopt a new Section of the Codified Ordinances of the  
21 County of Summit to establish a fee that the Department of Community and Economic  
22 Development may charge a person or entity for which it performs a lead test; and

23  
24 WHEREAS, this Council finds and determines that it is necessary and in the best interest  
25 of the County of Summit to enact Section 113.13 of the Codified Ordinances of the County of  
26 Summit, entitled "Lead Testing Fee" to establish a fee for lead testing performed by the  
27 Department of Community and Economic Development.

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

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32 SECTION 1

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34 Section 113.13 of the Codified Ordinances of the County of Summit, entitled "Lead  
35 Testing Fee," is hereby enacted as follows:

36 **Section <sup>113.13</sup>~~133.13~~ Lead Testing Fee**

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38 Any person or entity contracting with the County for the Department of Community and  
39 Economic Development to perform testing for the existence of lead levels within a  
40 structure shall pay the following fees to the County:

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43	Initial Lead Test	\$350.00
44	Lead Clearance Test	\$150.00

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46 The proceeds from the payment of said fees shall be used by the Department of  
47 Community and Economic Development for costs associated with the testing, including,  
48 but not limited to, labor, material, equipment, supplies, maintenance and any other  
49 associated costs.

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2 PAGE TWO

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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 purpose of immediately  
8 establishing said fee so that the County may begin performing the aforementioned lead tests.  
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10 SECTION 3

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12 Provided this Ordinance receives the affirmative vote of eight members, it shall take  
13 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
14 effect and be in force at the earliest time provided by law.  
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16 SECTION 4

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18 It is found and determined that all formal actions of this Council concerning and relating  
19 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all  
20 deliberations of this Council and of any of its committees that resulted in such formal action,  
21 were in meetings open to the public, in compliance with all legal requirements, including Section  
22 121.22 of the Ohio Revised Code.  
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25 INTRODUCED November 2, 2009

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27 ADOPTED November 16, 2009

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33 CLERK OF COUNCIL

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40 PRESIDENT OF COUNCIL

41 APPROVED November 17, 2009

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50 EXECUTIVE

51 ENACTED EFFECTIVE November 17, 2009

Voice Vote: 11-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras  
Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith