ORDINANCE NO. 2014-026

SPONSOR Mr. Pry

DATE January 27, 2014 COMMITTEE Rules

An Ordinance amending Section 177.23 of the Codified Ordinances of the County of Summit, entitled “Purchases not exceeding $1,000,” to remove the requirement that County Council adopt an annual resolution authorizing the exemption of the types of purchases stated in Section 177.23 from certification by the County Fiscal Officer, for the Executive, and declaring an emergency.

WHEREAS, County Council previously adopted Ordinance No. 2003-261, which enacted Section 177.23 of the Codified Ordinances of the County of Summit, entitled “Purchases not exceeding $750,” to exempt the types of purchases stated in Section 177.23 from certification by the County Fiscal Officer, as authorized by Section 5705.41(D)(2) of the Ohio Revised Code; and

WHEREAS, Council subsequently adopted Ordinance No. 2003-863, which amended Section 177.23 to increase the not to exceed amount to $1,000, added additional types of purchases and enacted subsection (c), which requires Council to adopt an annual resolution authorizing the exemption of the types of purchases stated in Section 177.23 from certification by the Fiscal Officer, as formerly required by Section 5705.41(D)(2); and

WHEREAS, through the years, Council annually enacted the aforementioned annual authorizing resolution; and

WHEREAS, in 2012, the Ohio General Assembly enacted Ohio Sub. H.B. 509, which, effective 9/28/12, deleted the word “Annually” from Section 5705.41(D)(2), removing the requirement of an annual resolution authorizing the exemption of certain purchases from certification; and

WHEREAS, Council did not adopt an annual authorizing resolution for 2013; and

WHEREAS, it is necessary to amend Section 177.23 to remove the requirement that Council adopt an annual authorizing resolution to conform to the current version of Section 5705.41(D)(2); and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County of Summit to amend Section 177.23 of the Codified Ordinances for the aforementioned reason;

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

SECTION 1

Section 177.23 of the Codified Ordinances of the County of Summit, entitled “Purchases not exceeding $1,000,” is hereby amended as set forth in Exhibit A, which is attached to this Ordinance and incorporated herein as if fully restated.
ORDINANCE NO. 2014-026
PAGE TWO

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 purpose to immediately amend Section 177.23 of the Codified Ordinances to remove the requirement that County Council adopt an annual resolution authorizing the exemption of the types of purchases stated in Section 177.23 from certification by the County Fiscal Officer.

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 January 6, 2014

ADOPTED January 27, 2014

CLERK OF COUNCIL

APPROVED January 28, 2014

EXECUTIVE

ENACTED EFFECTIVE January 28, 2014

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro