

1 ORDINANCE NO. 2018-521

2  
3 SPONSOR Ms. Shapiro, Mr. Dickinson

4  
5 DATE December 11, 2018 COMMITTEE Rules

6  
7 **An amended Ordinance amending Section 371.06 of the Codified Ordinances of the County**  
8 **of Summit, entitled “Use of Highway for Soliciting; Riding on Outside of Cars” and**  
9 **enacting Chapter 372 of the Codified Ordinances of the County of Summit, entitled**  
10 **“Pedestrian or Vehicle Interference,” to prohibit certain actions that interfere with the**  
11 **safety of pedestrians and vehicles on highways within the County’s townships, for the**  
12 **Executive, and declaring an emergency.**

13  
14 WHEREAS, the County of Summit derives its home rule powers from Section 3, Article  
15 X, of the Ohio Constitution, which allows a county to adopt a charter which may provide for the  
16 “concurrent or exclusive exercise by the county, in all or part of its area, of all or any designated  
17 powers vested by the Constitution or laws of Ohio in municipalities”; and

18  
19 WHEREAS, Article I, Section 1.01 of the County Charter authorizes the County to  
20 concurrently exercise municipal powers as well as any powers granted to counties under the  
21 Ohio Revised Code, therefore providing the county the ability to exercise the home rule powers  
22 of a municipality within its territory where there is no conflict with a municipality or township’s  
23 exercise of the powers granted to them by the Ohio Constitution or general law;

24  
25 WHEREAS, to ensure the safety on highways in Ohio communities, Ohio municipalities  
26 such at the City of Columbus have enacted ordinances to prohibit certain actions that interfere  
27 with the safety of pedestrians and vehicles on said highways; and

28  
29 WHEREAS, because townships do not have the authority pursuant to the Ohio Revised  
30 Code to enact similar laws, the County wishes to enact Chapter 372 of the Codified Ordinances  
31 of the County of Summit, entitled “Pedestrian or Vehicle Interference,” to prohibit certain types  
32 of actions that interfere with the safety of pedestrians and vehicles on highways within the  
33 County’s townships; and

34  
35 WHEREAS, it is necessary to amend Section 371.06 of the Codified Ordinances, entitled  
36 “Use of Highway for Soliciting; Riding on Outside of Cars,” to conform with new Chapter 372;  
37 and

38  
39 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
40 that it is necessary and in the best interest of the County to Chapter 372 of the Codified  
41 Ordinances of the County of Summit, entitled “Pedestrian or Vehicle Interference,” and to make  
42 necessary and related modifications to Section 371.06. enact Section 537.15 of the Codified  
43 Ordinances of the County of Summit entitled “Panhandling.”

44  
45 NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit,  
46 State of Ohio, that:

47  
48 SECTION 1

49  
50 Section 371.06 of the Codified Ordinances, entitled “Use of Highway for Soliciting;  
51 Riding on Outside of Cars,” is hereby amended as set forth in Exhibit A, attached hereto and  
52 incorporated herein by reference.  
53

1 ORDINANCE NO. 2018-521

2 PAGE TWO

3  
4 SECTION 2

5  
6 Chapter 372 of the Codified Ordinances of the County of Summit, entitled "Pedestrian or  
7 Vehicle Interference," is hereby enacted as set forth in Exhibit A, attached hereto and  
8 incorporated herein by reference.

9  
10 SECTION 2

11  
12 The Ordinance is hereby declared an emergency in the interest of the health, safety and  
13 welfare of the residents of the County of Summit, and for the further reason of immediately  
14 enacting Section 537.15 of the Codified Ordinances to ensure the safety of pedestrians and  
15 vehicles on highways in the County's townships.

16  
17 SECTION 3

18  
19 Provided this Ordinance receives the affirmative vote of eight members, it shall take  
20 effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect  
21 and be in force at the earliest time provided by law.

22  
23 SECTION 4

24  
25 It is found and determined that all formal actions of this Council concerning and relating  
26 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all  
27 deliberations of this Council and of any of its committees that resulted in such formal action,  
28 were in meetings open to the public, in compliance with all legal requirements, including Section  
29 121.22 of the Ohio Revised Code.

30  
31  
32 INTRODUCED December 3, 2018

33  
34 ADOPTED December 11, 2018

35  
36  
37  
38 CLERK OF COUNCIL

39  
40  
41  
42  
43  
44  
45  
46  
PRESIDENT OF COUNCIL

40 APPROVED December 12, 2018

41  
42  
43  
44 EXECUTIVE

45  
46 ENACTED EFFECTIVE December 12, 2018

Voice Vote YES - 11-0: Dickinson, Donofrio, Feeman, Hamilton, Koehler, McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite