

1 ORDINANCE NO. 2011-381

2
3 SPONSOR Mr. Pry

4
5 DATE October 3, 2011 COMMITTEE Personnel

6
7 **An Ordinance amending Section 161.02 of the Codified Ordinances of the County of**
8 **Summit, entitled "Membership and Appointment," which sets forth the membership of the**
9 **Criminal Justice Advisory Board ("CJAB"), to add five additional member categories as**
10 **required by Section 5149.34 of the Ohio Revised Code, as amended by Amended Substitute**
11 **Ohio House Bill 86, to increase the terms of the CJAB members from one to two years and**
12 **to extend the one-year terms of current CJAB members to two years, for the Executive,**
13 **and declaring an emergency.**

14
15 WHEREAS, in 2011, the Ohio General Assembly enacted Amended Substitute Ohio
16 House Bill 86, which amended Section 5149.34 of the Ohio Revised Code, effective September
17 30, 2011, to require an additional five categories for members of a Local Correction Planning
18 Board, which is the case of the County of Summit, is the CJAB; and

19
20 WHEREAS, the County Executive also recommends that terms of CJAB members be
21 increased from one to two years and the one-year terms of current CJAB members be extended
22 an additional year, to two years; and

23
24 WHEREAS, it is necessary to amend Section 161.02 of the Codified Ordinances of the
25 County of Summit, entitled "Membership and Appointment," which sets forth the membership of
26 the CJAB, to implement the aforementioned changes; and

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28 WHEREAS, this Council has determined by reviewing all pertinent information that it is
29 necessary and in the best interest of the County of Summit to amend Section 161.02 of the
30 Codified Ordinances in order to add five additional member categories, to increase the terms of
31 the CJAB members from one to two years and to extend the one-year terms of current CJAB
32 members to two years;

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

36
37 SECTION 1

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39 Section 161.012 of the Codified Ordinances of the County of Summit, entitled
40 "Membership and Appointment," is hereby amended as follows:

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42 **"161.01 MEMBERSHIP AND APPOINTMENT.**

43 (a) Membership. There is hereby created a Criminal Justice Advisory Board
44 consisting of:

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4 SECTION 1 (cont'd.)

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6 (1) The County Executive or their designee;
7 (2) The President of County Council or their designee;
8 (3) The County Sheriff or their designee;
9 (4) The County Prosecutor or their designee;
10 (5) A Common Pleas Court Judge;
11 (6) A Municipal Court Judge;
12 (7) An administrator of the County Jail;
13 (8) An attorney from the criminal defense bar;
14 (9) The chief law enforcement official of the County of Summit's largest
15 municipal corporation;
16 (10) One or more representatives from the juvenile justice system;
17 (11) One or more prosecutors other than the County Prosecutor;
18 (12) The Executive Director of the County of Summit Board of Alcohol, Drug
19 Addiction or their designee;
20 (13) The Executive Director of the County of Summit Board of Developmental
21 Disabilities or their designee;
22 (14) An administrator of a halfway house, if any, serving the County of Summit, or the
23 administrator's designee;
24 (15) An administrator of a community-based correctional facility, if any, serving the
25 County of Summit Court of Common Pleas, or the administrator's designee;
26 (16) An administrator of a community corrections act-funded program in the County
27 of Summit, if any, or the administrator's designee
28 ~~(17)~~ (17) One or more representatives of the public, one of whom shall be a victim of
29 crime;
30 ~~(18)~~ (18) One or more additional representatives of the law enforcement community;
31 ~~(19)~~ (19) One or more additional representatives of the judiciary;
32 ~~(20)~~ (20) One or more additional representatives of the field of corrections; and
33 ~~(21)~~ (21) One or more officials from the largest municipal corporation;
34 ~~(22)~~ (22) Any other members the County Executive deems necessary for the operation of
35 the Advisory Board.

36 (b) Appointment. The members of the Advisory Board shall be appointed by the
37 County Executive, subject to confirmation by County Council, to serve a ~~one (1)~~ two (2) year
38 term subject to their term in elected office or continued service in their job at the time of their
39 appointment. The County Executive shall appoint the members of the Advisory Board in
40 accordance with the requirements of Section 5149.34 of the Ohio Revised Code. The County
41 Executive may remove any designees appointed in accordance with Sections (a)(1) through (4)
42 or any member appointed in accordance with Sections (a)(5) through (17) for inefficiency,
43 neglect of duty or malfeasance in office. In the event that the County Executive removes a
44 member or designee, he shall fill the vacancy within sixty (60) days.

45 (c) Extension of terms of current members. The terms of all members of the
46 Advisory Board appointed to a one (1) year term, from June 13, 2011 through June 12, 2012, are
47 hereby extended an additional year, until June 12, 2013. Thereafter, all members of the
48 Advisory Board shall be appointed to two (2) year terms pursuant to subsection (b) of this
49 Section."

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2 PAGE THREE

3
4 SECTION 2

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6 This Ordinance is hereby declared to be an emergency in the interest of the health, safety
7 and welfare of the citizens of the county of Summit, Ohio, and for the further reason is that it is
8 necessary in order to immediately amend Section 161.01 of the Codified Ordinances to add five
9 additional member categories, to increase the terms of the CJAB members from one to two years
10 and to extend the one-year terms of current CJAB members to two years.

11
12 SECTION 3

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

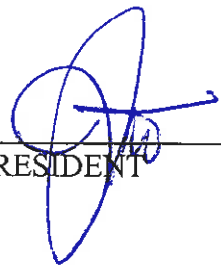
17
18 SECTION 4

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

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26
27 INTRODUCED September 19, 2011

28
29 ADOPTED October 3, 2011

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32 
33 CLERK OF COUNCIL


PRESIDENT

34
35
36 
37 EXECUTIVE

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39 ENACTED EFFECTIVE October 3, 2011

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