

1 ORDINANCE NO. 2013-331

2
3 SPONSOR Ms. Lee

4
5 DATE July 29, 2013 COMMITTEE Rules

6
7 **An Ordinance enacting Section 537.15 of the Codified Ordinances of the County of**
8 **Summit, entitled "Panhandling," to prohibit certain types of panhandling in the County's**
9 **townships, for the Council, and declaring an emergency.**

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

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

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22 WHEREAS, to address an increase in panhandling activity, several Summit County
23 municipalities have enacted ordinances regulating panhandling or prohibiting certain types or
24 acts of panhandling within their jurisdictions; and

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26 WHEREAS, because townships do not have the authority pursuant to the Ohio Revised
27 Code to enact similar laws, the County wishes to enact section 537.15 of the Codified
28 Ordinances of the County of Summit, entitled "Panhandling" in order to prohibit certain types or
29 acts of panhandling; 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 to enact Section 537.15 of the Codified
33 Ordinances of the County of Summit entitled "Panhandling."

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

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38 SECTION 1

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40 Section 537.15 of the Codified Ordinances of the County of Summit, entitled
41 "Panhandling," is hereby enacted as set forth on Exhibit A, attached hereto and incorporated
42 herein by reference.

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44 SECTION 2

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46 The Ordinance is hereby declared an emergency in the interest of the health, safety and
47 welfare of the citizens of the County of Summit, and for the further reason of immediately
48 enacting Section 537.15 of the Codified Ordinances to govern the act of panhandling in the
49 County's townships and immediately prevent the negative impacts of certain types and acts of
50 panhandling.

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ORDINANCE NO. 2013-331
PAGE TWO

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 July 15, 2013

ADOPTED July 29, 2013

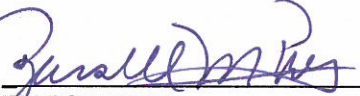


CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED July 30, 2013



EXECUTIVE

ENACTED EFFECTIVE July 30, 2013

Voice Vote: 10-0 YES: Comunale, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro. Absent: Crawford