

1 ORDINANCE NO. 2013-421

2
3 SPONSOR Mr. Pry

4
5 DATE September 30, 2013

COMMITTEE Rules

6
7 **An Ordinance amending Section 775.99 of the Codified Ordinances of the County of**
8 **Summit, entitled “Penalty,” to include a criminal penalty for violations of Chapter 775 of**
9 **the Codified Ordinances of the County of Summit, entitled “Solicitors, Peddlers, and**
10 **Canvassers,” for the Executive’s Department of Law, Insurance and Risk Management,**
11 **and declaring an emergency.**

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13 WHEREAS, the County has enacted Chapter 775 of the Codified Ordinances of the
14 County of Summit to regulate the activity of solicitors, peddlers, and canvassers within the
15 townships of the County; and

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17 WHEREAS, Section 775.99, entitled “Penalty,” currently only sets forth civil penalties
18 for the violation of Chapter 775; and

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20 WHEREAS, Bath Township has expressed concerns to the County Executive about
21 encountering difficulty enforcing Chapter 775 of the Codified Ordinances due to the lack of a
22 criminal penalty in Section 775.99; and

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24 WHEREAS, the County Executive has recommended that Section 775.99 be amended to
25 include a criminal penalty for the violation of Chapter 775;

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27 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
28 that it is necessary and in the best interest of the County to amend Section 775.99 to include a
29 criminal penalty for violations of Chapter 775.

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

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34 SECTION 1

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36 This Council hereby amends Section 775.99 of the Codified Ordinances of the County of
37 Summit, entitled “Penalty,” as follows;

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39 **“775.99 Penalty.**

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41 (a) Whoever violates any provision of this Chapter shall be subject to the
42 penalties provided in Section 761.99. Additionally, any person who
43 violates any provision of this Chapter shall be guilty of a minor
44 misdemeanor and shall be subject to a fine of not more than \$100.00 for
45 each offense.
46 (b) In addition to the penalties above, any person aggrieved by any violation
47 of this Chapter may pursue remedies authorized in Section 761.04 of this
48 Code.”
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1 ORDINANCE NO. 2013-421

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 reason that it will
8 immediately amend Section 775.99 and provide a more stringent penalty to deter violations of
9 Chapter 775.

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11 SECTION 3

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

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17 SECTION 4

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

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26 INTRODUCED September 16, 2013

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28 ADOPTED September 30, 2013

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32 CLERK OF COUNCIL

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38 PRESIDENT OF COUNCIL

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40 APPROVED October 3, 2013

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44 EXECUTIVE

45 ENACTED EFFECTIVE October 3, 2013

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