

1 ORDINANCE NO. 2014-026

2  
3 SPONSOR Mr. Pry

4  
5 DATE January 27, 2014 COMMITTEE Rules

6  
7 **An Ordinance amending Section 177.23 of the Codified Ordinances of the County of**  
8 **Summit, entitled “Purchases not exceeding \$1,000,” to remove the requirement that**  
9 **County Council adopt an annual resolution authorizing the exemption of the types of**  
10 **purchases stated in Section 177.23 from certification by the County Fiscal Officer, for the**  
11 **Executive, and declaring an emergency.**

12  
13 WHEREAS, County Council previously adopted Ordinance No. 2003-261, which  
14 enacted Section 177.23 of the Codified Ordinances of the County of Summit, entitled “Purchases  
15 not exceeding \$750,” to exempt the types of purchases stated in Section 177.23 from certification  
16 by the County Fiscal Officer, as authorized by Section 5705.41(D)(2) of the Ohio Revised Code;  
17 and

18  
19 WHEREAS, Council subsequently adopted Ordinance No. 2003-863, which amended  
20 Section 177.23 to increase the not to exceed amount to \$1,000, added additional types of  
21 purchases and enacted subsection (c), which requires Council to adopt an annual resolution  
22 authorizing the exemption of the types of purchases stated in Section 177.23 from certification  
23 by the Fiscal Officer, as formerly required by Section 5705.41(D)(2); and

24  
25 WHEREAS, through the years, Council annually enacted the aforementioned annual  
26 authorizing resolution; and

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

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

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35 WHEREAS, it is necessary to amend Section 177.23 to remove the requirement that  
36 Council adopt an annual authorizing resolution to conform to the current version of Section  
37 5705.41(D)(2); and

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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 of Summit to amend Section 177.23 of  
41 the Codified Ordinances for the aforementioned reason;

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

45  
46 SECTION 1

47  
48 Section 177.23 of the Codified Ordinances of the County of Summit, entitled “Purchases  
49 not exceeding \$1,000,” is hereby amended as set forth in Exhibit A, which is attached to this  
50 Ordinance and incorporated herein as if fully restated.  
51

1 ORDINANCE NO. 2014-026

2 PAGE TWO

3  
4 SECTION 2

5  
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 purpose to immediately  
8 amend Section 177.23 of the Codified Ordinances to remove the requirement that County  
9 Council adopt an annual resolution authorizing the exemption of the types of purchases stated in  
10 Section 177.23 from certification by the County Fiscal Officer.

11  
12 SECTION 3

13  
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 January 6, 2014

28  
29 ADOPTED January 27, 2014

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33 CLERK OF COUNCIL

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39 PRESIDENT OF COUNCIL

40 APPROVED January 28, 2014

41 EXECUTIVE

ENACTED EFFECTIVE January 28, 2014

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