

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 18-110

INTRODUCED BY: Langshaw, Kasaris
Co-Sponsor: Marnecheck

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 8 BUSINESS REGULATION AND TAXATION CODE, CHAPTER 862 SOLICITORS, PEDDLERS AND CANVASSERS, SECTION 862.02 LICENSE OR REGISTRATION REQUIRED AND SECTION 862.99 PENALTY, AND DECLARING AN EMERGENCY

WHEREAS: As a means to further protect the health, safety and welfare of the residents of the City of North Royalton, it has been determined to be necessary to further clarify those individuals who are required to obtain a license or registration when soliciting, peddling or canvassing in the city; and

WHEREAS: It has also been determined to be necessary to increase the penalty for failure to obtain the necessary license or registration as required; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 8 Business Regulation and Taxation Code, Chapter 862 Solicitors, Peddlers and Canvassers, Section 862.02 License or Registration Required and Section 862.99 Penalty; and

WHEREAS: Council desires to provide for these amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part 8 Business Regulation and Taxation Code, Chapter 862 Solicitors, Peddlers and Canvassers, Section 862.02 License or Registration Required of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

862.02 LICENSE OR REGISTRATION REQUIRED.

No peddler or solicitor shall peddle or solicit within the City, unless he or she is the holder of a valid license issued pursuant to this chapter or unless he or she possesses a valid solicitors identification card previously issued pursuant to these Codified Ordinances, hereinafter subject to the regulations applicable to licenses issued pursuant to this chapter.

(a) The following persons shall not be required to obtain a license or pay a license fee as provided in this chapter:

(1) Any person soliciting contributions for, or offering for sale, any goods or publications for any religious, charitable, civic, educational or political organization or candidate.

Section 2. Part 8 Business Regulation and Taxation Code, Chapter 862 Solicitors, Peddlers and Canvassers, Section 862.99 Penalty of the Codified Ordinances of the City of North Royalton is hereby amended to hereinafter read as follows:

862.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a ~~minor misdemeanor~~ **misdemeanor of the fourth degree** for a first offense; for a second offense, such person is guilty of a misdemeanor of the third degree; for a third or subsequent offense, such person shall be guilty of a misdemeanor of the second degree. Whoever is convicted of or pleads guilty to a misdemeanor ~~or minor misdemeanor~~ shall be sentenced in accordance with Section 698.02. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

Section 3. Chapter 862 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Chapter 862 shall remain in full force and effect.

Section 4. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 5. 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 any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to clarify those individuals who are required to obtain a license or registration when soliciting, peddling or canvassing in the city and to increase the penalty for failure to obtain the necessary license or registration as required.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: October 16, 2018

DATE APPROVED: October 17, 2018

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading October 16, 2018

YEAS: Antoskiewicz, Nickell, Petrusky,
Langshaw, Marnecheck, Kasaris

NAYS: Hannan