

Ordinance No. 2 20 19

**ORDINANCE REPEALING NORWOOD CODIFIED ORDINANCES
CHAPTER 549, TITLED "WEAPONS AND EXPLOSIVES",
AND DECLARING AN EMERGENCY**

WHEREAS, Chapter 549 of the Codified Ordinances of the City of Norwood, which regulates the use of weapons and explosives, is currently in effect; and

WHEREAS, the Ohio General Assembly, in passing amended Substitute House Bill 228, including new Section 9.68(A), effective December 28, 2019, has found the need to provide "uniform laws throughout the state regulating" firearms, their components and their ammunition, and including new Section 9.68(B) which specifically authorizes any person, group or entity to file suit against any political subdivision, such as the City of Norwood, if they are adversely affected in any manner by any ordinance, rule, regulation, resolution, practice or other action enacted or enforced by any political subdivision in Ohio, such as the City of Norwood, and specifically authorizes the award of any damages against, and paid by, the political subdivision plus "reasonable expenses", including "reasonable attorney's fees, court costs, expert witness fees, and compensation for loss of income"; and

WHEREAS, the Police Chief of the City of Norwood has determined that various current sections of the Ohio Revised Code, regulating the handling and use of weapons and other related offenses, will remain available to the City of Norwood Police to allow them to charge criminal offenses under state law in a way to keep the peace and public safety in Norwood, making Chapter 549 of the Norwood Codified Ordinances unnecessary and no longer helpful to the discharge of the Department's law enforcement duties and maintenance of the peace; and

WHEREAS, the City of Norwood has nearly completed its first recodification of its ordinances in 20 years, and has been informed by its legal publisher that if the Council chooses to repeal Chapter 549 forthwith, that the repeal of Chapter 549 can be included in the current recodification, allowing the various Norwood stakeholders to have access to the most current version of the Norwood Codified Ordinances;

NOW THEREFORE, Be it Ordained by the Council of the City of Norwood, Ohio that:

SECTION 1. Chapter 549, of the Norwood Codified Ordinances, titled Weapons and Explosives, is hereby repealed in its entirety, including, sections 549.01, 549.02, 549.03, 549.04; 549.05, 549.06, 549.07, 549.08, 549.09, 549.10, 549.11, and 549.99.


SECTION 2. This ordinance is hereby declared an emergency, and the emergency is the need to provide the most current Norwood Codified Ordinances, and to exclude the possibility that the City of Norwood would have damages and "reasonable expenses" awarded against it for maintaining an unnecessary Chapter, Chapter 549, of the Norwood Codified Ordinances.

PASSED February 12, 2019
Date

Donna M. Laake
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President of Council

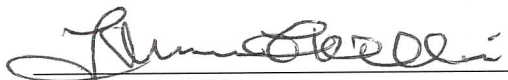
ATTEST:

Joseph S. Geers, the duly appointed Clerk of Council, attests that this ordinance was passed at a regular/special meeting of Norwood City Council on the 12th day of February, 2019 in compliance with the rules of Norwood City Council and the laws of the State of Ohio. The foregoing ordinance was submitted to the Mayor of the City of Norwood, Ohio for his signature on the 13 day of February, 2019.



Joseph S. Geers
Clerk of Council

APPROVED 2/13/19
Date



Thomas F. Williams
Mayor

CERTIFICATION OF PUBLICATION:

Joseph S. Geers, the duly appointed Clerk of Council, attests that this ordinance was published in the Enquirer on 3/1/19 and 3/8/19.
(Name of Newspaper) (date) (date)



Joseph S. Geers
Clerk of Council

1st Reading _____
Date

2nd Reading _____
Date

3rd Reading _____
Date

All 3 Readings 2/12/19
Date

Tabled _____
Date

Vetoed _____
Date

ord
2-2019



City of Norwood Request for Ordinance, Resolution, Amendment, or Repeal

Date of Request: 2/12/19 Date Needed: 2/12/19
****(Request(s) should be submitted by the Wednesday, at noon, before date needed for Council, earlier if possible.)*

Name: LAW DEPARTMENT
(Name of person(s) requesting document, amendment, or repeal / Department / E-Mail / Telephone)

Document Needed: Ordinance Resolution Amendment Repeal

Executive Summary of document needed:
****(If an amendment or repeal request, list existing Ordinance Number(s)/Section(s) of Ordinance to be amended or repealed, etc. (or attach documents and/or copies as appropriate)*

REPEAL Norwood Colibud Ordinance
Section 549 "WEAPONS AND EXPLOSIVES"

Check if emergency clause or suspension of rules for all three readings is needed (explain):
to Avert Negative effects on the City of Norwood
By the passing of Amended Substitute H.B. 228

Special Notes/Instructions:

