

NEW LEGISLATION

March 11, 2019

Temp. No.	Introduced	Committee	Description
B-19	3/11/19	Fin	An ordinance authorizing the Director of Public Safety to enter into a contract or contracts, according to law, for the purchase of turnout gear for use by the Fire Department, and declaring an emergency.
B-20	3/11/19	Fin	An ordinance authorizing the amendment of Ordinance No. 11-2019, and declaring an emergency.
B-21	3/11/19	PA	An ordinance amending and/or supplementing Section 537.16 of Title One, Part Five of the Codified Ordinances, to prohibit the sale of cigarettes, tobacco products, or tobacco product paraphernalia to individuals under the age of twenty-one; authorizing a contract with the Summit County Combined General Health District to implement these provisions through regulations, and declaring an emergency.

CALENDAR

March 11, 2019

The following legislation will be up for passage at the Council Meeting on March 11, 2019.

Temp. No.	Introduced	Committee	Description
B-14	2/25/19	PZ	An ordinance authorizing and approving the dedication plat of .0291 acres of Parcel 02-20643 (140 Portage Trail) as public right-of-way, and declaring an emergency.
B-15	2/25/19	Fin	An ordinance authorizing the Mayor to enter into a cooperative procurement agreement with National Intergovernmental Purchasing Alliance Company, a Delaware Corporation d/b/a OMNIA Partners Public Sector, waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by National Intergovernmental Purchasing Alliance Company, a Delaware Corporation d/b/a OMNIA Partners Public Sector, and declaring an emergency.
B-16	2/25/19	Fin	An ordinance authorizing the Director of Law to execute a modification of contract with Roetzel & Andress, LPS for legal services related to Johnson Controls, Inc., making necessary appropriations for the same, and declaring an emergency.
B-17	2/25/19	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with ARRC, Inc. for the construction of on-street public parking in front of 140 Portage Trail in an amount not to exceed \$125,000.00, and declaring an emergency.
B-18	2/25/19	PA	An ordinance amending various sections of the Codified Ordinances to conform to State law, approving the 2018 replacement pages to the Codified

Ordinances of the City of Cuyahoga Falls,
and declaring an emergency.

PENDING LEGISLATION

March 11, 2019

Temp. No.	Introduced	Committee	Description
B-1*	1/14/19	PZ	An ordinance approving a zoning map amendment for the former Sycamore Valley Golf Course located at 1651 Akron Peninsula Road (Parcels 35-02255, 35-00674, 35-00672, and 35-00673 and 02-05625), from E-1 Employment District to R-3 Sub-Urban Density Residential, as more fully described and depicted herein, and declaring an emergency.
B-7**	2/11/19	PZ	An ordinance approving regulatory text amendments for Section 1111.08 Administration and Enforcement and Section 1124.03 Flood Plain and Stormwater in The Cuyahoga Falls General Development Code, and declaring an emergency.
B-14	2/25/19	PZ	An ordinance authorizing and approving the dedication plat of .0291 acres of Parcel 02-20643 (140 Portage Trail) as public right-of-way, and declaring an emergency.
B-15	2/25/19	Fin	An ordinance authorizing the Mayor to enter into a cooperative procurement agreement with National Intergovernmental Purchasing Alliance Company, a Delaware Corporation d/b/a OMNIA Partners Public Sector, waiving competitive bidding for the purchase of products, services, materials and supplies purchased through cooperative purchase agreements administered by National Intergovernmental Purchasing Alliance Company, a Delaware Corporation d/b/a OMNIA Partners Public Sector, and declaring an emergency.
B-16	2/25/19	Fin	An ordinance authorizing the Director of Law to execute a modification of contract with Roetzel & Andress, LPS for legal

services related to Johnson Controls, Inc., making necessary appropriations for the same, and declaring an emergency.

B-17 2/25/19 PI

An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with ARRC, Inc. for the construction of on-street public parking in front of 140 Portage Trail in an amount not to exceed \$125,000.00, and declaring an emergency.

B-18 2/25/19 PA

An ordinance amending various sections of the Codified Ordinances to conform to State law, approving the 2018 replacement pages to the Codified Ordinances of the City of Cuyahoga Falls, and declaring an emergency.

* Public Hearing 2-19-19

** Public Hearing 4-1-19

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2019

6
7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 PUBLIC SAFETY TO ENTER INTO A CONTRACT OR
10 CONTRACTS, ACCORDING TO LAW, FOR THE
11 PURCHASE OF TURNOUT GEAR FOR USE BY THE
12 FIRE DEPARTMENT, AND DECLARING AN
13 EMERGENCY.
14

15
16 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of
17 Ohio, that:

18
19 Section 1. The Director of Public Safety is hereby authorized to enter into a contract or
20 contracts, according to law, for the purchase of turnout gear for use by the Fire Department.
21

22 Section 2. The Finance Director is hereby authorized and directed to make payment for same
23 from the Capital Projects Fund, line item Capital Outlay.
24

25 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions
26 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
27 ordinances and resolutions not inconsistent herewith and which have not previously been repealed
28 are hereby ratified and confirmed.
29

30 Section 4. It is found and determined that all formal actions of this Council concerning and
31 relating to the adoption of this ordinance were adopted in an open meeting of this Council and that
32 all deliberations of this Council and of any of its committees that resulted in such formal action
33 were in meetings open to the public, in compliance with all legal requirements including Section
34 121.22 of the Ohio Revised Code.
35

36 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
37 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
38 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the
39 members elected or appointed to Council, it shall take effect and be in force immediately upon its
40 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
41 period allowed by law.
42

43
44 Passed: _____

President of Council

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48 _____
Clerk of Council

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52 Approved: _____

Mayor

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2019

6
7 AN ORDINANCE AUTHORIZING THE AMENDMENT
8 OF ORDINANCE NO. 11-2019, AND DECLARING AN
9 EMERGENCY.

10
11 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of
12 Summit and State of Ohio, that:

13
14 Section 1. Section 3 of Ordinance 11-2019 is hereby amended on line 46
15 thereof with the deletion of “CDBG Fund, Line Item Contractual Other” and, in
16 its place, the insertion of “Capital Projects Fund, Line Item Capital Outlay.”

17
18 Section 2. Any other ordinances and resolutions or portions of
19 ordinances and resolutions inconsistent herewith are hereby repealed, but any
20 ordinances and resolutions or portions of ordinances and resolutions not
21 inconsistent herewith and which have not previously been repealed are hereby
22 ratified and confirmed.

23
24 Section 3. It is found and determined that all formal actions of this
25 Council concerning and relating to the adoption of this ordinance were adopted
26 in an open meeting of this Council and that all deliberations of this Council and
27 of any of its committees that resulted in such formal action were in meetings
28 open to the public, in compliance with all legal requirements including Section
29 121.22 of the Ohio Revised Code.

30
31 Section 4. This ordinance is hereby declared to be an emergency
32 measure necessary for the preservation of the public peace, health, safety,
33 convenience and welfare of the City of Cuyahoga Falls, and provided it receives
34 the affirmative vote of two-thirds of the members elected or appointed to
35 Council, it shall take effect and be in force immediately upon its passage and
36 approval by the Mayor; otherwise it shall take effect and be in force at the
37 earliest period allowed by law.

38
39
40 Passed: _____
41 _____
42 President of Council

43
44 _____
45 Clerk of Council

46 Approved: _____
47 _____
48 Mayor

48 3/11/19

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. -2019

6
7 AN ORDINANCE AMENDING AND/OR SUPPLEMENTING
8 SECTION 537.16 OF TITLE ONE, PART FIVE OF THE CODIFIED
9 ORDINANCES, TO PROHIBIT THE SALE OF CIGARETTES,
10 TOBACCO PRODUCTS, OR TOBACCO PRODUCT
11 PARAPHERNALIA TO INDIVIDUALS UNDER THE AGE OF
12 TWENTY-ONE; AUTHORIZING A CONTRACT WITH THE SUMMIT
13 COUNTY COMBINED GENERAL HEALTH DISTRICT TO
14 IMPLEMENT THESE PROVISIONS THROUGH REGULATIONS,
15 AND DECLARING AN EMERGENCY.

16
17 WHEREAS, tobacco use is the leading cause of preventable death in the United States
18 (“U.S.”), resulting in approximately 480,000 deaths a year, or one in five of all deaths in the U.S.;
19 and

20
21 WHEREAS, more than 16 million Americans live with a disease caused by smoking, resulting
22 in direct medical costs of about \$170 billion annually, with total economic costs of more than
23 \$300 billion annually; and

24
25 WHEREAS, if current rates of youth tobacco use continue, 5.6 million Americans currently
26 under the age of 18 are expected to die from smoking; and

27
28 WHEREAS, tobacco use contributes to many of Ohio and Cuyahoga Falls’ greatest health
29 challenges, including cardiovascular disease, cancer, and infant mortality; and

30
31 WHEREAS, according to 2014 data, in Summit County, pregnant women under age 21 smoke
32 at a rate that is 70% higher than their older counterparts and 23.7% of pregnant women in
33 Summit County age 18 to 21 smoked while pregnant; and

34
35 WHEREAS, research shows that increasing the tobacco sales age to 21 across the U.S. could
36 result in 249,000 fewer premature deaths, 286,000 fewer pre-term births, and 438,000 fewer
37 babies with low birth weight; and

38
39 WHEREAS, studies show that young people who are addicted to nicotine are seven times
40 more likely to suffer from a drug use disorder, and that individuals who have never used tobacco
41 by age 21 are unlikely to ever start smoking; and

42
43 WHEREAS, 75% of adults support raising the tobacco sales age to 21, including 70% of
44 smokers, and five states and more than 270 U.S. cities have already done so; and

45
46 WHEREAS, military leaders are supportive of raising the tobacco age to 21 due to tobacco’s
47 negative impact on military readiness; and

48
49 WHEREAS, the Mayor’s Youth Council of Cuyahoga Falls has studied this issue and support
50 this legislation; and

51
52 WHEREAS, the City of Cuyahoga Falls seeks to promote the health and well-being of all its
53 citizens.

54
55 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
56 County of Summit and State of Ohio, that:

57
58 Section 1. Section 537.16 of the Codified Ordinances of the City of Cuyahoga Falls is hereby
59 amended to read in full as follows (new text underlined; deleted text in ~~striketrough~~):

61 537.16 ~~ILLEGAL DISTRIBUTION AND POSSESSION OF CIGARETTES, OTHER TOBACCO~~
62 ~~PRODUCTS, OR ALTERNATE NICOTINE PRODUCTS~~ TOBACCO PRODUCT
63 PARAPHERNALIA

64
65 (a) As used in this section:

66 (1) "Age verification" means a service provided by an independent third party (other than
67 a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco
68 products, ~~alternative nicotine products, or papers used to roll cigarettes or tobacco~~
69 ~~product paraphernalia~~) that compares information available from a commercially
70 available database, or aggregate of databases, that regularly are used by government
71 and businesses for the purpose of age and identity verification to personal information
72 provided during an internet sale or other remote method of sale to establish that the
73 purchaser is ~~eighteen~~ twenty-one years of age or older.

74 (2) A. "Alternative nicotine product" means, subject to subsection (a)(2)B. of this
75 section, ~~an electronic cigarette or any other product or device that consists of or~~
76 ~~contains nicotine that can be ingested into the body by any means, including, but not~~
77 ~~limited to, chewing, smoking, absorbing, dissolving or inhaling.~~

78 B. "Alternative nicotine product" does not include any of the following:

- 79 1. ~~Any cigarette or other tobacco product;~~
- 80 2. ~~Any product that is a "drug" as that term is defined in 21 U.S.C. 321(g)(1);~~
- 81 3. ~~Any product that is a "device" as that term is defined in 21 U.S.C. 321(h);~~
- 82 4. ~~Any product that is a "combination product" as described in 21 U.S.C.~~

83 ~~353(g).~~

84 (3) "Child" has the same meaning as in Ohio R.C. 2151.011.

85 (4)(2) "Cigarette" includes clove cigarettes and hand-rolled cigarettes.

86 (5)(3) "Distribute" means to furnish, give, or provide cigarettes, other tobacco products,
87 ~~alternative nicotine products, or papers used to roll cigarettes or tobacco product~~
88 ~~paraphernalia~~ to the ultimate consumer of the cigarettes, other tobacco products,
89 ~~alternative nicotine products, or papers used to roll cigarettes or tobacco product~~
90 ~~paraphernalia.~~

91 (6) A. "Electronic cigarette" means, subject to subsection (a)(6)B. of this section, any
92 electronic product or device that produces a vapor that delivers nicotine or any other
93 substance to the person inhaling from the device to simulate smoking and that is likely
94 to be offered to or purchased by consumers as an electronic cigarette, electronic cigar,
95 electronic cigarillo or electronic pipe.

96 B. "Electronic cigarette" does not include any item, product or device described in
97 subsections (a)(2)B.1. to 4. of this section.

98 (4) "Electronic smoking device" means any device that can be used to deliver aerosolized
99 or vaporized nicotine to the person inhaling from the device, including, but not limited
100 to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah. Electronic smoking device
101 includes any component, part, or accessory of such a device, whether or not sold
102 separately, and includes any substance intended to be aerosolized or vaporized during
103 the use of the device. Electronic smoking device does not include drugs, devices, or
104 combination products authorized for sale by the U.S. Food and Drug Administration, as
105 those terms are defined in the Federal Food, Drug, and Cosmetic Act.

106 (7)(5) "Proof of age" means a driver's license, a commercial driver's license, a military
107 identification card, a passport, or an identification card issued under Ohio R.C. 4507.50
108 to 4507.52 that shows that a person is eighteen years of age or older.

109 (8) "Tobacco product" means ~~any product that is made from tobacco, including, but not~~
110 ~~limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco or snuff.~~

111 (6) "Tobacco product" means any product that is made from or derived from tobacco and
112 is intended for human consumption or is likely to be consumed, whether smoked,
113 heated, chewed, absorbed, dissolved, inhaled or ingested by any other means including,
114 but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff or snus. The
115 term also includes tobacco product paraphernalia, including, but not limited to,
116 electronic smoking devices and any component or accessory used in the consumption of

117 a tobacco product, such as filters, rolling papers, pipes, or liquids used in electronic
118 smoking devices, whether or not they contain nicotine. Tobacco product does not
119 include drugs, devices, or combination products authorized for sale by the U.S. Food
120 and Drug Administration, as those terms are defined in the Federal Food, Drug and
121 Cosmetic Act.

122 (7) "Tobacco product paraphernalia" means any product that is used to assist in
123 chewing, smoking, absorbing, dissolving, inhaling, or any other consumption of nicotine
124 to include, but not limited to pipes, rolling papers, and electronic cigarette cases.

125 (8) "Vending machine" has the same meaning as "coin machine" in Ohio R.C. 2913.01.

126

127 (b) Except as otherwise provided by divisions (D) and (C) of Section 2927.02 of the Ohio
128 Revised Code, No manufacturer, producer, distributor, wholesaler, or retailer of
129 cigarettes, other tobacco products, alternative nicotine products, or papers used to roll
130 cigarettes or tobacco product paraphernalia, no or any person, agent, employee, or
131 representative of a manufacturer, producer, distributor, wholesaler, or retailer of
132 cigarettes, other tobacco products, alternative nicotine products, or papers used to roll
133 cigarettes, or tobacco product paraphernalia and no other person shall do any of the
134 following:

135 (1) Give, sell or otherwise distribute cigarettes, other tobacco products, alternative
136 nicotine products, or papers used to roll cigarettes or tobacco product paraphernalia to
137 any child person under twenty-one years of age;

138 (2) Give away, sell or distribute cigarettes, other tobacco products, alternative nicotine
139 products, or papers used to roll cigarettes or tobacco product paraphernalia in any place
140 that does not have posted in a conspicuous place a sign stating that giving, selling or
141 otherwise distributing cigarettes or other tobacco products, alternative nicotine
142 products, or papers used to roll cigarettes to a person under eighteen twenty-one years
143 of age is prohibited by law;

144 (3) Knowingly furnish any false information regarding the name, age or other
145 identification of any child person under the age of twenty-one with the purpose to obtain
146 cigarettes, other tobacco products, alternative nicotine products, or papers used to roll
147 cigarettes or tobacco product paraphernalia for that child person under age twenty-one;

148 (4) Manufacture, sell or distribute in this state any pack or other container of cigarettes
149 containing fewer than twenty cigarettes or any package of roll-your-own tobacco
150 containing less than six-tenths of one ounce of tobacco;

151 (5) Sell cigarettes or alternative nicotine other tobacco products in a smaller quantity
152 than that placed in the pack or other container by the manufacturer;

153 (6) Give, sell or otherwise distribute alternative nicotine products, papers used to roll
154 cigarettes, or tobacco products or tobacco product paraphernalia other than cigarettes
155 over the internet or through another remote method without age verification.

156

157 (c) No person shall sell or offer to sell cigarettes, other tobacco products or alternative
158 nicotine products tobacco product paraphernalia by or from a vending machine, except
159 in the following locations:

160 (1) An area within a factory, business, office, or other place not open to the general
161 public;

162 (2) An area to which children persons under the age of twenty-one are not generally
163 permitted access;

164 (3) Any other place not identified in subsection (c)(1) or (2) of this section, upon all of the
165 following conditions:

166 A. The vending machine is located within the immediate vicinity, plain view, and
167 control of the person who owns or operates the place, or an employee of that person, so
168 that all purchases of cigarettes, other tobacco products and alternative nicotine product
169 purchases or tobacco product paraphernalia from the vending machine will be readily
170 observed by the person who owns or operates the place or an employee of that person.
171 For the purpose of this section, a vending machine located in any unmonitored area,
172 including an unmonitored coatroom, restroom, hallway or outer- waiting area, shall not

173 be considered located within the immediate vicinity, plain view, and control of the
174 person who owns or operates the place, or an employee of that person.

175 B. The vending machine is inaccessible to the public when the place is closed.

176

177 ~~(d) The following are affirmative defenses to a charge under subsection (b)(1) of this section:~~
178 ~~(1) The child person under twenty one years of age was accompanied by a parent,~~
179 ~~spouse who is eighteen twenty one years of age or older, or legal guardian of the child~~
180 ~~person under twenty one years of age.~~

181 ~~(2) The person who gave, sold or distributed cigarettes, other tobacco products,~~
182 ~~alternative nicotine products, or papers used to roll cigarettes or tobacco product~~
183 ~~paraphernalia to a child person under the age of twenty one under subsection (b)(1) of~~
184 ~~this section is a parent, spouse who is eighteen twenty one years of age or older, or~~
185 ~~legal guardian of the child.~~

186

187 ~~(e) It is not a violation of subsection (b)(1) or (2) of this section for a person to give or~~
188 ~~otherwise distribute to a child person under the age of twenty one cigarettes, other~~
189 ~~tobacco products, alternative nicotine products or papers used to roll cigarettes or~~
190 ~~tobacco product paraphernalia while the child person under the age of twenty one is~~
191 ~~participating in a research protocol if all of the following apply:~~

192 ~~(1) The parent, guardian or legal custodian of the child person under the age of twenty-~~
193 ~~one has consented in writing to the child participating in the research protocol;~~

194 ~~(2) An institutional human subjects protection review board, or an equivalent entity, has~~
195 ~~approved the research protocol;~~

196 ~~(3) The child person under the age of twenty one is participating in the research protocol~~
197 ~~at the facility or location specified in the research protocol.~~

198

199 ~~(f) (1) Whoever violates subsection (b)(1), (2), (4), (5) or (6) or (c) of this section is guilty of~~
200 ~~illegal distribution of cigarettes, other tobacco products, or alternative nicotine products.~~
201 ~~Except as otherwise provided in this subsection, illegal distribution of cigarettes, other~~
202 ~~tobacco products, or alternative nicotine products is a misdemeanor of the fourth~~
203 ~~degree. If the offender previously has been convicted of a violation of subsection (b)(1),~~
204 ~~(2), (4), (5) or (6) or (c) of this section, illegal distribution of cigarettes, other tobacco~~
205 ~~products, or alternative nicotine products is a misdemeanor of the third degree.~~

206 ~~(2) Whoever violates subsection (b)(3) of this section is guilty of permitting children to~~
207 ~~use cigarettes, other tobacco products, or alternative nicotine products. Except as~~
208 ~~otherwise provided in this subsection, permitting children to use cigarettes, other~~
209 ~~tobacco products, or alternative nicotine products is a misdemeanor of the fourth~~
210 ~~degree. If the offender previously has been convicted of a violation of subsection (b)(3) of~~
211 ~~this section, permitting children to use cigarettes, other tobacco products, or alternative~~
212 ~~nicotine products is a misdemeanor of the third degree.~~

213

214 ~~(g) Any cigarettes, other tobacco products, alternative nicotine products, or papers used to~~
215 ~~roll cigarettes that are given, sold or otherwise distributed to a child in violation of this~~
216 ~~section and that are used, possessed, purchased or received by a child in violation of~~
217 ~~Ohio R.C. 2151.87 are subject to seizure and forfeiture as contraband under Ohio R.C.~~
218 ~~Chapter 2981.~~

219

220 ~~(d) All manufacturers, producers, distributors, wholesalers, or retailers of cigarettes, other~~
221 ~~tobacco products, or tobacco product paraphernalia shall comply with any applicable~~
222 ~~certification requirements promulgated by the Summit County Combined General~~
223 ~~Health District.~~

224

225 ~~(e) Whoever violates this section shall be subject to a civil penalty for illegal distribution of~~
226 ~~cigarettes, tobacco products, or tobacco product paraphernalia. Whoever violates this~~
227 ~~section shall not be subject to a fine for a first violation. A civil fine of \$500 will be~~

228 issued for a second violation of this section. A civil fine of \$1000 will be issued for all
229 subsequent violations.

230
231 (f) All fines collected by the Summit County Combined General Health District pursuant to
232 this section shall be utilized for efforts to prevent smoking initiation by persons under
233 the age of twenty-one or for efforts to promote smoking cessation, including supports for
234 those who will no longer be able to purchase cigarettes or other tobacco products
235 pursuant to this section.

236
237 (g) Notwithstanding any other provision of this Title, enforcement authority of this section
238 shall rest with the Summit County Combined General Health District pursuant to Ohio
239 Revised Code Section 3709.281. Enforcement of this ordinance, including the issuance
240 of penalties, shall only be undertaken following the adoption of regulations by the
241 Summit County Combined General Health District relating to the enforcement of this
242 ordinance.

243
244 Section 2. The Mayor is authorized to enter into an agreement with the Summit County
245 Combined General Health District pursuant to Ohio Revised Code Section 3709.281,
246 memorializing the City of Cuyahoga Falls' agreement that the Summit County Combined General
247 Health District shall enforce the provisions of this newly enacted Section 537.16 of the City of
248 Cuyahoga Falls Codified Ordinances, including the issuance of civil penalties for violation, after
249 adopting enforcement regulations.

250
251 Section 3. Any other ordinances and resolutions or portion of ordinances and resolutions
252 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
253 ordinances and resolutions not inconsistent herewith and which have not previously been
254 repealed are hereby ratified and confirmed.

255
256 Section 4. It is found and determined that all formal actions of this Council concerning and
257 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
258 that all deliberations of this Council and of any of its committees that resulted in such formal
259 action were in meetings open to the public, in compliance with all legal requirements including, to
260 the extent applicable, Section 121.22 of the Ohio Revised Code.

261
262 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
263 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
264 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the
265 members elected or appointed to Council, it shall take effect and be in force immediately upon its
266 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
267 period allowed by law.

268
269
270 Passed: _____
271 _____
272 President of Council

273
274 _____
275 Clerk of Council

276 Approved: _____
277 _____
278 Mayor

279 3/11/19
280 O:\2019ords\Amend 537.16 ILLEGAL DISTRIBUTION AND POSSESSION OF CIGARETTES,
281 OTHER TOBACCO PRODUCTS OR ALTERNATE NICOTINE PRODUCTS.doc