

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 8 BUSINESS REGULATION AND TAXATION CODE, BY CREATING A NEW CHAPTER 878 ENTITLED ENTERTAINMENT DEVICES AND ENTERTAINMENT DEVICE ARCADES, AND DECLARING AN EMERGENCY

- WHEREAS: The City of North Royalton recognizes that the State of Ohio has not taken a definite position on whether certain enterprises violate State of Ohio gambling laws; and
- WHEREAS: The city is aware that judicial districts in the State of Ohio have rendered inconsistent opinions as to whether certain enterprises violate State of Ohio gambling laws; and
- WHEREAS: The city believes that while it would be in the interests of the citizens of North Royalton and of the State of Ohio for the state to establish laws that specifically regulate these enterprises, there is no indication that this is forthcoming; and
- WHEREAS: Businesses have inquired regarding these types of enterprises that are similar to the type of enterprises that the courts have rendered inconsistent opinions; and
- WHEREAS: The city has a duty to look out for the safety and welfare of the residents of this community; and
- WHEREAS: The city believes it is better to legally regulate these enterprises than allow them to open and operate in a haphazard fashion; and
- WHEREAS: The city has received input from a number of departments including, but not limited to, the Building Department, Police Department, Law Department, and Mayor's office, and realizes the value in creating an ordinance that regulates these establishments; and
- WHEREAS: The city states that the passage of this Ordinance should not be construed to indicate that the city endorses gambling; and
- WHEREAS: This Ordinance has been prepared in response to the absence of State law regarding this subject and the inconsistency of Court rulings regarding these enterprises; and
- WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 8 Business Regulation and Taxation Code by creating a new Chapter 878 entitled Entertainment Devices and Entertainment Device Arcades; 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. The Codified Ordinances of the City of North Royalton, Part 8 Business Regulation and Taxation Code is hereby amended by creating a new Chapter 878 entitled Entertainment Devices and Entertainment Device Arcades a copy of which is attached hereto as Exhibit A and incorporated as if fully rewritten.

Section 2. 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 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the city, and for the further reason that it is immediately necessary to establish the regulations for Entertainment Devices and Entertainment Device Arcades.

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.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

First reading September 8, 2010
Sponsorship withdrawn September 21, 2010

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS: