

ORDINANCE NO. 2018-113

AN ORDINANCE REPEALING THE CITY OF KENT CODIFIED ORDINANCES KNOWN AS SECTION 509.10 TITLED "VAGRANTS", AND DECLARING AN EMERGENCY.

WHEREAS, Section 509.10 of the Kent Codified Ordinances is no longer appropriate or effective because the Supreme Court has consistently and repeatedly held that requests for monetary contributions are speech that deserve the highest level of protection under the First Amendment; and

WHEREAS, Courts have routinely struck down laws such as 509.10 for decades, as they unduly restrict people's liberty to move in public spaces, and are so vague that they invite discriminatory enforcement; and

WHEREAS, Section 509.10 is outdated and some of the prohibited conduct is covered by other sections of the Kent Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. The Codified Ordinance Section 509.10 of the City of Kent is hereby repealed.

SECTION 2. That 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 of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: October 17, 2018
Date

J. Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: October 17, 2018
Date

ATTEST: Tara Grimm
Tara Grimm, MMC
Clerk of Council

I, TARA GRIMM, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

TARA GRIMM, MMC
CLERK OF COUNCIL