

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 22-100

INTRODUCED BY: Nickell, Carbone-McDonald, Krejci  
Co-Sponsor: Marnecheck

AN ORDINANCE EXEMPTING RETAILERS WITHIN THE CITY OF NORTH ROYALTON FROM CUYAHOGA COUNTY ORDINANCE NO. 2019-0005 CREATING A COUNTYWIDE DISPOSABLE BAG BAN, AND DECLARING AN EMERGENCY

WHEREAS: Cuyahoga County Ordinance 2019-0005 ("CC 02019-0005") was passed by Cuyahoga County Council without seeking the input of the cities that will be affected by the ordinance; and

WHEREAS: CC 02019-0005 places undue burden on retail businesses, residents, and customers of retail establishments located within the city by banning disposable plastic bags and non-permitted paper bags; and

WHEREAS: It is Council's specific intention to employ its home-rule authority in order to create a conflict between CC 02019-0005 and the exercise of home-rule powers by the city, and to exempt from the provisions of CC 02019-0005 any person or entity within the city affected by that Ordinance.

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

Section 1. All retail establishments within the City are hereby exempted from CC 02019-0005, creating a countywide disposable bag ban.

Section 2. Pursuant to the same provisions of the Charter of the City of North Royalton and the Charter of Cuyahoga County, retail establishments within the City may use disposable plastic bags and non-permitted paper bags, notwithstanding CC 02019-0005.

Section 3. As used herein, "retail establishment," "disposable plastic bag" and "non-permitted paper bag" shall have the same meanings as set forth in CC 02019-0005.

Section 4. 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 5. 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 exempt the City of North Royalton from the provisions of CC 02019-0005 any person or entity within the city affected by that Ordinance.

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/ Paul F. Marnecheck  
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz  
MAYOR

DATE PASSED: June 21, 2022

DATE APPROVED: June 22, 2022

ATTEST: /s/ Dana A. Schroeder  
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended  
Second reading suspended  
Third reading June 21, 2022

YEAS: Marnecheck, Nickell, Barath, Krejci,  
Dietrich, Carbone-McDonald, Wos

NAYS: none