

CITY OF CLAYTON, OHIO

ORDINANCE NO. O – 10 – 18 - 21

AN ORDINANCE TO REPEAL ORDINANCE NO. O-03-08-07 WHICH ENACTED CLAYTON CODIFIED ORDINANCE CHAPTER 731 ENTITLED, “PAYDAY LENDERS” AND DECLARING AN EMERGENCY

WHEREAS, by Ordinance No. O-03-08-07, Council authorized the adoption of a new Clayton Codified Ordinance Chapter 731 entitled, “Payday Lenders” to regulate Payday Lenders within the City of Clayton; and

WHEREAS, on July 30, 2018, Governor Kasich signed into law HB 123 which overhauled portions of the State of Ohio’s payday lending act, commonly known as The Fairness in Lending Act which will become effective on October 29, 2018; and

WHEREAS, in light of the enactment of HB 123, Council desires to repeal Clayton Codified Ordinance Chapter 731 relative to payday lenders previously adopted via Ordinance No. O-03-08-07 on April 17, 2008.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That Ordinance No. O-03-08-07 adopted by Council on April 17, 2008, and which enacted a new Clayton Codified Ordinance Chapter 731 (“Payday Lenders”) is hereby repealed.
2. That this Ordinance shall be effective as an exception to any ordinance, resolution or other legislation of the City of Clayton, Ohio, inconsistent with this Ordinance or which imposes additional requirements for effectiveness or validity.
3. That in accordance with Charter Section 4.031(B) the requirement that this ordinance be read on two (2) different days is dispensed with by affirmative vote of at least five (5) of the members of Council.
4. That unless this Ordinance is immediately enacted the public peace, health, safety and welfare will be detrimentally affected because in order to ensure repeal of Clayton Codified Ordinance Chapter 731 prior to the effective date of HB 123, it is necessary that this Ordinance take effect at an early date. Accordingly, pursuant to Charter Section 4.033(A) 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 City and shall therefore be in full force and effect from and immediately upon affirmative vote of at least five (5) of the members of Council.

ADOPTED BY COUNCIL ON OCTOBER 4, 2018.

AUTHENTICATION:

Mick Sturns
Mayor (Presiding Officer of Council)

Barbara Sein
Clerk of Council

APPROVED AS TO FORM:

[Signature]
Law Director

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Date of publication

Englewood Independent October 7, 2018

Barbara Sein
CLERK