

**ORDINANCE NO. 2019-73**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING SECTION 755.12 OF  
THE CODIFIED ORDINANCES OF THE CITY  
TITLED APPLICATION OF CHAPTER BY ADDING  
EXEMPTIONS TO THOSE LISTED IN THAT  
SECTION, AND DECLARING AN EMERGENCY**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

**SECTION 1.** Section 755.12 of the Codified Ordinances titled APPLICATION OF CHAPTER is hereby amended to read as follows: (new material appears like THIS: deleted material appears like ~~this~~):

**755.12 APPLICATION OF CHAPTER.**

The provisions of Sections [755.02](#), [755.03](#) and [755.05](#) shall not apply to the following:

(a) Any person soliciting or peddling anything which such person has personally manufactured or produced or which is within the exemptions provided in Ohio R.C. 715.63 and 715.64; a person claiming the exemptions of this subsection as an agent shall provide an affidavit showing the following:

- (1) That withholding taxes and Social Security are deducted from his or her pay;
- (2) That such employee has the benefit of unemployment compensation and workmen's compensation coverage if he or she is one of three or more employees;
- (3) That he or she is not an independent contractor.

The police shall verify such affidavit with the employer, the Bureau of Workmen's Compensation and the Bureau of Unemployment Compensation.

(b) Any person soliciting or peddling for and on behalf of any charitable or religious institution in which such person receives no compensation therefor;

(c) Any person soliciting or peddling newspapers who at the time is a bona fide resident of the City and between the ages of eight and eighteen years;

(d) Any salesmen or agent for wholesale houses or firms who solicits orders from or sells to retail dealers for resale, to manufacturers for manufacturing purposes or to bidders for public works for supplies;

(e) ~~Milkmen, bakery delivery men and dry cleaners,~~ ALL PEDDLERS AND SOLICITORS who come upon the premises by invitation of the occupant.

**SECTION 2.** Any and all provisions of Section 755.12 of the Codified Ordinances of the City inconsistent herewith are hereby repealed, and all other provisions of Section 755.12 of the Codified Ordinances shall remain in full force and effect.

**SECTION 3.** This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

**SECTION 4.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of the City of Lyndhurst for the reason that it is necessary to institute the aforesaid amendments to the Codified Ordinances immediately and without delay to protect the health, welfare and safety of the residents of the City. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: October 7, 2019

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**VICE MAYOR**

ATTEST: \_\_\_\_\_  
*Clerk of Council*

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City on \_\_\_\_\_  
October 17, 2019 and October 24, 2019.

\_\_\_\_\_  
*Clerk of Council*

First Reading: \_\_\_\_\_  
October 7, 2019

Second Reading: \_\_\_\_\_  
Suspended

Third Reading: \_\_\_\_\_  
Suspended

Passed 10-7-19