

LAW COMMITTEE MINUTES OF THE JULY 22, 2015 MEETING

- Attendees: Richard Bardach, Tom Muething, Natalie Wolf, Scot Lahrmer, Kevin Frank, Dave Remenowski, Brian Blum, Ed Hattenbach and Bill Doering.
- A motion to approve the minutes of the June 08, 2015 law committee meeting was made by Tom Muething and carried unanimously.
- A general discussion was entertained to review a revised solicitation ordinance that would be applicable to commercial solicitation in the village. The village was recently contacted by an attorney for a commercial sales company whose clients were attempting to sell their goods and services by going door-to-door in the Village. Counsel representing the commercial sales company contacted the Village claiming the Village's current solicitation ordinance was unenforceable under current Ohio law. The Village's solicitation ordinance was originally enacted in 1956 and amended in 1970. The US Supreme Court and Ohio Courts have since issued opinions substantially changing the law to limit Amberley's ability to regulate door-to-door commercial sales.
- The Law Committee concurred that the solicitation ordinance should be modified. The modifications would require solicitors to pre-register with the Police Department. The Police Department would also maintain a "do not solicit list" similar to a "do not call list" whereby residents who sought not to be solicited can place their names on this list that would be provided to vendors when they register with the Village to solicit. Residents may request that their names and addresses be put on a no solicitation list and that their addresses only would be given to solicitors. Residents would also have the option to place a sign or other notification on their property advising that no solicitors are allowed on their private property.
- The committee believed the solicitation ordinance should be passed as an emergency measure.
- A motion to approve the solicitation ordinance was made by Tom Muething and carried unanimously.
- The Law Committee discussed an Amendment to Chapter 154.25 of the Village Code relating to signs, specifically yard signs. The law in Ohio relating to signs has evolved significantly since Amberley's sign ordinance was enacted and the law committee is seeking to make Amberley's ordinance compatible with the current state of the law. The committee discussed how the Village may place reasonable time, place and manner restrictions on signage in the village. The committee agreed to study similar ordinances in surrounding communities and reconvene in the near future to address this ordinance in more detail.