

**VILLAGE OF YELLOW SPRINGS, OHIO
RESOLUTION 2019-51**

OPPOSING HOUSE BILL 242 AND ITS ATTACK ON HOME RULE POWER

WHEREAS, HB 242 is an assault on the long standing doctrine of Home Rule. Section 3, Article XVIII of the Ohio Constitution states that, "Municipalities shall have the authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary, and other similar regulations, as are not in conflict with general laws"; and

WHEREAS, HB 242 is exceptionally overbroad in its protection of pollution. HB 242 prevents municipalities from limiting or banning plastic bags, paper bags, straws, plastic utensils, aluminum cans, glass bottles, styrofoam cups and carry-out food containers; and

WHEREAS, Council sees these continued attempts to selectively remove the Village's and other Ohio communities' abilities to address specific challenges such as gun violence and climate change as a subversion of Home Rule; and

WHEREAS, Council urges Ohio's State government to protect Home Rule as guaranteed under the Ohio Constitution; and

WHEREAS, Ohio, according to the Ohio EPA, has only 40 years of disposal capacity from landfills and we must focus on reducing our waste stream; and

WHEREAS, Plastic, one of the most preferred materials in today's industrial world, is posing serious threat to the environment and consumers' health in many direct and indirect ways,

WHEREAS, Solid waste disposal and reduction is largely the responsibility of local government,

Now, Therefore, be it Resolved by Council for the Village of Yellow Springs that:

Section 1. Council opposes HB 242 and calls upon our State Legislators and the Governor to join our opposition to this attempt to subvert home rule power.

Section 2. Council demands that the attacks on Home Rule power by the State Legislature cease, and urges our elected officials to protect the constitutional right of charter municipalities.

Section 3. Copies of this Resolution of Support be sent to Governor Michael DeWine, Representative Rick Perales, Senator Bob Hackett, and Senators Rob Portman and Sherrod Brown.

Signed: _____
Brian Housh, President of Council

Passed: 11-18-2019

Attest: _____
Judy Kintner, Clerk of Council

Roll Call: Housh__Y_ MacQueen_Y_ Stokes_Y__ Kreeger_Y_ Sanford_Y__