

## **RESOLUTION NO. R05-21 CMS**

**A RESOLUTION AUTHORIZING AND DIRECTING THE LAW DIRECTOR TO FILE A COMPLAINT IN LORAIN COUNTY COMMON PLEAS COURT REQUESTING A PERMANENT INJUNCTION AGAINST FRANKLIN DANIEL CORY, A SEXUALLY ORIENTED OFFENDER, IN ORDER TO ENFORCE SECTION 2905.031 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY**

**WHEREAS, Section 2905.031 of the Ohio Revised Code prohibits a convicted "Sexually Oriented Offender" from residing or occupying residential premises within 1000 feet of any school premises; and**

**WHEREAS, Franklin Daniel Cory is a convicted "Sexually Oriented Offender" who resides or occupies residential premises within 1000 feet of school premises; and**

**WHEREAS, Section 2950.031 of the Ohio Revised Code further provides that the Law Director of a municipality has a cause of action against said Sexually Oriented Offender for injunctive relief to force compliance with the law.**

**NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:**

**SECTION 1. That the Law Director is hereby authorized and directed to file a complaint for injunctive relief in The Lorain County Common Pleas Court, pursuant to Section 2950.031 of the Ohio Revised Code, against Franklin Daniel Cory, a "Sexually Oriented Offender", in order to cause compliance with said statutory mandate, the costs of same to be charged as extraordinary expense.**

**SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.**

**SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:**

**"to authorize legal action as soon as possible in order to enforce compliance with the law at the earliest possible date",**

**and shall take effect immediately upon passage.**

PASSED: 1<sup>st</sup> Reading – September 19, 2005 (E)  
2<sup>nd</sup> Reading –  
3<sup>rd</sup> Reading –

ATTEST:

  
\_\_\_\_\_  
CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

POSTED: September 20, 2005

EFFECTIVE DATE: September 20, 2005