

ORDINANCE NO. 03-19

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER

*Belinda Kenley*

THE 28<sup>th</sup> DAY OF January 2019

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

WHEREAS, American Legal Publishing has completed its annual updating and revision of the Codified Ordinances of the City, and

WHEREAS, various ordinances and resolutions of a general and permanent nature have been passed by Council since the date of the last updating and revision of the Codified Ordinances (August 1, 2017) and have been included in the Codified Ordinances of the City, and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law, where applicable and as required;

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1. That the editing, arrangement and numbering or renumbering of the following ordinances and resolutions and parts of ordinances and resolutions are hereby approved as parts of the various component codes of the Centerville Municipal Code, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
16-17	7-10-17	Charter Preamble, Sections 1.01, 4.03, 4.10, 5.01, 5.03, 5.05, 6.04, 10.01, 10.02, 10.03, 12.04
17-17	8-21-17	240.03
22-17	9-18-17	TSO B
23-17	10-16-17	885.07, 885.10
25-17	11-20-17	1420.01
26-17	11-20-17	1424.01
34-17	12-18-17	1420.08
03-18	1-22-18	Charter Section 12.04
04-18	2-19-18	Editor's note Ch. 1216
05-18	2-19-18	Editor's note Ch. 1216

Adopting Ordinance

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
06-18	2-19-18	Editor's note Ch. 1216
07-18	4-16-18	Editor's note Ch. 1216
08-18	2-19-18	204.03
09-18	3-19-18	TSO I
10-18	3-19-18	224.01
11-18	3-19-18	Charter Section 8.11
12-18	2-19-18	885.23.01 - 885.23.16
14-18	4-16-18	210.01
15-18	5-21-18	Repeals Ch. 270
16-18	5-21-18	1048.01 - 1048.19, 1048.99

SECTION 2. That the following sections in the Centerville Municipal Code are or contain new matter and are hereby approved, adopted and enacted:

402.24, 402.53, 416.13, 434.01, 476.08, 612.07, 612.10 , 624.01, 624.13, 636.045, 636.10, 642.05, 672.04, 672.15

SECTION 3. That the following sections in the Centerville Municipal Code are hereby repealed:

Chapter 270

SECTION 4. That all ordinances and resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows:

- (a) The enactment of such new matter shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision or to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and recodification.
- (2) The repeal provided above shall not affect any legislation enacted subsequent to July 31, 2018.

SECTION 5. That pursuant to Section 5.03 of the City Charter, Ohio R.C. 731.23 and Section 224.01 of the Centerville Municipal Code, the Clerk of Council shall cause this ordinance to be published, together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council, by posting the same in full on the City of Centerville website and by posting in full in the three public places set forth in Section 224.01 of the Centerville Municipal Code. A public hearing shall follow said publication by at least seven days, after which, provided that this ordinance is adopted by Council, and within ten days after such adoption, the Clerk of Council shall cause this ordinance to be published again, together with a notice of its adoption, as aforesaid, and together with the Summary of New Matter attached hereto as Exhibit A.

Adopting Ordinance


SECTION 6. That this ordinance shall take effect and be in force at the expiration of 30 days after final adoption of this ordinance, as provided in Section 5.04 of the City Charter.

PASSED this 28<sup>th</sup> day of January, 2019.

  
Mayor of the City of Centerville,

Ohio

ATTEST:

  
Clerk of the Council of the  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a correct and true copy of Ordinance Number 03-19, passed by the Council of the City of Centerville, Ohio, on the 28<sup>th</sup> day of January, 2019.



Clerk of Council

Approved as to form, consistency with  
the Charter and Constitutional Provisions.

Department of Law  
Scott A. Liberman  
Municipal Attorney

## EXHIBIT A

### SUMMARY OF NEW MATTER CONTAINED IN THE 2018 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF CENTERVILLE

New matter in the Codified Ordinances of Centerville, Ohio, as contained in the 2018 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.24	Definition of pedestrian
402.53	Definition of vehicle.
416.13	Operation of personal delivery device on sidewalks and crosswalks.(new)
434.01	DUI
476.08	Registration of vehicles.
612.07	Open container prohibited.
612.10	Restrictions on sale of beer and liquor.
624.01	Definitions relating to drugs.
624.13	Controlled substance or prescription label.
636.045	Violating a protection order, consent agreement, anti-stalking protection order or order issued by a court of another state.
636.10	Nonsupport of dependents.
642.05	Unauthorized use of property, including telecommunication property and computers; possession of municipal property.
672.04	Improperly handling firearms in a motor vehicle.
672.15	Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.