

ORDINANCE NO. 27-17

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER John Falcher

THE 18th DAY OF December 2017

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, 2016) 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>
11-16	6-20-16	885.01
15-16	10-17-16	Ch. 1216, Ed. Note
16-16	10-17-16	Ch. 1216, Ed. Note
17-16	10-17-16	Ch. 1216, Ed. Note
18-16	10-17-16	Ch. 1216, Ed. Note
19-16	11-21-16	885.05, 885.09, 885.10
25-16	12-19-16	1420.05
33-16	12-19-16	Ch. 258, Ed. Note
34-16	1-23-17	Ch. 258, Ed. Note
Res.		
01-17	1-23-17	Ch. 1208, Ed. Note

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
05-17	4-17-17	1080.01, 1080.06, 1080.16, 1080.17, 1080.20, 1080.22
06-17	4-17-17	1024.02
07-17	3-20-17	210.02
08-17	4-17-17	210.02
09-17	4-17-17	836.04
10-17	6-19-17	Ch. 1216, Ed. Note
12-17	6-19-17	260.02

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

402.21, 404.03, 432.03, 432.155, 432.19, 434.01, 434.011, 434.03, 434.07, 434.09, 436.01, 436.09, 436.11, 436.12, 436.15, 452.055, 452.06, 476.01, 476.03, 476.04, 476.08, 606.01, 606.06, 606.12, 606.24, 612.07, 612.08, 618.05, 618.18, 624.01, 624.02, 624.025, 624.03, 624.04, 624.05, 624.07, 624.076, 624.08, 624.14, 636.08, 636.12, 636.13, 642.08, 642.09, 642.10, 642.11, 642.25, 666.08, 672.01, 672.02, 672.04, 672.14, 672.15, 698.02

SECTION 3. That the following section in the Centerville Municipal Code is hereby repealed:

N/A

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 August 1, 2017.


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 the five 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.

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 18th day of December, 2017.


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 27-17, passed by the Council of the City of Centerville, Ohio, on the 18th day of December, 2017.


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 2017 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF CENTERVILLE

New matter in the Codified Ordinances of Centerville, Ohio, as contained in the 2017 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.21	Traffic definitions.
404.03	Exceptions generally; emergency, public safety and coroner vehicles exempt.
432.03	Rules governing overtaking and passing of vehicles.
432.155	Ambiguous or non-working traffic signals.
432.19	Right-of-way of public safety vehicles.
434.01	Driving/physical control of vehicle while under the influence of alcohol/drugs.
434.011	Immobilizing or disabling device violation.
434.03	Speed limits.
434.07	Street racing defined; prohibited on public highways.
434.09	Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles.
436.01	Driver's or commercial driver's license required.
436.09	Display of license plates or validation stickers; registration.
436.11	Failure to stop after accident.
436.12	Stopping after accident on other than public roads or highways.
436.15	Removal of vehicles after accidents.
452.055	Impounding motor vehicle on private property.
452.06	Condition when motor vehicle left unattended.
476.01	Definitions for bicycles, motorcycles etc.
476.03	Code application; prohibited operation.
476.04	Permitted operation.
476.08	Registration of vehicles.
606.01	Definitions.
606.06	Limitation of criminal prosecution.
606.12	Failure to report a crime.
606.24	Disposition of unclaimed or forfeited property held by Police Department.
612.07	Open container prohibited; exception.
612.08	Hours of sale or consumption.
618.05	Cruelty to companion animals.
618.18	Sexual conduct with an animal.
624.01	Definitions concerning drugs.
624.02	Trafficking in controlled substances; gift of marihuana.
624.025	Illegal cultivation of marihuana.
624.03	Drug possession offenses.
624.04	Possessing drug abuse instruments.
624.05	Permitting drug abuse.

<u>Section</u>	<u>New or amended matter regarding:</u>
624.07	Abusing harmful intoxicants.
624.076	Possessing nitrous oxide in motor vehicles.
624.08	Illegal dispensing of drug samples.
624.14	Drug paraphernalia.
636.08	Criminal child enticement.
636.12	Interference with custody; interference with support orders.
636.13	Contributing to unruliness or delinquency of a child.
642.08	Assaulting police dog or horse or assistance dog.
642.09	Arson.
642.10	Vehicular vandalism.
642.11	Criminal mischief.
642.25	Determining property value or amount of physical harm in arson.
666.08	Soliciting; loitering to engage in.
672.01	Weapons definitions.
672.02	Carrying concealed weapons.
672.04	Improperly handling firearms in a motor vehicle.
672.14	Possession of object indistinguishable from firearm in a school safety zone.
672.15	Concealed handgun licenses; possession of a revoked or suspended license.
698.02	Penalties for misdemeanor.