

ORDINANCE NO. 34-14

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER John Palcher

THE 26th DAY OF January 2014

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, 2013) 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>
13-13	10-21-13	Ch. 1216, Ed. Note
16-13	12-16-13	Ch. 1216, Ed. Note
17-13	12-16-13	Ch. 1216, Ed. Note
18-13	12-16-13	Ch. 1216, Ed. Note
26-13	12-16-13	Ch. 258, Ed. Note
27-13	1-27-14	Ch. 258, Ed. Note
01-14	4-21-14	Ch. 1216, Ed. Note
02-14	5-19-14	836.01 to 836.13, 836.99
04-14	6-16-14	Ch. 1216, Ed. Note
06-14	6-16-14	290.01 to 290.03
11-14	7-21-14	1020.01

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

402.075, 402.173, 402.21, 402.22, 402.275, 404.03, 432.195, 434.01, 436.071, 436.074, 438.16, 438.18, 438.235, 438.31, 440.11, 452.03, 452.04, 606.01, 606.06, 606.12, 606.24, 606.30, 612.01, 612.07, 612.09, 618.05, 624.01, 636.04, 636.045, 636.05, 636.08, 636.20, 642.01, 642.02, 642.19, 642.24, 642.31, 660.08, 666.08, 666.23, 698.02

SECTION 3. 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in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows: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, 2014.

SECTION 4. 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 5. 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 26th day of January, 2015.

C. Mark Kuyper
Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James
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 34-14, passed by the Council of the City of Centerville, Ohio, on the 26th day of January, 2015.

Debra A. James
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 2014 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF CENTERVILLE

New matter in the Codified Ordinances of Centerville, Ohio, as contained in the 2014 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.075	Definition of "chauffeured limousine."
402.173	Definition of "highway maintenance vehicle."
402.21	Definition of "motorcycle."
402.22	Definition of "motorized bicycle" or "moped."
402.275	Definition of "predicate motor vehicle or traffic offense."
404.03	Road workers, motor vehicles and equipment excepted.
432.195	Driving while approaching stationary public safety vehicle with flashing lights.
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
436.071	Driving under suspension or in violation of license restriction.
436.074	Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension.
438.16	Number of lights permitted; red and flashing lights.
438.18	Focus and aim of headlights.
438.235	Tinted glass; materials on glass.
438.31	Air bags.
440.11	Chauffeured limousines.
452.03	Prohibited standing or parking places.
452.04	Manner of parallel and angle parking; handicapped persons.
606.01	Definitions relating to general offenses.
606.06	Limitation on criminal prosecutions.
606.12	Failure to report a crime or death.
606.24	Disposition of unclaimed or forfeited property held by Police Department.
606.30	Misuse of 9-1-1 system.
612.01	Definitions relating to alcoholic beverages.
612.07	Open container prohibited.
612.09	Conveying intoxicating liquor or cash onto grounds of detention facilities or other specified governmental facilities.
618.05	Cruelty to animals; cruelty to companion animals.
624.01	Definitions relating to drugs.
636.04	Aggravated menacing.
636.045	Menacing by stalking.
636.05	Menacing.
636.08	Criminal child enticement.

<u>Section</u>	<u>New or amended matter regarding:</u>
636.20	Illegal distribution of cigarettes, other tobacco products, or alternative nicotine products; transaction scans.
642.01	Definitions relating to property offenses.
642.02	Theft.
642.19	Securing writings by deception.
642.24	Determining property value in theft offense.
642.31	Medicaid fraud.
660.08	Open burning.
666.08	Soliciting.
666.23	Unlawful advertising of massage.
698.02	Penalties for misdemeanor.