

ORDINANCE NO. 15-10

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Douglas Cline

THE 20th DAY OF December, 2010.

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 (June 1, 2009) 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> |
|-----------------|-------------|--|
| 3-09 | 6-15-09 | 1214.01, 1214.02, Repeals 1214.03 to 1214.05 |
| 4-09 | 6-15-09 | 660.14 |
| 5-09 | 10-19-09 | 224.01 |
| 6-09 | 11-16-09 | 224.01 |
| 17-09 | 12-21-09 | Ch. 258, Ed. Note |
| 18-09 | 1-25-10 | Ch. 258, Ed. Note |
| 2-10 | 1-25-10 | 434.03 |
| 3-10 | 2-22-10 | 434.03 |

| <u>Ord. No.</u> | <u>Date</u> | <u>C.O. Section</u> |
|-----------------|-------------|---------------------|
| Res. | | |
| 9-10 | 3-22-10 | 289.01 to 289.03 |
| 4-10 | 4-19-10 | Ch. 1216, Ed. Note |
| 6-10 | 4-19-10 | 452.05 |

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

432.30, 436.01, 436.071, 436.072, 436.074, 436.09, 438.02, 438.03, 438.04, 438.05, 438.06, 438.08, 438.10, 438.11, 438.12, 438.13, 438.14, 438.15, 438.16, 438.165, 438.18, 438.20, 438.21, 438.22, 438.23, 438.25, 452.055, 606.10, 606.25, 612.09, 618.01, 636.045, 636.17, 636.23, 642.05, 672.04

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.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to June 1, 2010.

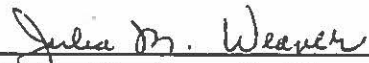
SECTION 4. That pursuant to Section 5.03 of the City Charter, Ohio R.C. 731.23 and Section 224.01 of the Centerville Municipal Code, the Clerk of Council shall cause this ordinance to be published, together with a notice setting out the time and place for a public hearing thereon and for its consideration 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 thirty days after final adoption of this ordinance, as provided in Section 5.04 of the City Charter.

PASSED this 20th day of December, 2010.

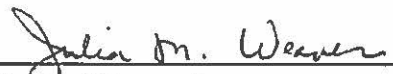

Mayor of the City of Centerville, Ohio

ATTEST:


Asst. 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 15-10, passed by the Council of the City of Centerville, Ohio, on the 20th day of December, 2010.


Asst. 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 2010 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF CENTERVILLE

New matter in the Codified Ordinances of Centerville, Ohio, as contained in the 2010 Replacement Pages therefor, includes legislation regarding:

| <u>Section</u> | <u>New or amended matter regarding:</u> |
|----------------|--|
| 432.30 | Stopping for school bus; actuating visual signals; discharging children. |
| 436.01 | Driver's or commercial driver's license required. |
| 436.071 | Driving under suspension or in violation of license restriction. |
| 436.072 | Operating motor vehicle without valid license. |
| 436.074 | Driving under financial responsibility law suspension or cancellation. |
| 436.09 | Display of license plates; registration; obstructions. |
| 438.02 | Lighted lights; measurement of distances and heights. |
| 438.03 | Headlights on motor vehicles and motorcycles. |
| 438.04 | Tail light; illumination of rear license plate. |
| 438.05 | Rear red reflectors. |
| 438.06 | Safety lighting on commercial vehicles. |
| 438.08 | Red light or red flag on extended loads. |
| 438.10 | Lights on slow-moving vehicles; emblem required; lights and reflectors on multi-wheel agricultural tractors or farm machinery. |
| 438.11 | Spotlight and auxiliary lights. |
| 438.12 | Cowl, fender and back-up lights. |
| 438.13 | Two lights displayed. |
| 438.14 | Use of headlight beams. |
| 438.15 | Lights of less intensity on slow-moving vehicles, |
| 438.16 | Number of lights permitted; red and flashing lights. |
| 438.165 | Lights and sound-producing devices on coroners' vehicles. |
| 438.18 | Focus and aim of headlights. |
| 438.20 | Horn, siren and theft alarm signal. |
| 438.21 | Muffler; muffler cutout; excessive smoke, gas or noise. |
| 438.22 | Rear-view mirror; clear view to front, both sides and rear. |
| 438.23 | Windshield required; sign or poster upon windshield; windshield wiper. |
| 438.25 | Motor vehicle stop lights. |
| 452.055 | Parking prohibitions on private property; private tow-away zones. |
| 606.10 | Falsification. |
| 606.25 | Impersonating a peace officer. |
| 612.09 | Illegal conveyance of prohibited items onto grounds of a detention facility or other specified governmental facility. |
| 618.01 | Dogs and other animals running at large; dangerous and vicious dogs. (Correction) |

| <u>Section</u> | <u>New or amended matter regarding:</u> |
|----------------|--|
| 636.045 | Violating a protection order, consent agreement, anti-stalking protection order or order issued by a court of another state. |
| 636.17 | Domestic violence. |
| 636.23 | Failing to provide for a functionally impaired person. (Correction) |
| 642.05 | Unauthorized use of property. |
| 672.04 | Improperly handling firearms in a motor vehicle. |