

ORDINANCE NO. 18-03

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER C. Mark Kingseed

THE 15<sup>th</sup> DAY OF September 2003

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 (April 1, 2002) 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 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. or Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
8-02	6-17-02	Repealing 414.10
10-02	8-19-02	1420.01 to 1420.08, Repealing 1420.05
Res. 50-02	12-16-02	211.01 to 211.15
06-03	2-17-03	1020.03 to 1020.08
08-03	4-21-03	Pt. 12, Title 6, Sec. 23. I. and J.
10-03	4-21-03	1442.02 to 1442.04, 1442.06
12-03	5-19-03	1080.01 to 1080.23

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

402.53, 404.03, 416.12, 432.21, 434.01, 438.10, 606.01, 606.15, 606.25, 612.01, 612.02, 612.07, 612.08, 612.09, 612.18, 612.21, 618.02, 618.05, 624.01, 630.01 to 630.13, 636.045, 636.17, 636.20, 642.01, 642.05, 642.10, 642.145, 642.205, 642.31, 648.07, 648.08, 660.08, 666.01, 666.15, 698.02

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 That the following sections in the Centerville Municipal Code are repealed:

612.02(j), (p), 666.04

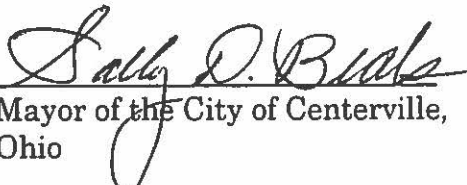
SECTION 4. That all ordinances and resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows:

- (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.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to June 1, 2003.

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 thirty days after final adoption of this ordinance, as provided in Section 5.04 of the City Charter.

PASSED this 15<sup>th</sup> day of September, 2003.

  
Mayor of the City of Centerville,  
Ohio

ATTEST:

Maril J. McLaughlin  
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 18-03, passed by the Council of the City of Centerville, Ohio, on the 15<sup>th</sup> day of September, 2003.

Maril J. McLaughlin  
Clerk of Council

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

Department of Law  
Robert N. Farquhar  
Municipal Attorney

## EXHIBIT A

### SUMMARY OF NEW MATTER CONTAINED IN THE 2003 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF CENTERVILLE

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New matter in the Codified Ordinances of Centerville, Ohio, as contained in the 2003 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.53	Vehicle.
404.03	Road workers, motor vehicles and equipment excepted.
416.12	Operation of electric personal assistive mobility devices.
432.21	Right-of-way of funeral procession.
434.01	Driving or physical control while under the influence.
438.10	Lights on slow-moving vehicles; emblem required; lights and reflectors on multi-wheel agricultural tractors or farm machinery.
606.01	Definitions.
606.15	Obstructing justice.
606.25	Impersonating an officer.
612.01	Definitions.
612.02	Sales to underage persons; prohibitions and misrepresentations.
612.07	Open container prohibited.
612.08	Hours of sale or consumption.
612.09	Conveying intoxicating liquor or cash onto grounds of detention facilities or other institutions.
612.18	Keeping place where beer or intoxicating liquors are furnished in violation of law.
612.21	Poisonously adulterated liquors.
618.02	Abandoning animals.
618.05	Cruelty to animals; cruelty to companion animals.
618.06	Coloring rabbits and baby poultry; sale or display of poultry.
624.01	Definitions.
630.01	Definitions.
630.02	Gambling in general.
630.03	Operating a gambling house.
630.04	Public gaming.
630.05	Cheating.
630.06	Responsibility of charitable organization conducting bingo game.
630.07	Maintenance of records by charitable organizations.
630.08	Qualifications of bingo game operator.
630.09	Exemption for bingo games conducted for amusement.
630.10	Prohibitions where instant bingo game is conducted.

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<u>Section</u>	<u>New or amended matter regarding:</u>
630.11	Raffle drawing.
630.12	Instant bingo other than at bingo sessions.
630.13	Restrictions on owner or lessor of location at instant bingo.
636.045	Menacing by stalking.
636.17	Domestic violence.
636.20	Illegal distribution of cigarettes or other tobacco products; transaction scans.
642.01	Definitions.
642.05	Unauthorized use of property.
642.10	Criminal damaging or endangering; vehicular vandalism.
642.145	Forging or selling forged identification cards.
642.205	Identity fraud.
642.31	Medicaid fraud.
648.07	Inducing panic.
648.08	Making false alarms.
660.08	Open burning.
666.01	Definitions.
666.15	Presumptions; notice.
698.02	Penalties for misdemeanor.