

ORDINANCE NO. 10-96

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER BROOKS COMPTON

THE 18th DAY OF NOVEMBER, 1996

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, The Justinian Publishing Company has completed its second 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 (July 1, 1995) 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 Codified Ordinances of the City, 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>
14-95	8-21-95	660.14(b)(1)
15-95	8-21-95	Ed. Note, Ch. 1610, 1611.01 to 1611.03, 1611.99
18-95	9-18-95	420.01
3-96	4-15-96	1424.01(a), 1424.03
4-96	5-6-96	210.16
Res. 34-96	6-17-96	880.17

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

408.02, 414.08,	636.15, 636.17,
434.01, 434.07,	636.22, 636.23,
434.08, 436.05,	636.25, 642.01 to
436.07, 442.01,	642.05, 642.08,
452.04, 606.01,	642.09, 642.14,
606.10, 606.15,	642.146, 642.15,
606.16, 606.18,	642.17 to 642.19,
606.24, 606.25,	642.21, 642.22,
612.01, 612.02,	642.26 to 642.31,
612.04, 612.06,	648.04, 648.10,
612.07, 612.25,	660.08, 660.12,
624.01 to 624.08,	660.13, 666.03,
624.14, 630.01,	666.06, 666.11,
630.02, 630.05 to	672.01, 672.085,
630.07, 630.09,	672.10, 672.12,
636.045, 636.08,	672.13, 698.01,
636.11, 636.12,	698.03 to 698.06

SECTION 3. That the following sections in the Codified Ordinances are hereby repealed:

666.12 Pandering obscenity.
666.13 Possession and viewing of obscene material involving a minor.
672.08 Improperly furnishing firearms to a minor.

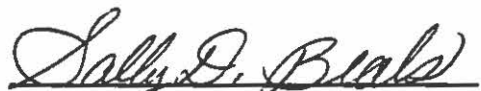
SECTION 4. That all ordinances and resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows:

- (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 17, 1996.

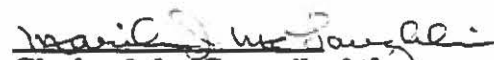
SECTION 5. That pursuant to Section 5.03 of the City Charter, Ohio R.C. 731.23 and Section 224.01 of the Centerville Municipal Code, the Clerk of Council shall cause this ordinance to be published, together with a notice setting out the time and place for a public hearing thereon and for its consideration 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 18th day of NOVEMBER, 1996.


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 4-96, passed by the Council of the City of Centerville, Ohio, on the 18th day of NOV., 1996.


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 IN THE 1996 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF CENTERVILLE

New matter in the Codified Ordinances of Centerville, as contained in the 1996 Replacement Pages therefor, includes legislation regarding:

- (1) General Code penalty for Traffic Code.
- (2) Alteration, injury, removal of traffic control devices.
- (3) Driving or physical control while under the influence.
- (4) Street racing prohibited.
- (5) Vehicular homicide.
- (6) Owner or operator allowing another to drive.
- (7) Driving under suspension or revocation or without proof of financial responsibility or in violation of license restrictions.
- (8) Definitions re drivers of commercial vehicles.
- (9) Manner of parallel and angle parking; handicapped persons.
- (10) Definitions re general provisions, administration and enforcement of General Offenses Code.
- (11) Falsification.
- (12) Obstructing justice.
- (13) Resisting arrest.
- (14) Soliciting or receiving improper compensation.
- (15) Disposition of property held by Police Division.
- (16) Impersonating an officer.
- (17) Definitions re alcoholic beverages.
- (18) Sales to underage persons; prohibitions and misrepresentations.
- (19) Liquor consumption in motor vehicles.
- (20) Posting liquor age and firearm warning signs.
- (21) Open container of alcoholic beverages prohibited.
- (22) Sales of low-alcohol beverages to underage persons; prohibitions and misrepresentations.
- (23) Definitions re drugs.
- (24) Trafficking in marihuana.
- (25) Cultivation of marihuana.

- (26) Drug abuse.
- (27) Possession of drug abuse instruments.
- (28) Permitting drug abuse.
- (29) Counterfeit controlled substances.
- (30) Abusing harmful intoxicants; trafficking.
- (31) Illegal dispensing of drug samples.
- (32) Use or possession of paraphernalia.
- (33) Definitions re gambling.
- (34) Gambling in general.
- (35) Cheating.
- (36) Responsibility of charitable organization conducting bingo game.
- (37) Maintenance of bingo records by charitable organizations.
- (38) Exemption for bingo games conducted for amusement.
- (39) Menacing by stalking.
- (40) Criminal child enticement.
- (41) Endangering children.
- (42) Interference with custody.
- (43) Threatening or harassing telephone calls.
- (44) Domestic violence.
- (45) Intimidation in connection with housing.
- (46) Failing to provide for a functionally impaired person.
- (47) Failure to perform viability testing.
- (48) Definitions re offenses relating to property.
- (49) Theft.
- (50) Degree of offense when certain property involved.
- (51) Evidence of theft of rented property.
- (52) Unauthorized use of a vehicle; vehicle trespass.
- (53) Unauthorized use of property.
- (54) Assaulting police dog or horse or handicapped assistance dog.
- (55) Arson.
- (56) Passing bad checks.
- (57) Criminal simulation.
- (58) Misuse of credit cards.
- (59) Prima-facie evidence of fraud in theft from livery or hostelry.
- (60) Tampering with records.
- (61) Securing writings by deception.
- (62) Defrauding creditors.
- (63) Receiving stolen property.
- (64) Prosecutions for theft of utilities.
- (65) Food stamps.
- (66) Misconduct involving a public transportation system.

- (67) Insurance fraud.
- (68) Workers' compensation fraud.
- (69) Medicaid fraud.
- (70) Disorderly conduct.
- (71) Inciting to violence.
- (72) Open burning.
- (73) Fences.
- (74) Smoking in places of public assembly.
- (75) Sexual imposition.
- (76) Public indecency.
- (77) Disseminating matter harmful to juveniles.
- (78) Definitions re weapons and explosives.
- (79) Underage purchase of a firearm or handgun.
- (80) Fireworks.
- (81) Endangering aircraft and airport operations.
- (82) Possessing criminal tools.
- (83) Definitions re penalties and sentencing for General Offenses Code.
- (84) Imposing sentence for misdemeanor in General Offenses Code.
- (85) Organizational penalties.
- (86) Multiple sentences.
- (87) Modification of sentence.