

ORDINANCE NO. 6-74

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Charles McQueeney ON THE 7th DAY OF January, 1974.

AN EMERGENCY ORDINANCE TO APPROVE, ADOPT AND ENACT PARTS THREE (3) AND FIVE (5) OF THE CENTERVILLE MUNICIPAL CODE; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Centerville, Ohio, has had the matter of codification and general revision of the ordinances before it for some time, and

WHEREAS, it has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such codification, and

WHEREAS, the codification of two parts of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council,

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That parts three and five of the ordinances of the City of Centerville, Ohio, consisting of the traffic code and the general offenses code as revised, codified, rearranged and consolidated into component codes, titles, chapters and sections are hereby approved, adopted and enacted as parts three and five of the Centerville Municipal Code of Centerville, Ohio, 1974.

Pursuant to City Charter Sections 5.09 (b) and Ohio R.C. 731.23 and 731.42, one book-form copy of Parts Three and Five of the Municipal Code shall be certified as correct by the Mayor and the Clerk of Council, attached to this ordinance as a part hereof, and filed with the permanent ordinance records of the City of Centerville, Ohio. Copies of the Codified Ordinances shall be made available to the public in the office of the Clerk of Council.

Section 2. That the provisions of this Ordinance, including all provisions of Parts Three and Five of the Municipal Code shall be in full force and effect from and immediately after passage of this Ordinance. All ordinances and resolutions or parts thereof which are inconsistent with any provision of Parts Three and Five of the Municipal Code are hereby repealed as of the effective date of this Ordinance, except as follows:

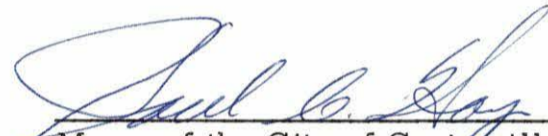
(a) The enactment of Parts Three and Five of the Municipal Code shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.

(b) The repeal provided above shall not affect:
(1) The grant or creation of a franchise, license, right, easement or privilege.


- (2) The purchase, sale, lease or transfer of property.
- (3) The appropriation or expenditure of money or promise or guarantee of payment.
- (4) The assumption of any contract or obligation.
- (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness.
- (6) The levy or imposition of taxes, assessments or charges.
- (7) The establishment, naming, vacating or grade level of any street or public way.
- (8) The dedication of property or plat approval.
- (9) The annexation or detachment of territory.
- (10) Any legislation enacted subsequent to January 7, 1974.

Section 3. This ordinance is hereby declared to be an emergency measure and shall become effective immediately upon passage. An emergency affecting public health, safety and welfare is hereby declared to exist by virtue of the fact that the City of Centerville is currently without a valid traffic code or a general offenses code and the best interests of the citizens of the City of Centerville will only be served by the immediate passage of such codes.

PASSED, this 7th day of January, 1974.


 Mayor of the City of Centerville, Ohio


ATTEST:


 Clerk of the Council of the
 City of Centerville, Ohio

Approved as to form, consistency
 with existing ordinances, the
 charter & constitutional provisions,
 Department of Law
 Robert N. Farquhar
 Municipal Attorney

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 6-74, passed by the Council of the City of Centerville, Ohio, on the 7th day of January, 1974.


 Clerk of the Council