

ORDINANCE NO. 59-74

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN J. V. Stoupe ON THE 15th DAY OF July, 1974.

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE NEW MUNICIPAL CODE: TO REPEAL ORDINANCES IN CONFLICT THEREWITH; AND TO PUBLISH THE ENACTMENT OF NEW MATTER THEREIN.

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codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council.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. The ordinances of the City of Centerville, Ohio, of a general and permanent nature, as revised, codified, re-arranged and consolidated into component codes, titles, chapters and sections are hereby approved, adopted and enacted as the Centerville Municipal Code, 1974, and are attached hereto and made a part hereof.

One book-form copy of the Centerville 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 records of the City of Centerville, Ohio.

Section 2. The provisions of this ordinance, including all provisions of the Centerville Municipal Code, shall be in full force and effect as provided in Section 4 of this ordinance. All ordinances and resolutions or parts thereof enacted prior to April 1, 1974, which are inconsistent with any provision of the Centerville Municipal Code, are hereby repealed as of the effective date of this ordinance, except as follows:

- (a) The enactment of the Centerville Municipal Code shall not be construed to affect a right or liability accrued or incurred under any legislative provisions 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 the 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 codification.
- (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 March 31, 1974.

Section 3. Pursuant to Section 125.01 of the Centerville Municipal Code, the Clerk of Council shall post copies of the Centerville Municipal Code along with a copy of this ordinance in the five public places as provided by Section 125.01 of the Centerville Municipal Code. All sections of the Centerville Municipal Code without a previous ordinance or resolution history at the end thereof indicates that the section contains new matter ordained by this adopting ordinance.

Section 4. This ordinance shall become effective from and after the earliest date allowed by law.

PASSED THIS 15th day of July, 1974.

Paul L. Hoy
 Mayor of the City of Centerville

ATTEST:

Marilyn J. Langdon
 Clerk of the Council of the
 City of Centerville, Ohio

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. 5974, passed by the Council of the City of Centerville, Ohio, on the 15th day of July, 1974.

Marilyn J. Langdon
 Clerk of the Council

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