



Brooks A. Compton, Mayor | Wayne S. Davis, City Manager

**NOTICE OF PUBLIC HEARING
Centerville City Council**

Notice is hereby given that a Public Hearing shall be conducted during the Centerville City Council meeting scheduled for **Monday, November 20, 2023, at 7:30 p.m.** in the Council Chambers of the Centerville Municipal Building, 100 West Spring Valley Pike, Centerville, Ohio, Concerning Ordinance 17-23, 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.

The Ordinance is attached in full to this notice.

By order of the City of Centerville, Ohio.

Teri Davis
Clerk of Council

ORDINANCE NO. 17-23
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER _____ ON THE
____ DAY OF _____, 2023

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 (August 15, 2022) 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>
20-22	10-17-22	Ch. 1216, Appendix A, Art. 5, 5.09, 5.13, Art. 9, 9.05, 9.29, 9.39, 9.43, 9.51, 9.53, Art. 11, 11.02
22-22	11-7-22	478.01, 478.02, 478.99
23-22	11-21-22	1062.02
06-23	4-3-23	808.04
08-23	6-26-23	260.03

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

202.02, 408.02, 432.39, 434.01, 434.03, 436.071, 436.15, 438.23, 440.08, 442.01, 452.04, 452.055, 606.01, 606.06, 606.12, 612.02, 612.07, 618.05, 618.06, 624.01, 624.03, 624.04, 624.14, 630.11, 636.02, 636.045, 636.05, 636.10, 636.11, 636.12, 636.23, 642.02, 642.08, 648.05, 648.12, 660.02, 666.01, 666.05, 666.06, 666.07, 698.02, 698.03

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.
- (2) The repeal provided above shall not affect any legislation enacted subsequent to June 26, 2023.

SECTION 4. That pursuant to Section 5.03 of the City Charter, 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 hereon and for its consideration by the Council, by posting the same in the three 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 30 days after final adoption of this ordinance, as provided in Section 5.04 of the City Charter.

PASSED this ____ day of _____, 2023.

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 _____, passed by the Council of the City of Centerville, Ohio, on the _____ day of _____, 2023.

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 2023 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF CENTERVILLE

New matter in the Codified Ordinances of Centerville, Ohio, as contained in the 2023 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
202.02	General definitions.
408.02	General code penalty.
432.39	Texting while driving prohibited.
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
434.03	Maximum speed limits; assured clear distance ahead.
436.071	Driving under suspension or in violation of license restriction.
436.15	Removal of vehicles after accidents.
438.23	Windshield required; sign or poster upon windshield; windshield wiper.
440.08	Occupying travel trailer, fifth wheel vehicle, or manufactured or mobile home while in motion.
442.01	Definitions related to drivers of commercial vehicles.
452.04	Manner of parallel and angle parking; privileges for persons with disabilities.
452.055	Parking prohibitions on private property; private tow-away zones.
606.01	Definitions related to general provisions; administration and enforcement.
606.06	Limitation on criminal prosecutions.
606.12	Failure to report a crime or death.
612.02	Sales to underage persons; prohibitions and misrepresentations.
612.07	Open container prohibited; exception.
618.05	Cruelty to animals; cruelty to companion animals.
618.06	Coloring rabbits and baby poultry; sale or display of poultry.
624.01	Definitions relating to drug offenses.
624.03	Drug possession offenses.
624.04	Possession of drug abuse instruments.
624.14	Use or possession of paraphernalia.
630.11	Raffle drawing.
636.02	Assault.
636.045	Menacing by stalking.
636.05	Menacing.
636.10	Nonsupport of dependents.
636.11	Endangering children.
636.12	Interference with custody.
636.23	Failing to provide for a person with a functional impairment.
642.02	Theft.
642.08	Assaulting police dog or horse or assistance dog.
648.05	Disturbing a lawful meeting.

<u>Section</u>	<u>New or amended matter regarding:</u>
648.12	Impeding public passage of an emergency service responder.
660.02	Spreading contagion.
666.01	Definitions for sex related offenses.
666.05	Voyeurism.
666.06	Polygraph examinations for victims: restrictions on use.
666.07	Procuring; engagement in sexual activity for hire.
698.02	Penalties for misdemeanor.
698.03	Imposing sentence for misdemeanor.