

ORDINANCE NO.: 2013-06
SPONSOR: MAYOR NORTON
INTRODUCED: MAY 14, 2013

RULES & PERSONNEL

ASSIGNED TO: _____

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; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT, AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation 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 (June 30, 2012), 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.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, STATE OF OHIO, THAT:

SECTION ONE:

The editing, arrangement and numbering or renumbering of the following ordinances and resolutions and parts of ordinances and resolutions are 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>
2012-14	10-23-12	1045.01 - 1045.05
2012-18	9-25-12	1232.01 - 1232.06
2012-19	9-25-12	1229.06
2012-23	11-13-12	1229.13
2012-24	11-13-12	1224.09, 1231.02
2012-26	11-13-12	210.06

SECTION TWO:

The following sections and subsections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are approved, adopted and enacted:

432.41, 432.42, 436.071, 436.074, 438.01, 438.09, 438.17, 438.19, 438.235, 438.24, 438.26, 438.28, 440.01, 440.04, 440.05, 440.06, 442.01, 474.07, 606.01, 606.10, 606.165, 606.24, 612.02, 612.04, 624.02, 624.14, 630.01, 630.02, 630.06, 630.07, 630.09, 630.10, 630.11, 630.12, 630.13, 630.14, 636.20, 642.01, 642.02, 642.26, 660.08, 666.07, 666.08, 672.13, 672.14, 698.02, 698.05

SECTION THREE:

Pursuant to Ohio R.C. 731.23 and Section 4.11 of the Charter of the City, the Clerk of Council shall cause to be posted, for a minimum period of two weeks, in at least five public places within the City, a notice of the enactment of this ordinance, containing the title of this ordinance and a summary of the new matter approved, adopted and enacted in Section 2, which summary is attached as Exhibit A. The Clerk of

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Council shall also cause to be published a concise summary of this ordinance in at least one newspaper of general circulation in the City once a week for two consecutive weeks.

SECTION FOUR:

All ordinances and resolutions or parts of ordinances and resolutions which are in conflict or inconsistent with any provision of the new matter adopted in Section 1 of this ordinance are repealed as of the effective date of this ordinance except as follows:

- (a) The enactment of such sections and subsections 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 any legislation enacted subsequent to December 31, 2011.

SECTION FIVE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION SIX:

Council declares this ordinance to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, welfare and morals of the citizens of the City, for the reason that it is necessary to have a current codification of the legislation of the City, one which is consistent with State law, as required by Article XVIII, Section 3, of the Ohio Constitution, to properly provide for the administration of government and to assure law and order in the City, for which reasons this ordinance, including the 2012 Replacement Pages approved, adopted and enacted, shall take effect immediately.

INTRODUCED: May 14, 2013

ADOPTED: June 11, 2013

Molly Kapeluck
Molly Kapeluck, Clerk

Dave France
Dave France, Council President

APPROVED: June 11, 2013

Richard G. Norton
Richard G. Norton, Mayor

COPIED _____
SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: June 11, 2013

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ON ROLL CALL: Colopy -yea France -yea Humphrey -yea Knodel -yea
Neugebauer -yea Reed -yea Summerville -yea Adopted 7-0

Suburbanite publication on June 16 and June 23, 2013

Molly Kapeluck
Molly Kapeluck, Clerk

05/09/2013 Approved as to form and content by Stephen J. Pruneski, Law Director SP 4/30/13

SUMMARY OF NEW MATTER
CONTAINED IN THE 2013 REPLACEMENT PAGES
FOR THE
CODIFIED ORDINANCES OF GREEN

New matter in the Codified Ordinances of Green, Ohio, as contained in the 2013 Replacement Pages therefore, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
432.41	Texting while driving prohibited. (New)
432.42	Use of electronic wireless communication devices by minors or probationary drivers while driving prohibited. (New)
436.071	Driving under suspension or in violation of license restriction.
436.074	Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension.
438.01	Driving unsafe vehicles; application.
438.09	Lights on parked or stopped vehicles.
438.17	Vehicles transporting preschool children.
438.19	Motor vehicle and motorcycle brakes.
438.235	Tinted glass; materials on glass.
438.24	Limited load extension on left side of passenger vehicle.
438.26	Bumpers.
438.28	Use of child restraints.
440.01	Load limits.
440.04	Vehicles transporting explosives.
440.05	Towing requirements; exception to size and weight restrictions.
440.06	Loads dropping or leaking; tracking mud; removal required.
442.01	Definitions relating to drivers of commercial vehicles.
474.07	Safe riding regulations for bicycles.
606.01	Definitions relating to general offenses.
606.10	Falsification
606.165	Compliance with lawful order of police officer; fleeing.
606.24	Disposition of unclaimed or forfeited property held by Police Department.
612.02	Sales to underage persons; prohibitions and misrepresentations.
612.04	Consumption in motor vehicle.
624.02	Trafficking in controlled substances; gift of marihuana.
624.14	Use or possession of paraphernalia.
630.01	Definitions relating to gambling.
630.02	Gambling in general.
630.06	Responsibility of charitable organization conducting bingo game.
630.07	Maintenance of records by charitable organizations.
630.09	Exemption for bingo games conducted for amusement.
630.10	Prohibitions where instant bingo game is conducted.

- 630.11 Raffle drawings.
- 630.12 Instant bingo other than at bingo sessions.
- 630.13 Restrictions on owner or lessor of location at instant bingo.
- 630.14 Skill-based amusement machines; prohibited conduct.
- 636.20 Illegal distribution of cigarettes or other tobacco products; transaction scans.
- 642.01 Definitions relating to property offenses.
- 642.02 Theft.
- 642.26 Prosecutions for theft of utilities.
- 660.08 Open burning.
- 666.07 Procuring.
- 666.08 Soliciting.
- 672.13 Possession of an object indistinguishable from a firearm in a school safety zone.
- 672.14 Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
- 698.02 Penalties for misdemeanor.
- 698.05 Multiple sentences.