

ORDINANCE NO.: 2009-7
SPONSOR: MAYOR NORTON
INTRODUCED: APRIL 28, 2009

RULES & PERSONNEL

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 THEREWITH; 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 (July 8, 2008), 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, AND 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. or Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2008-R63	11-25-08	216.01 to 216.08

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:

402.21, 414.11, 434.01, 436.05, 438.28, 440.07, 474.02, 606.10, 606.30, 612.05, 612.07, 624.01, 624.02, 624.03, 666.04, 666.06, 666.20, 672.01, 672.02, 672.04, 672.13, 672.14, 698.02

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 of this Ordinance, which summary is attached as Exhibit "A". The Clerk of 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 this Ordinance which are in conflict or inconsistent with any provision of the new matter adopted in Section Two 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 therefore. 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 9, 2008.

SECTION FIVE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 2009 Replacement Pages approved, adopted and enacted, shall take effect immediately.

ADOPTED: May 26, 2009

Molly Stevens
Molly Stevens, Clerk

Dave France
Dave France, Council President

APPROVED: May 26, 2009, 2009

Richard G. Norton
Richard G. Norton, Mayor

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

ENACTED EFFECTIVE: May 26, 2009

ON ROLL CALL: Colopy -yea Croce -yea France -yea Manwaring -yea
Reed -yea Ridgeway -yea Smole -yea Adopted 7-0

Suburbanite publication on May 31 and June 7, 2009

Molly Stevens
Molly Stevens, Clerk

4/14/2009 4:36 PM Approved as to form and content by Stephen J. Pruneski, Law Director SP 4/21/09

EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2009 REPLACEMENT PAGES
FOR THE
CODIFIED ORDINANCES OF GREEN, OHIO

New matter in the Codified Ordinances of Green, Ohio, as contained in the 2009 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.21	Definition of "motorcycle".
414.11	Traffic law photo-monitoring devices.
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
436.05	Owner or operator allowing another to drive.
438.28	Use of child restraints.
440.07	Vehicles with spikes, lugs and chains.
474.02	Riding upon seats; carrying packages; motorcycle handle bars; helmets and glasses.
606.10	Falsification.
606.30	Self defense; limitations on duty to retreat prior to using force.
612.05	Permit required.
612.07	Open container prohibited.
624.01	Definitions concerning drugs.
624.02	Trafficking in controlled substances; gift of marihuana.
624.03	Drug abuse.
666.04	Public indecency.
666.06	Polygraph examinations for victims: restrictions on use.
666.20	Sexually oriented businesses; illegal operation and activity.
672.01	Definitions concerning weapons and explosives.
672.02	Carrying concealed weapons.
672.04	Improperly handling firearms in a motor vehicle.
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.