

ORDINANCE NO.: 2011-02
SPONSOR: Mayor Norton
INTRODUCED: March 8, 2011

INTERGOV. & UTIL.

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 (December 31, 2010), 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 following sections and subsections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are approved, adopted and enacted:

434.01, 436.01, 436.071, 436.072, 436.074, 436.11, 436.12, 606.01, 606.29, 612.07, 630.01, 630.02, 630.06, 630.10, 636.15, 636.26, 642.26, 698.02

SECTION TWO:

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 (summary 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 THREE:

All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 1 of this ordinance are repealed as of the effective date of this ordinance except as follows: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 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 31, 2010.

SECTION FOUR:

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 FIVE:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: April 12, 2011
Molly Stevens
Molly Stevens, Clerk

[Signature]
Joel Reed, Council President

APPROVED: April 12, 2011
[Signature]
Richard G. Norton, Mayor

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

ENACTED EFFECTIVE: April 12, 2011

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ON ROLL CALL: Colopy -yea DeVitis -yea France -yea Manwaring -yea
Reed -yea Summerville -absent Smole -absent Adopted 5-0

Suburbanite publication on APRIL 17 and April 24, 2011

Molly Stevens
Molly Stevens, Clerk

3/8/2011 Approved as to form and content by Stephen J. Pruneski, Law Director SP 2/24/11

EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2010-B REPLACEMENT PAGES
FOR THE
CODIFIED ORDINANCES OF GREEN

New matter in the Codified Ordinances of Green, Ohio, as contained in the 2010-B Replacement Pages therefore, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
436.01	Driver=s or commercial driver=s license required.
436.071	Driving under suspension or in violation of license restriction.
436.072	Operating motor vehicle without valid license.
436.074	Driving under financial responsibility law suspension or cancellation.
436.11	Stopping after accident upon streets; collision with unattended vehicle.
436.12	Stopping after accident upon property other than streets.
606.01	Definitions relating to general offenses.
606.29	Misuse of 9-1-1 system.
612.07	Open container prohibited.
630.01	Definitions relating to gambling.
630.02	Gambling in general.
630.06	Responsibility of charitable organization conducting bingo game.
630.10	Prohibitions where instant bingo game is conducted.
636.15	Threatening or harassing telecommunications.
636.26	Unlawful collection of bodily substances.
642.26	Prosecutions for theft of utilities.
698.02	Penalties for misdemeanor.