

ORDINANCE NO. 106-17

Sponsored by Lora Long

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES 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 IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing has completed its annual updating and revision of the Codified Ordinances of the City, and

WHEREAS, various ordinances of a general and permanent nature that have been passed by Council since the date of the last updating and revision of the Codified Ordinances of the City (December 4, 2014) 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 LONDON, COUNTY OF MADISON, STATE OF OHIO:

Section 1. That the editing, arrangement and numbering or renumbering of the following ordinances of the City of London, Ohio, of a general and permanent nature, are hereby 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>
108-15	2-19-15	278.10
114-15	3-19-15	880.05
Res. 123-15	3-19-15	1442.06
131-15	6-4-15	289.01 to 289.05
138-15	6-18-15	880.03, 880.032, 880.15, 880.16
160-15	9-5-15	234.03
162-15	10-1-15	881.01 to 881.21, 881.97 to 881.99
163-15	10-1-15	1060.11
180-15	12-17-15	1228.04
181-15	12-17-15	1242.08
182-15	12-28-15	1268.07, 1268.09, 1268.14
Res. 109-16	2-18-16	881.091

Section 2. That the following sections are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

402.23, 432.20, 434.01, 436.01, 436.035, 436.09, 436.11, 436.12, 436.14, 442.01, 442.03, 442.04, 442.05, 442.07, 444.02, 452.04, 452.05, 452.06, 606.06, 608.16, 612.01, 612.07, 618.05, 624.01, 624.02, 624.025, 624.03, 624.04, 624.05, 624.06, 624.07, 624.076, 624.08, 636.05, 636.09, 636.11, 636.13, 636.16, 642.08, 642.09, 642.12, 660.03, 660.13, 666.08, 678.10, 698.02

Section 3. That all ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed as of the effective date of this ordinance, except as follows: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 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 codification.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to February 8, 2016.

Section 4. That pursuant to Ohio R.C. 731.23, the Clerk of Council shall cause to be published a notice of the enactment of this ordinance, containing the title of this ordinance and a summary of the new matter covered by it, a copy of which summary is attached hereto as Exhibit A.

Section 5. That this Council hereby finds and determines that all formal actions relative to the adoption of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council, and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Ohio R.C. 121.22.

Section 6. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for the further reason that it is immediately necessary to have an up-to-date codification of the laws of the City, one which is consistent with current State law, where and as required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the City and ensure law and order.

WHEREFORE, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____

Pat Closser
President of Council
Attest:

Approved:

Arlene Duffey
Clerk of Council

Patrick J. Closser
Mayor

Submitted to Mayor: _____

Date of Approval: _____

I, Arlene Duffey, the duly appointed Clerk of Council of the City of London, Ohio, hereby certify that the foregoing ordinance was duly published in THE MADISON PRESS, a newspaper of general circulation in London, Ohio, as required by law.

Publication Date: _____

Arlene Duffey
Clerk of Council

**Approved as to form by
City Law Director
Zahid H. Siddiqi**

EXHIBIT A

SUMMARY OF NEW MATTER CONTAINED IN THE 2016 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF LONDON, OHIO

New matter in the Codified Ordinances of London, Ohio, as contained in the 2016 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.23	Definition of "motorcycle".
432.20	Right-of-way of public safety or coroner's vehicle.
434.01	Driving or physical control of vehicles while under the influence of alcohol or drugs.
436.01	Driver's or commercial driver's license required.
436.035	Driving with probationary license.
436.09	Display of license plates; registration; obstructions.
436.11	Failure to stop after accident.
436.12	Stopping after accident on other than public roads or highways.
436.14	Removal of vehicles after accidents.
442.01	Definitions relating to drivers of commercial vehicles.
442.03	Licensing requirements.
442.04	Physical qualification to operate commercial motor vehicles.
442.05	Criminal offenses.
442.07	Information required of prospective drivers by employers; unauthorized driving.
444.02	Riding upon seats; carrying packages; motorcycle handle bars; helmets and glasses.
452.04	Manner of parallel and angle parking; handicapped persons.
452.05	Willfully leaving vehicles on private or public property.
452.06	Parking prohibitions on private property; private tow-away zones.
606.06	Limitation on criminal prosecutions.
608.16	Disposition of unclaimed or forfeited property held by Police Department.
612.01	Definitions relating to alcoholic beverages.
612.07	Open container prohibited.
618.05	Cruelty to animals; cruelty to companion animals.
624.01	Definitions relating to drugs.
624.02	Trafficking in controlled substances; gift of marihuana.
624.025	Cultivation of marihuana.
624.03	Drug possession offenses.
624.04	Possession of drug abuse instruments.
624.05	Permitting drug abuse.
624.06	Use or possession of paraphernalia.
624.07	Abusing harmful intoxicants.

Section New or amended matter regarding:
624.076 Possessing nitrous oxide in motor vehicles.
624.08 Illegal dispensing of drug samples.
636.05 Menacing by stalking.
636.09 Criminal child enticement.
636.11 Nonsupport of dependents.
636.13 Interference with custody.
636.16 Threatening or harassing telecommunications.
642.08 Criminal damaging or endangering; vehicular vandalism.
642.09 Criminal mischief.
642.12 Assaulting police dog or horse or assistance dog.
660.03 Littering.
660.13 Smoking in places of public assembly.
666.08 Soliciting.
678.10 Fireworks.
698.02 Penalties for misdemeanor.