

ORDINANCE NO. 159-19

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 (February 8, 2016) 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>
145-16	9-1-16	881.051, 881.091
Res. 164-16	12-1-16	230.05
167-16	12-1-16	1060.11
122-17	4-20-17	1268.14, 1268.15
135-17	6-15-17	1244.05
148-17	7-20-17	874.06
154-17	7-20-17	Ed. Note, 434.01
158-17	9-21-17	438.21
159-17	9-21-17	881.062, 881.07, 881.10
121-18	5-3-18	1022.03
160-18	8-16-18	1244.05
162-18	9-6-18	208.02 - 208.04
177-18	9-6-18	260.02
179-18	10-18-18	278.03

(Cont'd)

<u>Ord. or Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
190-18	12-20-18	220.01
111-19	3-7-19	452.03, 452.04, 452.17, 452.18
117-19	2-21-19	860.02
124-19	4-18-19	1020.01 - 1020.06, 1020.99
133-19	5-16-19	1062.03
138-19	5-16-19	242.15

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

402.135, 402.22, 402.24, 402.27, 402.305, 402.425, 402.57, 402.58, 404.03, 408.02, 412.05, 414.01, 416.01, 416.02, 416.09, 416.13, 432.01, 432.02, 432.03, 432.04, 432.05, 432.06, 432.07, 432.08, 432.09, 432.10, 432.11, 432.12, 432.13, 432.14, 432.15, 432.16, 432.17, 432.18, 432.19, 432.205, 432.21, 432.23, 432.24, 432.26, 432.27, 432.28, 432.29, 432.30, 432.31, 432.34, 432.35, 432.36, 432.41, 432.46, 432.47, 434.01, 434.011, 434.03, 434.04, 434.05, 434.06, 434.09, 434.10, 434.11, 436.09, 436.14, 438.16, 438.30, 440.01, 440.05, 444.01, 444.02, 444.03, 444.04, 444.05, 444.11, 444.13, 446.01, 446.03, 446.04, 446.08, 452.03, 452.05, 452.06, 452.07, 606.01, 606.11, 608.04, 608.16, 612.07, 612.08, 618.01, 618.18, 624.01, 624.02, 624.025, 624.03, 624.04, 624.05, 624.06, 624.07, 624.08, 624.09, 624.10, 624.14, 624.16, 636.001, 636.05, 636.11, 636.14, 642.03, 642.06, 642.07, 648.04, 660.08, 666.03, 666.04, 666.21, 672.10, 672.12, 678.01, 678.02, 678.04, 678.05, 678.07, 678.10, 678.13, 678.14

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 May 16, 2019.

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: \_\_\_\_\_

\_\_\_\_\_  
Joe Russell  
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

EXHIBIT A

SUMMARY OF NEW MATTER  
CONTAINED IN THE 2019 REPLACEMENT PAGES  
FOR THE CODIFIED ORDINANCES  
OF LONDON, OHIO

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New matter in the Codified Ordinances of London, Ohio, as contained in the 2019 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.135	Definition of electric bicycle.
402.22	Definition of motor vehicle.
402.24	Definition of motorized bicycle or moped.
402.27	Definition of pedestrian.
402.305	Definition of predicate motor vehicle or traffic offense.
402.425	Definition of shared-use path.
402.57	Definition of vehicle.
402.58	Definition of waste collection vehicle.
404.03	Exceptions generally; emergency, public safety and coroner vehicles exempt.
408.02	General traffic penalty.
412.05	Prohibitions against pedestrians and slow-moving vehicles on freeways.
414.01	Obedying traffic-control devices.
416.01	Pedestrian on crosswalk has right-of-way.
416.02	Right-of-way yielded to blind pedestrian.
416.09	Pedestrian on sidewalk has right-of-way.
416.13	Operation of personal delivery device on sidewalks and crosswalks.
432.01	Lanes of travel upon roadways.
432.02	Vehicles traveling in opposite directions.
432.03	Rules governing overtaking and passing of vehicles.
432.04	Permission to overtake and pass on the right.
432.05	Driving to left of center line.
432.06	Prohibition against driving upon left side of roadway.
432.07	Hazardous zones.
432.08	Rules for driving in marked lanes.
432.09	Space between moving vehicles.
432.10	Rules for turns at intersections.
432.11	U-turns and turning in roadway prohibited.
432.12	Starting and backing vehicles.
432.13	Turn and stop signals.
432.14	Hand and arm signals.
432.15	Right-of-way at intersections.
432.16	Ambiguous or non-working traffic signals.
432.17	Right-of-way when turning left.

<u>Section</u>	<u>New or amended matter regarding:</u>
432.18	Right-of-way at through highways; stop signs; yield signs.
432.19	Emergency vehicles to proceed cautiously past red or stop signal.
432.205	Driving while approaching stationary public safety vehicle and certain other vehicles with caution.
432.21	Stop at sidewalk area; stop signs on private roads and driveways; right-of-way on public highway.
432.23	Funeral procession has right-of-way.
432.24	Driving upon sidewalks, tree lawns or curbs.
432.26	Driving upon closed highway prohibited.
432.27	Following and parking near emergency or safety vehicles.
432.28	Driving over unprotected fire hose.
432.29	Driving through safety zone.
432.30	One-way highways and rotary traffic islands.
432.31	Divided roadways.
432.34	Stop signs at grade crossings.
432.35	Slow-moving vehicles or equipment crossing railroad tracks.
432.36	Obstructing passage of other vehicles.
432.41	Operation on paths set aside for bicycles.
432.46	Texting while driving prohibited.
432.47	Use of electronic wireless communication devices by minors or probationary drivers while driving prohibited.
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
434.011	Immobilizing or disabling device violation.
434.03	Speed limits.
434.04	Speed limits on private roads and driveways.
434.05	Slow speed or stopping.
434.06	Speed regulations on bridges.
434.09	Street racing defined; prohibited on public highways.
434.10	Vehicular homicide; vehicular manslaughter; vehicular assault
434.11	Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles.
436.09	Display of license plates or validation stickers; registration.
436.14	Removal of vehicles after accidents.
438.16	Number of lights permitted; red and flashing lights.
438.30	Occupant restraining devices
440.01	Permit required to exceed loan limits
440.05	Towing requirements; exception to size and weight restrictions
444.01	Bicycles; application of Title VII
444.02	Riding upon seats; carrying packages; motorcycle handle bars; helmets and glasses
444.03	Prohibition against attaching bicycles and sleds to vehicles.
444.04	Riding bicycles; motorcycles abreast.
444.05	Lights, signal devices, brakes on bicycles
444.11	Operation of motorized bicycle
444.13	Electric bicycles (NEW)
446.01	Definitions for bicycles, motorcycles etc.
446.03	Code application; prohibited operation.

<u>Section</u>	<u>New or amended matter regarding:</u>
446.04	Permitted operation.
446.08	Registration of vehicles.
452.03	Prohibited standing or parking places
452.05	Impounding abandoned motor vehicle on public property.
452.06	Impounding motor vehicle on private property.
452.07	Condition when motor vehicle left unattended.
606.01	Definitions.
606.11	Attempts
608.04	Failure to report a crime.
608.16	Disposition of unclaimed or forfeited property held by Police Department.
612.07	Open container prohibited.
612.08	Hours of sale or consumption.
618.01	Dogs or other animals running at large; nuisance, dangerous or vicious dogs; hearings.
618.18	Sexual conduct with an animal.
624.01	Definitions concerning drugs.
624.02	Trafficking in controlled substances; gift of marijuana.
624.025	Illegal 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
624.08	Illegal dispensing of drug samples.
624.09	Counterfeit controlled substances.
624.10	Controlled substance or prescription label.
624.14	Controlled substance schedules
624.16	Sale of pure caffeine product
636.001	Definitions
636.05	Violating a protection order, consent agreement, anti-stalking protection order or order issued by a court of another state.
636.11	Nonsupport of dependents.
636.14	Contributing to unruliness or delinquency of a child.
642.03	Unauthorized use of property, including telecommunication property and computers; possession of municipal property.
642.06	Arson.
642.07	Determining property value or amount of physical harm in arson.
648.04	Disorderly conduct
660.08	Open burning
666.03	Sexual imposition
666.04	Public indecency
666.21	Nonconsensual dissemination of private sexual images
672.10	Misuse of credit cards.
672.12	Forging or selling forged identification cards
678.01	Definitions for weapons and explosives
678.02	Carrying concealed weapons.
678.04	Improperly handling firearms in a motor vehicle.
678.05	License or permit to possess dangerous ordnance

Section New or amended matter regarding:

678.07 Unlawful transactions in weapons

678.10 Fireworks definitions

678.13 Possession of an object indistinguishable from a firearm in a school safety zone.

678.14 Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.