

# RECORD OF ORDINANCES

Ordinance No. 2014-25

Passed JUNE 23 20 14

**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 THE DECLARATION OF AN EMERGENCY**

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

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since the date of the last updating and revision of the Codified Ordinances and have been included in the Codified Ordinances of the Village; and,

WHEREAS, certain changes were made in the Codified Ordinances to bring Village law into conformity with State law; and,

WHEREAS, this ordinance will need to be passed as an emergency measure for the immediate preservation of the public peace, health and safety, the emergency being the necessity of having an up-to-date Code of laws with which to administer the affairs of the Village, one which is consistent with the latest State law, as required by the Ohio Constitution;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO, THREE-FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

SECTION 1: That the editing, arrangement and numbering or renumbering of the following ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of the Village, 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>
2013-04	4-8-2013	452.16
2013-05	4-22-2013	432.46
2013-10	4-8-2013	T.S.O. B
Res. 2013-14	5-28-2013	T.S.O. E
2013-15	6-10-2013	452.03
2013-16	5-28-2013	452.19
2013-17	5-13-2013	T.S.O. A
2013-21	7-8-2013	T.S.O. C
2013-22	7-8-2013	1024.05
2013-27	8-26-2013	1024.04, 1024.12
2013-32	9-23-2013	Pt. 12, Title Two, Appx. A
2013-35	10-14-2013	1024.04
2013-37	11-25-2013	452.15, 452.16
2013-40	12-9-2013	T.S.O. F
2013-44	12-9-2013	260.01
2013-45	12-9-2013	240.01
2013-46	12-9-2013	1024.03, 1024.04, 1024.05

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

402.05, 402.08, 402.193, 402.23, 402.24, 402.305, 404.03, 414.03, 432.205, 432.34, 432.47, 432.48, 434.01, 434.03, 434.11, 436.09, 436.14, 438.16, 438.24, 438.32, 440.01, 440.02, 440.11, 444.02, 446.01, 446.08, 452.04, 606.01, 606.06, 608.01, 608.04, 608.16, 608.19, 612.01, 612.07,

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Ordinance No. 2014-23

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612.08, 612.09, 618.05, 618.095, 624.01, 624.02, 624.03, 624.15, 630.01, 630.02, 636.02, 636.09, 642.01, 660.08, 672.01, 672.02, 672.22, 678.01, 678.02, 678.04, 678.13, 678.15, 698.03

SECTION 3: That all ordinances or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance, except as follows:

- (a) The enactment of such sections 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 9, 2013.

SECTION 4: That pursuant to Ohio Revised Code §731.23, the Clerk of Council shall publish, in a manner required by law, a notice of the enactment of this ordinance, containing the title of this ordinance, together with a summary of the new matter contained in the 2014 S-12 supplement, a copy of which summary is attached hereto as EXHIBIT A.

SECTION 5: That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, the emergency being the necessity of having an up-to-date Code of laws with which to administer the affairs of the Village, one which is consistent with the latest State law, as required by the Ohio Constitution, and as such, this ordinance, and the 2014 S-12 Supplement pages hereby approved, shall be in full force and effect from and after its passage.



Robert M. Kalish, Mayor

DATE OF PASSAGE: 6-23-2014

EFFECTIVE DATE: 6-23-2014

ATTEST:



Florence D. Welker, Fiscal Officer

SPONSOR: HOUSE

APPROVED AS TO FORM:



Jeffrey Feyko, Village Solicitor

## EXHIBIT A

### SUMMARY OF NEW MATTER IN THE 2014 S-12 SUPPLEMENT PAGES FOR THE CODIFIED ORDINANCES OF BALTIMORE, OHIO

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New matter in the Codified Ordinances of Baltimore, as contained in the 2014 S-12 Supplement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.05	Definition of "bicycle."
402.08	Definition of "chauffeured limousine."
402.193	Definition of "Highway maintenance vehicle."
402.23	Definition of "Motorcycle."
402.24	Definition of "motorized bicycle" or "moped."
402.305	Definition of "predicate motor vehicle or traffic offense."
404.03	Road workers, motor vehicles and equipment excepted.
414.03	Traffic-control signal terms and lights.
432.205	Driving while approaching stationary public safety vehicle with flashing lights.
432.34	Stopping for school bus; actuating visual signals; discharging children.
432.47	Texting while driving prohibited.
432.48	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.
434.03	Maximum speed limits; assured clear distance ahead.
434.11	Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles.
436.09	Display of license plates; registration; obstructions.
436.14	Removal of vehicles after accidents.
438.16	Number of lights permitted; red and flashing lights.
438.24	Tinted glass; materials on glass.
438.32	Air bags.
440.01	Load limits.
440.02	Maximum width, height and length.
440.11	Chauffeured limousines.
444.02	Riding upon seats; carrying packages; motorcycle handle bars; helmets and glasses.
446.01	Definition relating to snowmobiles, off-highway motorcycles and all-purpose vehicles.
446.08	Registration of vehicles.
452.04	Manner of parallel and angle parking; handicapped persons.
606.01	Definitions relating to general offenses.
606.06	Limitation on criminal prosecutions.
608.01	Falsification.
608.04	Failure to report a crime or death.

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<u>Section</u>	<u>New or amended matter regarding:</u>
608.16	Disposition of unclaimed or forfeited property held by Police Department.
608.19	Misuse of 9-1-1 system.
612.01	Definitions relating to alcoholic beverages.
612.07	Open container prohibited.
612.08	Hours of sale or consumption.
612.09	Conveying intoxicating liquor or cash onto grounds of detention facilities or other specified governmental facilities.
618.05	Cruelty to animals; cruelty to companion animals.
618.095	Dogs required to wear tags.
624.01	Definitions relating to drugs.
624.02	Trafficking in controlled substances; gift of marihuana.
624.03	Drug possession offenses.
624.15	Pseudoephedrine sales.
630.01	Definitions relating to gambling.
630.02	Gambling in general.
636.02	Assault.
636.09	Criminal child enticement.
642.01	Definitions relating to property offenses.
660.08	Open burning.
672.01	Theft.
672.02	Receiving stolen property.
672.22	Medicaid fraud.
678.01	Definitions relating to weapons and explosives.
678.02	Carrying concealed weapons.
678.04	Improperly handling firearms in a motor vehicle.
678.13	Possession of an object indistinguishable from a firearm in a school safety zone.
678.15	Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
698.03	Imposing sentence for misdemeanor.