

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 05-72

INTRODUCED BY: Mayor Luks

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART FOURTEEN BUILDING AND HOUSING CODE, TITLE FOUR BUILDING ADMINISTRATION, CHAPTER 1442, SECTION 1442.99 PENALTY, AND DECLARING AN EMERGENCY

WHEREAS: Council desires to correct Section 1442.99 which was recently amended in error to reflect only a minor misdemeanor when the original penalties in place were graduated penalties for multiple separate violations, and

WHEREAS: Council desires to amend this section to make the penalties graduated as before.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Section 1442.99 Penalty shall be amended to read as follows:

1442.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a minor misdemeanor for a first offense; for a second offense, such person is guilty of a misdemeanor of the second degree; for a third or subsequent offense, such person shall be guilty of a misdemeanor of the first degree. Whoever is convicted of or pleads guilty to a misdemeanor or minor misdemeanor shall be sentenced in accordance with Section 698.02. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

Section 2. Section 1442.99 is hereby amended as provided for herein and all other provisions of Chapter 1442 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that Council has determined that it is immediately necessary to amend Section 1442.99 of the Codified Ordinances of the City of North Royalton by correcting the penalties for violation of the section of Chapter 1442 in accordance with prior penalties for said violations.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Robert A. Stefanik
PRESIDENT OF COUNCIL

APPROVED: /s/ Cathy Luks
MAYOR

DATE PASSED: May 17, 2005

DATE APPROVED: May 19, 2005

First reading suspended
Second reading suspended
Third reading May 17, 2005

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

YEAS: Stefanik, Bobulsky, Gentile, Willey,
Koch, Zaccardelli, Uffman-Kirsch
NAYS: none