

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 08-74

INTRODUCED BY: Kasaris, Petrusky, Nickell

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 6 GENERAL OFFENSES CODE, CHAPTER 648 PEACE DISTURBANCES, BY CREATING A NEW SECTION 648.16 ENTITLED CRIMINAL ACTIVITY ON SCHOOL PROPERTY, AND DECLARING AN EMERGENCY

WHEREAS: It has been determined to be necessary to ensure that North Royalton's local ordinances match those of the State of Ohio regarding criminal activity on school property; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 6 General Offenses Code, Chapter 648 Peace Disturbances, by creating a new Section 648.16 entitled Criminal Activity on School Property; and

WHEREAS: Council desires to provide for this amendment.

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

Section 1. Part 6 General Offenses Code, Chapter 648 Peace Disturbances of the Codified Ordinances of the City of North Royalton is hereby amended by creating a new Section 648.16 entitled Criminal Activity on School Property which shall hereinafter read as follows:

648.16 CRIMINAL ACTIVITY ON SCHOOL PROPERTY

(a) No person shall menace or use improper, indecent or obscene language toward a teacher, instructor, professor, person in charge of a class or a group of students, a School Resource Officer or employee of any school, while in the performance of his or her duties on any school property or during any school related function within this city.

(b) No person shall disrupt, disturb or interfere with the teaching of any class of students, or any other activity conducted in a school, or upon the campus or grounds thereof.

(c) No person shall assault, menace or pursue with intent to assault or menace, or use profane, indecent or obscene language toward a student or other person in a school building, or upon the campus or grounds thereof, or upon the way to or from any school sponsored activity.

(d) This section does not apply if the violation is an assault and the victim of the offense is a school teacher or administrator or a school bus operator, and the offense occurs in a school, on school premises, in a school building, on a school bus, or while the victims outside of school premises or a school bus and is engaged in duties or official responsibilities associated with the victim's employment or position as a school teacher or administrator or a school bus operator, including, but not limited to, driving, accompanying, or chaperoning students at or on class or field trips, athletic events, or other school extracurricular activities or functions outside of school premises. (See ORC 2903.13)

(e) As used in this section, the term "school" means the grounds or any facility of any preschool, kindergarten, elementary school, middle school, junior high school, or high school, whether public or nonpublic as further defined by ORC 2925.01 (Q), (R), (S).

(f) Whoever violates this section is guilty of criminal activity on school property, a misdemeanor of the first degree.

Section 2. Chapter 648 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provision of Chapter 648 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 ensure that North Royalton's local ordinances match those of the State of Ohio regarding criminal activity on school property.

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/ Vincent A. Gentile
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: April 1, 2008

DATE APPROVED: April 1, 2008

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

First reading suspended
Second reading suspended
Third reading April 1, 2008

YEAS: Gentile, Nickell, Petrusky, Willey,
McKee, Antoskiewicz, Kasaris

NAYS: none