

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 09-60

INTRODUCED BY: Gentile, Farrell, Willey

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 OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; PROVIDING FOR THE PUBLICATION OF SUCH NEW MATTER; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY

WHEREAS: American Legal Publishing Corporation 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 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 NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances 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. No.</u>	<u>Date</u>	<u>C.O. Section</u>
08-100	11-04-08 (by voters)	Charter
08-101	11-04-08 (by voters)	Charter
08-102	11-04-08 (by voters)	Charter
08-103	11-04-08 (by voters)	Charter
08-104	11-04-08 (by voters)	Charter
08-105	11-04-08 (by voters)	Charter
08-111	09-02-08	1282.01 to 1282.16
08-175	09-02-08	232.07
08-211	11-05-08	1290.02
08-213	11-05-08	220.06
08-214	12-02-08	1045.21
08-219	11-18-08	1481.08

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:

402.21, 414.11, 434.01, 436.05, 438.28, 474.02, 606.10, 606.31, 612.05, 612.07, 624.01, 624.02, 624.03, 666.04, 666.06, 666.22, 672.01, 672.02, 678.04, 672.10, 672.13, 672.15, 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are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows: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 and subsections 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 1-6-09.

Section 4. That pursuant to Article III, Section (j), of the City Charter, Section 222.02 of the Codified Ordinances and Section 731.23 of the Ohio Revised Code, the Clerk of Council shall post a notice of the enactment of this ordinance, containing the title of this ordinance and a summary of the new matter covered by it, which summary is attached hereto as Exhibit A, in the five public places provided for in Section 222.02 of the Codified Ordinances, for a period of not less than fifteen days.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. That 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 of North Royalton, and for the further reason that it is necessary to have an up-to-date codification of the laws of the City, one which is consistent with the latest State law, where such consistency is required by the Ohio Constitution, with which to administer the affairs of the City and ensure law and order.

/s/ Vincent A. Gentile
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: May 19, 2009

DATE APPROVED: May 21, 2009

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

First reading suspended
Second reading suspended
Third reading May 19, 2009

YEAS: Gentile, Nickell, Petrusky,
Farrell, Antoskiewicz, Kasaris

NAYS: none

ABSENT: Willey

Ord. No. 09-60

EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2009-A REPLACEMENT PAGES
FOR THE CODIFIED ORDINANCES OF NORTH ROYALTON, OHIO

New matter in the Codified Ordinances of North Royalton, Ohio, as contained in the 2009-A Replacement Pages therefor, includes legislation regarding:

Section	New or amended matter regarding:
402.21	Definition of Motorcycle.
414.11	Traffic law photo-monitoring devices.
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs; implied consent.
436.05	Restriction against owner lending vehicle for use of another.
438.28	Use of child restraints.
474.02	Riding upon seats; carrying packages; motorcycle handle bars; helmets and glasses.
606.10	Falsification.
606.31	Self defense: limitations on duty to retreat prior to using force.
612.05	Permit required.
612.07	Open container prohibited.
624.01	Definitions relating to drugs.
624.02	Trafficking in controlled substances; gift of marihuana.
624.03	Drug abuse.
666.04	Public indecency.
666.06	Polygraph examinations for victims: restrictions on use.
666.22	Sexually oriented businesses; illegal operation and activity.
672.01	Definitions relating to weapons and explosives.
672.02	Carrying concealed weapons.
678.04	Improperly handling firearms in a motor vehicle.
672.10	Fireworks.
672.13	Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
672.15	Possession of an object indistinguishable from a firearm in a school safety zone.
698.02	Penalties for misdemeanor.