

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 10-66

INTRODUCED BY: Gentile, Kasaris, 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>
08-229	12-16-08	220.06
08-230	12-16-08	212.04
09-16	2-17-09	880.27
09-54	5-6-09	220.06
09-67	7-7-09	660.14
09-68	7-7-09	1464.08
09-69	7-7-09	Ch. 1248, App. V
09-80	7-21-09	214.06
09-81	7-21-09	880.01 - 880.45, 880.99
09-82	7-21-09	Repeals Ch. 892
09-91	9-1-09	862.06
09-101	10-20-09	240.01
09-102	10-20-09	242.06
09-103	10-6-09	436.06
09-104	10-6-09	1248.07
09-112	11-4-09	880.27
09-114	11-4-09	476.045
09-119	11-17-09	1040.01 - 1040.16, 1041.01 - 1041.08, 1042.01 - 1042.12, 1043.01 - 1043.08, 1044.01 - 1044.11, 1045.01 - 1045.13, 1046.01 - 1046.10, 1046.99, 1047.01 - 1047.15
09-121	12-15-09	434.026
10-02	1-5-10	434.026
10-10	1-19-10	438.02
10-11	1-19-10	1042.06, 1042.09, 1042.10, 1047.09
10-60	5-5-10	1041.09

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:

402.01(d), 402.01(qq), 432.195, 432.30, 434.01, 434.01(g), 434.03, 434.08, 436.01, 436.035, 436.071, 436.072, 436.074, 436.09, 436.14, 438.03, 438.04, 438.05, 438.06, 438.08, 438.10, 438.11, 438.12, 438.13, 438.14, 438.15, 438.16, 438.18, 438.20, 438.21, 438.22, 438.23, 438.25, 438.28, 438.29, 476.05, 476.08, 606.10, 606.12, 606.25, 612.12, 636.02, 636.045, 636.17, 642.01, 642.12, 642.02, 642.035, 660.07, 666.05, 672.04, 672.085, 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 5-5-10.

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.

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: June 1, 2010

DATE APPROVED: June 2, 2010

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

First reading suspended
Second reading suspended
Third reading June 1, 2010

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

NAYS: none

EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2010-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 2010-A Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.01(d)	Definition of "bicycle."
402.01(qq)	Definition of "road service vehicle."
432.195	Driving while approaching stationary public safety vehicle with flashing lights.
432.30	Stopping for school bus; etc.
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
434.01(g)	Implied consent.
434.03	Maximum speed limits; assured clear distance ahead.
434.08	Vehicular homicide; vehicular manslaughter.
436.01	License required as driver or commercial driver on public or private property; nonresident exemption.
436.035	Driving with probationary license
436.071	Driving under suspension or in violation of license restriction.
436.072	Operating motor vehicle without valid license.
436.074	Driving under financial responsibility law suspension or cancellation.
436.09	Display of license plates or validation stickers; registration.
436.14	Removal of vehicles after accidents.
438.03	Headlights.
438.04	Tail lights and illumination of rear license plate.
438.05	Red reflectors required.
438.06	Safety lighting of commercial vehicles.
438.08	Red light or flag required.
438.10	Lights and emblem on slow-moving vehicles; lights and reflectors on multi-wheel agricultural tractors or farm machinery.
438.11	Spotlight and auxiliary driving lights.
438.12	Cowl, fender and backup lights.
438.13	Two lights displayed.
438.14	Headlights required.
438.15	Lights of less intensity.
438.16	Number of lights permitted; red and flashing lights; lights and sound-producing devices on coroners' vehicles.
438.18	Focus and aim of headlights.
438.20	Horns, sirens and warning devices.
438.21	Mufflers; excessive smoke or gas.
438.22	Rearview mirrors.
438.23	Windshields and wipers.
438.25	Stoplight regulations.
438.28	Use of child restraints.
438.29	Use of occupant restraining devices.
476.05	Licensing requirements of operator.
476.08	Registration of vehicles.
606.10	Falsification.
606.12	Failure to report a crime or death.
606.25	Impersonating a peace officer.
612.12	Illegal conveyance of prohibited items onto grounds of a detention facility or other specified governmental facility.
636.02	Assault.
636.045	Violating a protection order, consent agreement, anti-stalking protection order or order issued by a court of another state.
636.17	Domestic violence.
642.01	Definitions relating to property offenses.
642.12	Criminal trespass; aggravated trespass.
642.02	Theft.
642.035	Evidence of theft of rented property.
660.07	Junk motor vehicles.
666.05	Voyeurism.
672.04	Improperly handling firearms in a motor vehicle.
672.085	Underage purchase of firearm or handgun.
698.02	Penalties for misdemeanors.