

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 12-65

INTRODUCED BY: Willey, Muller, Kasaris

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, THAT:

Section 1. 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>
10-16	5-5-10	1630.01 - 1630.11, 1630.99
10-32	3-16-10	880.27
10-42	3-16-10	1248.08
10-46	4-6-10	220.06
10-47	4-6-10	214.06
10-53	4-20-10	214.06, 1066.01
10-81	7-6-10	1466.05
10-82	7-6-10	1244.07
10-83	10-19-10	1286.05
10-84	10-19-10	1262.12
10-85	11-16-10	1292.01 - 1292.18
10-111	10-5-10	222.01, 222.02
10-112	10-5-10	810.01, 810.03, 810.05
10-113	10-5-10	214.05
10-129	11-3-10	214.05
10-131	6-7-11	1220.06
10-144	1-18-11	1276.03
10-161	12-21-10	880.27
10-166	12-21-10	1273.01
11-34	3-15-11	880.27
11-57	5-3-11	214.06
11-63	5-17-11	1464.08
11-71	6-21-11	1270.24
11-73	6-21-11	1042.02, 1042.06
11-82	7-19-11	1248.08, Ch. 1248 App. V
11-96	9-6-11	1284.05
11-97	9-6-11	630.05, 642.02, 642.05, 642.22
11-101	9-20-11	1488.08, 1488.11, 1488.18
11-102	9-20-11	1490.01 - 1490.19
11-107	12-20-11	1281.06, 1281.07
11-116	11-1-11	880.11
11-130	12-6-11	220.06
11-154	12-20-11	259.03, 259.05, 1440.01 - 1440.08
11-156	12-20-11	214.06
11-157	12-20-11	214.06

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

434.01, 436.01, 436.05, 436.071, 436.072, 436.073, 436.074, 436.075, 436.11, 436.12, 436.13, 438.23, 452.04, 452.05, 452.055, 474.02, 606.01, 606.03, 606.10, 606.23, 606.24, 606.30, 612.07, 618.18, 624.01, 624.02, 624.03, 630.01, 630.02, 630.05, 630.06, 630.11, 636.045, 636.10, 636.15, 636.17, 636.22, 636.24, 642.01, 642.02, 642.05, 642.09, 642.14, 642.146, 642.15, 642.18, 642.19, 642.21, 642.22, 642.24, 642.26, 642.32, 642.33, 642.165, 648.07, 648.08, 660.03, 660.06, 672.04, 698.02

Section 3. 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 1-17-12.

Section 4. 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 Director of Legislative Services 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 locations set forth in Section 222.01 of the Codified Ordinances, for a period of not less than fifteen days.

Section 5. 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 6. 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 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/ Larry Antoskiewicz  
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik  
MAYOR

DATE PASSED: April 17, 2012

DATE APPROVED: April 18, 2012

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

First reading suspended  
Second reading suspended  
Third reading April 17, 2012

YEAS: Antoskiewicz, Nickell, Willey  
Marnecheck, Muller, Kasaris

NAYS: none

ABSENT: Petrusky

EXHIBIT A

SUMMARY OF NEW MATTER  
CONTAINED IN THE 2012 REPLACEMENT PAGES  
FOR THE  
CODIFIED ORDINANCES OF NORTH ROYALTON, OHIO

New matter in the Codified Ordinances of North Royalton, Ohio, as contained in the 2012 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
436.01	Driver's or commercial driver's license required.
436.05	Restriction against owner lending vehicle for use of another.
436.071	Driving under suspension or in violation of license restriction; driving under suspension for failure to appear in court, failure to pay a fine or failure to pay child support.
436.072	Operating motor vehicle or motorcycle without valid license.
436.073	Driving under O.V.I. suspension.
436.074	Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension.
436.075	Failure to reinstate license.
436.11	Stopping after accident upon streets; collision with unattended vehicle.
436.12	Stopping after accident upon property other than streets.
436.13	Vehicle accident resulting in damage to realty.
438.23	Windshield required; sign or poster upon windshield; windshield wiper.
452.04	Manner of parallel and angle parking; handicapped persons.
452.05	Willfully leaving vehicles on private or public property.
452.055	Parking prohibitions on private property; private tow-away zones.
474.02	Riding upon seats; carrying packages; motorcycle handle bars; helmets and glasses.
606.01	Definitions relating to general offenses.
606.03	Classification of offenses.
606.10	Falsification.
606.23	Detention of shoplifters and those committing motion picture piracy; protection of institutional property.
606.24	Disposition of unclaimed or forfeited property held by Police Department.
606.30	Misuse of 9-1-1 system.
612.07	Open container prohibited.
618.18	Rights of blind, deaf or hearing impaired, or mobility impaired person, or trainer with assistance dog.
624.01	Definitions relating to drugs.
624.02	Trafficking in controlled substances; gift of marihuana.
624.03	Drug possession offenses. (New section heading)
630.01	Definitions relating to gambling.
630.02	Gambling in general.
630.05	Cheating.
630.06	Responsibility of charitable organization conducting bingo game.
630.11	Prohibitions where instant bingo game is conducted.
636.045	Menacing by stalking.
636.10	Nonsupport of dependents.
636.15	Threatening or harassing telecommunications.
636.17	Domestic violence.
636.22	Failing to provide for a functionally impaired person.
636.24	Unlawful collection of bodily substances. (New)
642.01	Definitions relating to property offenses.
642.02	Theft.
642.05	Unauthorized use of property.
642.09	Arson.
642.14	Passing bad checks.
642.146	Criminal simulation.
642.15	Misuse of credit cards.
642.18	Tampering with records.
642.19	Securing writings by deception.
642.21	Defrauding creditors.
642.22	Receiving stolen property.
642.24	Determining property value in theft offense.
642.26	Prosecutions for theft of utilities.
642.32	Insurance fraud.
642.33	Workers' compensation fraud.
642.165	Medicaid fraud.
648.07	Inducing panic.
648.08	Making false alarms.
660.03	Littering.
660.06	Abandoned refrigerators and airtight containers.
672.04	Improperly handling firearms in a motor vehicle.
698.02	Penalties for misdemeanors.