

ORDINANCE NO. 2015-19

AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; TO PROVIDE FOR THE PUBLICATION OF SUCH NEW MATTER; TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND TO DECLARE AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has completed its most recent 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 (August 19, 2013) 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 Parma Heights, Cuyahoga County, State of Ohio:

Section 1. The editing, arrangement and numbering or renumbering of the following ordinances and resolutions and parts of ordinances and resolutions 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>
2014-5	4-14-14	961.01
2014-6	4-14-14	1181.01
2014-9	4-28-14	151.23
2014-10	4-28-14	176.01 to 176.05
2014-17	6-23-14	1187.06
2014-19	8-11-14	965.11
2014-22	8-11-14	107-02
2014-30	10-14-14	1161.01, 1184.01 to 1184.14
2014-39	12-8-14	756.01
2015-5	2-9-15	147.05
2015-6	2-9-15	Repeals 147.11
2015-7	2-9-15	147.12
2015-8	2-9-15	Repeals 147.15
2015-9	2-9-15	179.07
2015-10	3-9-15	351.01 to 315.08
2015-12	3-23-15	Repeals Ch. 171

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:

301.05, 301.08, 301.163, 301.19, 301.195, 301.255, 303.04, 303.09, 313.03, 331.215, 331.26, 333.03, 335.071, 335.074, 335.16, 337.16, 337.17, 337.31, 339.01, 339.03, 339.13, 351.03, 351.04, 351.055, 606.01, 606.02, 606.06, 606.07, 606.10, 606.12, 606.19, 606.25, 606.37, 612.01, 612.07, 612.10, 618.05, 620.01, 620.16, 624.01, 624.02, 630.05, 636.04, 636.045, 636.05, 636.075, 642.01, 642.02, 642.19, 642.22, 642.31, 666.08, 666.23, 672.01, 672.18, 698.02

Section 3. The following sections are hereby repealed.

313.12 Traffic law photo-monitoring devices.

Section 4. Pursuant to Ohio R.C. 731.23 and Sections 123.01 et seq. of the Codified Ordinances, the Clerk of Council shall post a copy of this ordinance, together with a summary of the new matter contained in the 2015 Replacement Pages hereby approved, adopted and enacted, a copy of which summary is attached hereto as Exhibit A, for a period of not less than fifteen days in the five public places as required by law.

Section 5. 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 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 March 23, 2015.

Section 6. Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 7. This ordinance is hereby declared to be an emergency measure immediately necessary for the public peace, health and safety of the City and for the further reason that it is immediately necessary to have an up-to-date codification of the legislation of the City, one which is consistent with the latest State law, where and as required by the Ohio Constitution, with which to administer the affairs of the City, ensure law and order, and avoid practical and legal entanglements; wherefore, this ordinance, together with the 2015 Replacement Pages, shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: 5-26-2015

Alan Melb
President of Council

ATTEST: *Florence A. Bohdan*
Clerk of Council

5-26-2015
Approved

FILED WITH
THE MAYOR:

Julia
Mayor



EXHIBIT A

SUMMARY OF NEW MATTER CONTAINED IN THE 2015 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF PARMA HEIGHTS, OHIO

New matter in the Codified Ordinances of Parma Heights, Ohio, as contained in the 2015 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
301.05	Definition of Abicycle.@
301.08	Definition of Achauffeured limousine.@
301.163	Definition of Ahighway maintenance vehicle.@
301.19	Definition of Amotorcycle.@
301.195	Definition of Amotorized bicycle@ or Amoped.@
301.255	Definition of Apredicate motor vehicle or traffic offense.@
303.04	Road workers, motor vehicles and equipment excepted.
303.09	Willfully leaving vehicles on private or public property.
313.03	Traffic-control signal terms and lights.
313.12	Traffic law photo-monitoring devices. (Repealed)
331.215	Driving while approaching stationary public safety vehicle with flashing lights.
331.26	Driving upon street posted as closed for repair.
333.03	Maximum speed limits; assured clear distance ahead.
335.071	Driving under suspension or in violation of license restriction.
335.074	Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension.
335.16	Removal of vehicles after accidents.
337.16	Number of lights permitted; red and flashing lights.
337.17	Focus and aim of headlights.
337.31	Air bags.
339.01	Load limits.
339.03	Maximum width, height and length.
339.13	Chauffeured limousines.
351.03	Prohibited standing or parking places.
351.04	Manner of parallel and angle parking; handicapped persons.
351.055	Parking prohibitions on private property; private tow-away zones.
606.01	Definitions relating to general offenses.
606.02	Culpable mental states.
606.06	Limitation on criminal prosecutions.
606.07	Requirements for criminal liability; voluntary intoxication.
606.10	Falsification.

<u>Section</u>	<u>New or amended matter regarding:</u>
606.12	Failure to report a crime or death.
606.19	Dereliction of duty.
606.25	Disposition of unclaimed or forfeited property held by Police Department.
606.37	Misuse of 9-1-1 system.
612.01	Definitions relating to alcoholic beverages.
612.07	Open container prohibited.
612.10	Conveying intoxicating liquor or cash onto grounds of detention facilities or other specified governmental facilities.
618.05	Cruelty to animals; cruelty to companion animals.
620.01	Definitions relating to drugs.
620.16	Pseudoephedrine sales.
624.01	Definitions relating to gambling.
624.02	Gambling in general.
630.05	Illegal distribution of cigarettes, other tobacco products, or alternative nicotine products; transaction scans.
636.04	Aggravated menacing.
636.045	Menacing by stalking,
636.05	Menacing.
636.075	Criminal child enticement.
642.01	Definitions relating to property offenses.
642.02	Theft.
642.19	Securing writings by deception.
642.22	Receiving stolen property.
642.31	Medicaid fraud.
666.08	Soliciting.
666.23	Unlawful advertising of massage.
672.01	Definitions relating to weapons and explosives.
672.18	Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
698.02	Penalties for misdemeanor.