

ORDINANCE NO. 10

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 (January 8, 2018) 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>
2018-3	1-22-18	194.07, 194.18
2018-4	1-22-18	1394.01 - 1394.11
2018-5	2-12-18	1101.01 - 1101.04
2018-6	2-12-18	1184.01-1184.14
2018-27	6-11-18	777.01 - 777.06, 777.99
2018-33	8-1-18	1193.01
2018-34	8-1-18	1190.01 - 1190.09
2018-35	8-1-18	752.01- 752.19, 752.99
2018-36	8-1-18	777.01 - 777.06, 777.99
2018-37	8-1-18	1321.10
2018-41	8-1-18	965.11
2018-51	12-10-18	618.015

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:

301.52, 303.06, 313.01, 331.01, 331.02, 331.03, 331.04, 331.05, 331.06, 331.07, 331.08, 331.09, 331.10, 331.12, 331.13, 331.14, 331.15, 331.16, 331.165, 331.17, 331.18, 331.20, 331.215, 331.22, 331.24, 331.26, 331.27, 331.28, 331.29, 331.30, 331.31, 331.33, 331.41, 331.46, 333.03, 333.035, 333.04, 333.05, 337.16, 345.08, 371.01, 371.02, 371.09, 373.03, 373.04, 620.01, 620.02, 620.025, 620.03, 620.05, 620.08, 620.15, 636.10, 642.15, 672.04, 672.18

Section 3. 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 2019 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 4. 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 January 14, 2019.

Section 5. 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 6. 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 2019 Replacement Pages, shall be in full force and effect immediately upon its passage and approval by the Mayor.

EXHIBIT A

SUMMARY OF NEW MATTER CONTAINED IN THE 2019 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF PARMA HEIGHTS, OHIO

New matter in the Codified Ordinances of Parma Heights, Ohio, as contained in the 2019 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
301.52	Definition of waste collection vehicle.
303.06	Prohibitions against pedestrians and slow-moving vehicles on freeways.
313.01	Obeying traffic-control devices.
331.01	Lanes of travel upon roadways.
331.02	Vehicles traveling in opposite directions.
331.03	Rules governing overtaking and passing of vehicles.
331.04	Permission to overtake and pass on the right.
331.05	Driving to left of center line.
331.06	Prohibition against driving upon left side of roadway.
331.07	Hazardous zones.
331.08	Rules for driving in marked lanes.
331.09	Space between moving vehicles.
331.10	Rules for turns at intersections.
331.12	U-turns and turning in roadway prohibited.
331.13	Starting and backing vehicles.
331.14	Turn and stop signals.
331.15	Hand and arm signals.
331.16	Right-of-way at intersections.
331.165	Ambiguous or non-working traffic signals.
331.17	Right-of-way when turning left.
331.18	Right-of-way at through highways; stop signs; yield signs.
331.20	Emergency vehicles to proceed cautiously past red or stop signal.
331.215	Driving while approaching stationary public safety vehicle and certain other vehicles with caution.
331.22	Stop at sidewalk area; stop signs on private roads and driveways; right-of-way on public highway.
331.24	Funeral procession has right-of-way.
331.26	Driving upon closed highway prohibited.
331.27	Following and parking near emergency or safety vehicles.
331.28	Driving over unprotected fire hose.
331.29	Driving through safety zone.
331.30	One-way highways and rotary traffic islands.
331.31	Divided roadways.

EXHIBIT A (Cont'd)

<u>Section</u>	<u>New or amended matter regarding:</u>
331.33	Obstructing passage of other vehicles.
331.41	Operation on paths set aside for bicycles.
331.46	Use of electronic wireless communication devices by minors or probationary drivers while driving prohibited.
333.03	Maximum speed limits; assured clear distance ahead.
333.035	Speed limits on private roads and driveways.
333.04	Slow speed or stopping.
333.05	Speed regulations on bridges.
337.16	Number of lights permitted; red and flashing lights.
345.08	Registration of vehicles.
371.01	Pedestrian on crosswalk has right-of-way.
371.02	Right-of-way yielded to blind pedestrian.
371.09	Pedestrian on sidewalk has right-of-way.
373.03	Prohibition against attaching bicycles and sleds to vehicles.
373.04	Riding bicycles; motorcycles abreast.
620.01	Definitions relating to drug offenses.
620.02	Trafficking in controlled substances; gift of marijuana.
620.025	Illegal cultivation of marihuana.
620.03	Drug possession offenses.
620.05	Permitting drug abuse.
620.08	Illegal dispensing of drug samples.
620.15	Counterfeit controlled substances.
636.10	Nonsupport of dependents.
642.15	Misuse of credit cards.
672.04	Improperly handling firearms in a motor vehicle.
672.18	Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.

PASSED: March 25, 2019

ATTEST: Florence A. Bohdan
Clerk of Council

Alan Gallo
President of Council

FILED WITH
THE MAYOR: March 25, 2019

March 25, 2019
Approved

[Signature]
Mayor