

ORDINANCE NO. 2020-7

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 14, 2019) 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>
2019-3	2-11-19	618.01 to 618.28, 618.99
2019-4	2-11-19	111.01 to 111.10
2019-5	2-11-19	151.01 to 151.25
2019-15	4-22-19	151.26
2019-26	6-24-19	151.01
2019-31	8-26-19	965.11
2019-36	12-9-19	145.04, 145.05, 145.06
2019-37	12-9-19	179.03
2019-38	12-9-19	121.01
2019-39	12-9-19	Charter Art. I, Charter Art. II, Sec. 1 to 5, Charter Art. III, Sec. 1 to 13, Charter Art. IV, Sec. 1 to 12, Charter Art. V, Sec. 1 to 6, Charter Art. VII, Sec. 1 and 2, Charter Art. VIII, Charter Art. IX, Charter Art. X, Charter Art. XI, Sec. 1 to 10

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:

301.105, 301.185, 301.195, 301.255, 301.365, 301.51, 303.06, 331.03, 331.14, 331.15, 331.165, 333.03, 333.09, 335.01, 335.074, 335.09, 335.16, 337.29, 339.01, 339.07, 373.01, 373.02, 373.03, 373.04, 373.05, 373.11, 373.12, 606.01, 606.22, 612.07, 620.01, 620.02, 620.03, 620.04, 620.07, 620.12, 620.14, 620.17, 630.05, 636.001, 642.145, 642.33, 648.04, 666.03, 666.04, 666.24, 672.01, 672.07, 672.09, 672.12, 672.18

Section 3. Pursuant to 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 2020 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 December 9, 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 2020 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF PARMA HEIGHTS, OHIO

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New matter in the Codified Ordinances of Parma Heights, Ohio, as contained in the 2020 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
301.105	Definition of electric bicycle.
301.185	Definition of motor vehicle.
301.195	Definition of motorized bicycle or moped.
301.255	Definition of predicate motor vehicle or traffic offense.
301.365	Definition of shared-use path.
301.51	Definition of vehicle.
303.06	Prohibitions against pedestrians and slow-moving vehicles on freeways.
331.03	Rules governing overtaking and passing of vehicles.
331.14	Turn and stop signals.
331.15	Hand and arm signals.
331.165	Ambiguous or non-working traffic signals.
333.03	Maximum speed limits; assured clear distance ahead.
333.09	Vehicular homicide; vehicular manslaughter; vehicular assault.
335.01	Driver's or commercial driver's license required.
335.074	Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension.
335.09	Display of license plates; registration; obstructions.
335.16	Removal of vehicles after accidents.
337.29	Use of occupant restraining devices.
339.01	Oversize or overweight vehicle operation on State routes; State permit.
339.07	Towing requirements; exception to size and weight restrictions.
373.01	Code applications to bicycles.
373.02	Riding upon seats; carrying packages; motorcycle handle bars; helmets and glasses.
373.03	Prohibition against attaching bicycles and sleds to vehicles.
373.04	Riding bicycles; motorcycles abreast.
373.05	Lights, signal devices, brakes on bicycles.
373.11	Operation of motorized bicycles.
373.12	Electric bicycles.
606.01	Definitions related to general offenses.
606.22	Attempts.

EXHIBIT A (Cont=d)

<u>Section</u>	<u>New or amended matter regarding:</u>
612.07	Open container prohibited.
620.01	Definitions relating to drug offenses.
620.02	Trafficking in controlled substances; gift of marijuana.
620.03	Drug possession offenses.
620.04	Possession of drug abuse instruments.
620.07	Abusing harmful intoxicants.
620.12	Controlled substance schedules.
620.14	Use or possession of paraphernalia.
620.17	Sale of pure caffeine product.
630.05	Illegal distribution of cigarettes, other tobacco products, or alternative nicotine products; transaction scans.
636.001	Definitions related to offenses relating to persons.
642.145	Forging or selling forged identification cards.
642.33	Railroad vandalism; criminal trespass; interference with operation of train; grade crossing device vandalism.
648.04	Disorderly conduct.
666.03	Sexual imposition.
666.04	Public indecency.
666.24	Nonconsensual dissemination of private sexual images.
672.01	Definitions related to weapons and explosives.
672.07	License or permit to possess dangerous ordnance.
672.09	Unlawful transactions in weapons.
672.12	Fireworks.
672.18	Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.

PASSED: 3-9-2020

  
President of Council

ATTEST: Florence A. Bohdan  
Clerk of Council

FILED WITH  
THE MAYOR: 3-9-2020

3-9-2020  
Approved

  
Mayor