

ORDINANCE NO. 30-2013

INTRODUCED BY: Council as a Whole

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE OLMSTED FALLS CODIFIED ORDINANCES, AND REPEALING ALL LEGISLATION INCONSISTENT HEREWITH.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, THAT:

SECTION 1. The ordinances of the City of Olmsted Falls, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2013 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2. The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

- 402.031 Beacon, Hybrid Beacon. (Added)
- 402.161 Highway Traffic Signal. (Added)
- 402.17 Intersection. (Amended)
- 402.181 Median. (Added)
- 402.26(b) Private Road or Driveway. (Added)
- 402.361 Shared-Use Path. (Added)
- 402.45 Traffic (Amended).
- 402.46 Traffic Control Device. (Amended)
- 402.47 Traffic Control Signal. (Amended)
- 404.035 Emergency, Public Safety and Coroner's Vehicles Exempt. (Amended)
- 408.01 General Traffic Code Penalty. (Amended)
- 414.03 Traffic Signal Indications. (Amended)
- 414.04 Lane-Use Control Signal Indications. (Amended)
- 414.05 Special Pedestrian Control Signals. (Amended)
- 414.06 Flashing Traffic Signals. (Repealed)

Traffic Code (Cont.)

- 434.01 Driving or Physical Control While Under the Influence. (Amended)
434.031 Approaching a Public Safety, Emergency or Road Service Vehicle.
(Amended)
434.09 Texting While Driving Prohibited. (Added)
436.01 Driver's License or Commercial Driver's License Required. (Amended)
436.02 Permitting Operation Without a Valid License. (Amended)
436.05 Wrongful Entrustment of a Motor Vehicle. (Amended)
436.06 Display of License. (Amended)
436.07 Driving Under License Suspension or Restriction. (Amended)
436.071 Driving Under OVI Suspension. (Amended)
436.072 Driving Under Financial Responsibility Law Suspension or Cancellation.
(Amended)
436.073 Driving Without Complying With License Reinstatement Requirements.
(Amended)
436.074 Driving Under License Forfeiture or Child Support Suspension. (Added)
436.10 Expired or Unlawful License Plates. (Amended)
436.11 Stopping After Accident Upon Streets. (Amended)
436.12 Stopping After Accident Upon Property Other Than Street. (Amended)
436.13 Vehicle Accident Resulting in Damage to Realty. (Amended)
438.01 Driving Unsafe Vehicles. (Amended)
438.09 Lights on Parked or Stopped Vehicles. (Amended)
438.18 Motor Vehicle and Motorcycle Brakes. (Amended)
438.22 Windshield and Windshield Wipers. (Amended)
438.23 Limited Load Extension on Left Side of Passenger Vehicle. (Amended)
438.29 Bumper Heights. (Amended)
440.02 Maximum Width, Height and Length. (Amended)
440.04 Vehicles Transporting Explosives. (Amended)
440.05 Towing Requirements. (Amended)
440.06 Loads Dropping or Leaking. (Amended)
442.05 Commercial Drivers' Criminal Offenses. (Amended)
452.04 Parking Near Curb; Handicapped Parking. (Amended)

General Offenses Code

- 606.03 Classification of Offenses. (Amended)
606.08 Organizational Criminal Liability. (Amended)
606.10 Falsification. (Amended)
612.021 Purchase by Minors. (Amended)
612.04 Liquor Consumption in Motor Vehicle. (Amended)
612.07 Open Container Prohibited. (Amended)
622.03 Drug Abuse; Controlled Substance Possession. (Amended)
622.12 Drug Paraphernalia. (Amended)
622.121 Marihuana Drug Paraphernalia. (Added)
624.01 Gambling Definitions. (Amended)
624.02 Gambling. (Amended)
624.05 Cheating. (Amended)
624.05 Cheating. (Amended)
624.06 Methods of Conducting a Bingo Game. (Amended)

General Offenses Code (Cont.)

- 624.07 Instant Bingo Conduct. (Amended)
- 624.08 Raffles. (Amended)
- 624.09 Charitable Instant Bingo Organizations. (Amended)
- 624.10 Location of Instant Bingo. (Amended)
- 624.11 Bingo or Game of Chance Records. (Amended)
- 624.13 Bingo Exceptions. (Amended)
- 624.15 Skill-Based Amusement Machines. (Amended)
- 636.14 Telecommunication Harassment. (Amended)
- 648.08 Inducing Panic. (Amended)
- 648.09 Making False Alarms. (Amended)
- 698.02 Penalties for Misdemeanors. (Amended)

SECTION 3. The complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION 4. All prior legislation inconsistent with this Ordinance in whole or in part is hereby repealed to the extent necessary to avoid conflict with this legislation.

SECTION 5. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committee, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. This Ordinance shall take effect at the earliest time allowed by law.

ADOPTED 04/09/2013

_____ Council President

PASSED: _____

APPROVED: _____
Mayor

_____ Date

APPROVED AS TO FORM: _____
Director of Law

ATTEST: _____
Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____