

ORDINANCE NO. 55-2018 Offered by All of Council

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE VILLAGE OF RICHFIELD, STATE OF OHIO, AND CONFORMING TRAFFIC AND GENERAL OFFENSES CODE PROVISIONS TO STATE LAW CHANGES AND DECLARING AN EMERGENCY.

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

WHEREAS, changes should be reflected in the Codified Ordinances to conform to statutory enactments of the Ohio General Assembly.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That the editing, arrangement and numbering of those ordinances and resolutions enacted by Council from 2-7-17 to 2-20-18, as listed in the Comparative Section Table, are hereby approved and adopted as printed in the 2018 Replacement Pages to the Codified Ordinances to as to achieve uniformity of style and classification. A copy of such Replacement Pages are attached to this ordinance and incorporated as a part hereof.

SECTION 2. The following sections of the Traffic and General Offenses Codes, as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly:

Traffic Code

303.04 Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
333.01 Driving Under the Influence. (Amended)
335.09 Display of License Plates. (Amended)
337.28 Use of Sunscreening, Nontransparent and Reflectorized Materials. (Amended)
351.07 Unattended Vehicles: Duties. (Amended)

General Offenses Code

501.01 General Definitions. (Amended)
513.09 Controlled Substance or Prescription Labels. (Amended)
525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
529.01 Liquor Control Definitions. (Amended)
529.07 Open Container Prohibited. (Amended)
529.08 Hours of Sale or Consumption. (Amended)

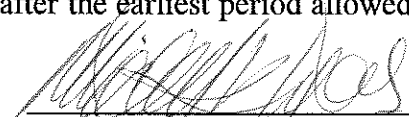
General Offenses Code (Cont.)

537.15 Temporary Protection Order. (Amended)
537.18 Contributing to Child Delinquency. (Amended)
541.02 Arson. (Amended)
541.09 Vehicular Vandalism. (Amended)
549.01 Weapons Definitions. (Amended)
549.02 Carrying Concealed Weapons. (Amended)
549.04 Improperly Handling a Firearm in a Motor Vehicle. (Amended)


SECTION 3. All prior ordinances or parts thereof inconsistent with any provision of the 2018 Replacement Pages are hereby repealed.

SECTION 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the residents of Richfield Village, Ohio, for the reason that there exists an imperative necessity for the earliest publication and distribution of the 2018 Replacement Pages to the Codified Ordinances to the officials and residents of the Village, so as to facilitate administration, daily operation and avoid practical and legal entanglements; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: 7-17-18




President of Council



Mayor

Dated: 7/17/18

ATTEST:


Clerk of Council

EXHIBIT "A"

Traffic Code

303.04 Road Workers, Motor Vehicles and Equipment Excepted. (Adds subsection (d) defining "engaged in the performance of official duties").

313.09 Driver's Duties Upon Approaching Ambiguous or Non-Working Traffic Signal. (Adds provision on "bicycles" to the first paragraph.)

331.03 Overtaking, Passing to Left; Driver's Duties. (Adds last sentence to subsection (a)(1) pertaining to passing a bicycle.)

333.01 Driving Under the Influence. (Extends the look back period for OVI offenses from six to ten years and modifies the provisions pertaining to ignition interlock devices.)

335.09 Display of License Plates. (Adds new subsection (b) making a violation a strict liability offense and specifying under what circumstances a citation will be issued.)

337.28 Use of Sunscreening, Nontransparent and Reflectorized Materials. (Adds sentence to subsection (a)(1)A. and (b)(4) explaining how FMVSS 205 can be obtained.)

351.07 Unattended Vehicle. (Redefines under what circumstances the requirements of the section do not apply.)

General Offenses Code

501.01 Definitions. (Adds reference to "Ohio R.C. 2903.04(A)(1)" to subsection (i)(1).)

513.09 Controlled Substance or Prescription Labels. (Completely rewrites section to comply with current State law.)

525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Redefines the titles of "nurse", "physician" and similar designations within the section.)

529.01 Liquor Control Definitions. (Redefines "intoxicating liquor" and "liquor" as set forth in subsection (b) thereof.)

529.07 Open Container Prohibited. (Adds new subsection (c)(6) regulating the possession of beer and intoxicating liquor on the grounds of an outdoor motorsports facility.)

529.08 Hours of Sale or Consumption. (Revises listing of permit holders if subsections (b) and (c).)

EXHIBIT "A" (CONT.)

General Offenses Code (Cont.)

537.15 Temporary Protection Order. (Revises subsection (b)(3) and adds new subsection (d); renumbers former subsection (d) as subsection (e).)

537.18 Contributing to Unruliness or Delinquency of a Child. (Modifies truancy and school attendance laws.)

541.02 Arson. (Modifies subsection (b) to eliminate lack of the owner's consent as an element of arson when the property is not occupied.)

541.09 Vehicular Vandalism. (Changes reference in subsection (a)(3) to Ohio R.C. 1546.01.)

549.01 Definitions. (Adds subsection (r) defining "active duty".)

549.02 Carrying Concealed Weapons. (Creates an exception to the requirements of obtaining a license to carry a concealed handgun for active duty members of the armed forces meeting the proper training requirements.)

549.04 Improperly Handling Firearms in a Motor Vehicle. (Creates an exception to the requirements of obtaining a license to carry a concealed handgun for active duty members of the armed forces meeting the proper training requirements.)