

CITY OF ENGLEWOOD
IN
MONTGOMERY COUNTY, OHIO

ORDINANCE NO. 19-01

PASSED: January 22, 2019

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

WHEREAS, American Legal Publishing has completed its annual updating and revision of the Codified Ordinances of the City; and

WHEREAS, general and permanent legislation enacted by Council from the date of the last updating and revision of the Codified Ordinances through August 1, 2018, has now been integrated into the Codified Ordinances; 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 ENGLEWOOD, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:

SECTION 1: The editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances 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>
17-05	9-26-17	1262.09, 1262.11
17-06	10-24-17	Ch. 252, Ed. Note
17-09	11-14-17	1044.10, 1044.11, 1052.11, 1052.12
18-01	2-27-18	1282.01 - 1282.05, 1282.07 to 1282.11, 1282.14
18-02	2-27-18	881.03, 881.051, 881.062, 881.063, 881.07, 881.091
18-04	4-24-18	1266.07
18-07	6-26-18	1026.02, 1028.01 - 1028.19, 1028.99
18-09	7-24-18	Repeals 274.01

SECTION 2: The following sections are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

402.24, 402.53, 402.54, 408.02, 412.05, 414.01, 416.01, 416.02, 416.09, 416.14, 432.01, 432.02, 432.03, 432.04, 432.05, 432.06, 432.07, 432.08, 432.09, 432.10, 432.11, 432.12, 432.13, 432.14, 432.15, 432.155, 432.16, 432.17, 432.18, 432.195, 432.20, 432.21, 432.22, 432.24, 432.26, 432.27, 432.28, 432.29, 432.32, 432.33, 432.34, 432.43, 432.44, 434.01, 434.03, 434.035, 434.04, 434.05, 438.16, 476.08, 612.07, 624.01, 624.02, 624.025, 624.03, 624.05, 624.08, 624.13, 624.15, 636.09, 642.05, 642.15, 672.04, 672.16

SECTION 3. All ordinances and resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows:

- (a) The enactment of such new matter shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date 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 or to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and recodification.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to August 1, 2018.

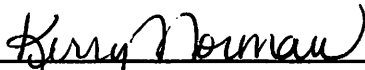
SECTION 4: Pursuant to Ohio R.C. 731.23, Section 2.07 of the City Charter and Sections 224.01 and 224.02 of the Codified Ordinances, the Clerk of Council shall cause a copy of this Adopting Ordinance to be posted in the five public places provided in Section 224.01 for not less than 15 days, together with a summary of the new matter approved, adopted and enacted by Section 2 hereof, which summary is attached hereto as Exhibit A.

SECTION 5: This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED this 22nd day of January, 2019

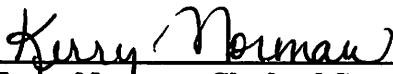

Patricia Burnside, Mayor

ATTEST:


Kerry Norman, Clerk of Council

CERTIFICATE

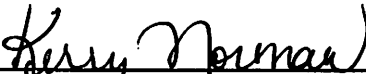
I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio, do hereby certify that the foregoing is a true and correct copy from the Record of Proceedings of said City. WITNESS my signature this 22nd day of January, 2019.



Kerry Norman, Clerk of Council

CERTIFICATE OF POSTING

I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio, do hereby certify that publication of the foregoing ordinance was made as designated by Sections 224.01 and 224.02 of the Englewood Code.



Kerry Norman, Clerk of Council

EXHIBIT A

**SUMMARY OF NEW MATTER
CONTAINED IN THE 2018 REPLACEMENT PAGES
FOR THE
CODIFIED ORDINANCES OF ENGLEWOOD, OHIO**

New matter in the Codified Ordinances of Englewood, Ohio, as contained in the 2018 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.24	Definition of "pedestrian".
402.53	Definition of "vehicle".
402.54	Definition of "waste collection vehicle".
408.02	General code penalty.
412.05	Freeway use prohibited by pedestrians, bicycles and animals.
414.01	Obedience to traffic control devices.
416.01	Duties of pedestrians and drivers at crosswalks.
416.02	Right-of-way of blind person.
416.09	Right-of-way on sidewalks.
416.14	Operation of personal delivery device on sidewalks and crosswalks.
432.01	Driving upon right side of roadway; exceptions.
432.02	Passing to right when proceeding in opposite directions.
432.03	Overtaking, passing to left; driver's duties.
432.04	Overtaking, passing to right of vehicle.
432.05	Overtaking, passing to left of centerline.
432.06	Driving upon left side of roadway.
432.07	Hazardous or no passing zones.
432.08	Driving within lanes or continuous lines of traffic.
432.09	Following too closely.
432.10	Turning at intersections.
432.11	"U" turns restricted.
432.12	Starting and backing vehicles.
432.13	Signals before changing course, turning or stopping.
432.14	Hand and arm signals.
432.15	Right-of-way at intersections.
432.155	Intersections at which traffic control signals fail or malfunction.
432.16	Right-of-way when turning left.
432.17	Operation of vehicle at stop and yield signs.
432.18	Emergency or public safety vehicles at stop signals or signs.
432.195	Driving while approaching stationary public safety vehicle and certain other vehicles.
432.20	Right-of-way at private driveway, alley or building.
432.21	Right-of-way of funeral procession.
432.22	Driving upon sidewalks, tree lawns or curbs.

<u>Section</u>	<u>New or amended matter regarding:</u>
432.24	Driving upon street posted as closed for repair.
432.26	Driving over fire hose.
432.27	Driving through safety zone.
432.28	One-way streets and rotary traffic islands.
432.29	Driving upon divided roadways.
432.32	Stopping at grade crossings.
432.33	Slow-moving vehicles or equipment at grade crossings.
432.34	Obstructing intersections, crosswalks or grade crossings.
432.43	Texting while driving prohibited.
432.44	Use of electronic wireless communication devices by minors or probationary drivers while driving prohibited.
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
434.03	Speed limits.
434.035	Speed limits on private roads and driveways.
434.04	Slow speed; posted minimum speeds.
434.05	Speed limitations over bridges.
438.16	Number of lights permitted; red and flashing lights.
476.08	Registration of vehicles.
612.07	Open container prohibited; exception.
624.01	Definitions concerning drugs.
624.02	Trafficking in controlled substances; gift of marihuana.
624.025	Illegal cultivation of marihuana.
624.03	Drug possession offenses.
624.05	Permitting drug abuse.
624.08	Illegal dispensing of drug samples.
624.13	Controlled substance or prescription labels.
624.15	Counterfeit controlled substances.
636.09	Nonsupport of dependents.
642.05	Unauthorized use of property.
642.15	Misuse of credit cards.
672.04	Improperly handling firearms in a motor vehicle.
672.16	Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.