

**CITY OF ENGLEWOOD  
IN  
MONTGOMERY COUNTY, OHIO**

**ORDINANCE NO. 17-10**

**PASSED: November 14, 2017**

**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 September 1, 2017, 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>
16-13	11-22-16	250.01 - 250.08
16-15	11-22-16	252.09
16-18	12-13-16	1044.10 - 1044.12, 1052.11, 1052.12
17-01	2-28-17	252.09

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

402.21, 404.03, 432.03, 432.155, 432.19, 432.32, 434.01, 434.011, 434.03, 434.07, 434.09, 436.01, 436.09, 436.11, 436.12, 436.14, 476.01, 476.03, 476.04, 476.08, 606.01, 606.06, 606.12, 606.24, 612.07, 612.08, 618.22, 624.01 - 624.05, 624.07, 624.076, 624.08, 624.14, 636.045, 636.075, 636.12, 636.125, 642.08 - 642.11, 642.25, 660.03, 660.17, 666.08, 672.01, 672.02, 672.04, 672.15, 672.16, 698.02

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in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows: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 September 1, 2017.

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 14th day of November, 2017.

Thomas E. Franz Jr.  
Patricia Burnside, Mayor  
Thomas E. Franz, Jr., Vice Mayor

ATTEST:

Kerry Norman  
Kerry Norman, Clerk of Council

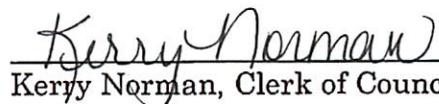
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ADOPTING ORDINANCE

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CERTIFICATE

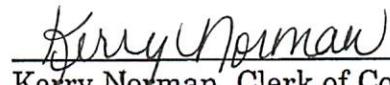
I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio, do hereby certify that the foregoing is a true and correct copy from the Record of Proceedings of said City. WITNESS my signature this 14th day of November, 2017.



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Kerry Norman, Clerk of CouncilCERTIFICATE 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.



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Kerry Norman, Clerk of Council

## EXHIBIT A

### SUMMARY OF NEW MATTER CONTAINED IN THE 2017 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF ENGLEWOOD, OHIO

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New matter in the Codified Ordinances of Englewood, Ohio, as contained in the 2017 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.21	Traffic definitions.
404.03	Exceptions generally; emergency, public safety and coroner vehicles exempt.
432.03	Rules governing overtaking and passing of vehicles.
432.155	Ambiguous or non-working traffic signals.
432.19	Right-of-way of public safety vehicles.
432.32	Stop signs at grade crossings.
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
434.011	Immobilizing or disabling device violation.
434.03	Speed limits.
434.07	Street racing defined; prohibited on public highways.
434.09	Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles.
436.01	Driver's or commercial driver's license required.
436.09	Display of license plates or validation stickers; registration.
436.11	Failure to stop after accident.
436.12	Stopping after accident on other than public roads or highways.
436.14	Removal of vehicles after accidents.
476.01	Definitions for bicycles, motorcycles etc.
476.03	Code application; prohibited operation.
476.04	Permitted operation.
476.08	Registration of vehicles.
606.01	Definitions. (Offense of violence)
606.06	Limitation of criminal prosecution.
606.12	Failure to report a crime.
606.24	Disposition of unclaimed or forfeited property held by Police Department.
612.07	Open container prohibited; exception.
612.08	Hours of sale or consumption.
618.22	Sexual conduct with an animal.
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.
624.04	Possessing drug abuse instruments.

- 624.05 Permitting drug abuse.
- 624.07 Abusing harmful intoxicants.
- 624.076 Possessing nitrous oxide in motor vehicles.
- 624.08 Illegal dispensing of drug samples.
- 624.14 Drug paraphernalia.
- 636.045 Violating a protection order, consent agreement, anti-stalking protection order or order issued by a court of another state.
- 636.075 Criminal child enticement.
- 636.12 Interference with custody; interference with support orders.
- 636.125 Contributing to unruliness or delinquency of a child.
- 642.08 Assaulting police dog or horse or assistance dog.
- 642.09 Arson.
- 642.10 Vehicular vandalism.
- 642.11 Criminal mischief.
- 642.25 Determining property value or amount of physical harm in arson.
- 660.03 Discarding litter prohibited.
- 660.17 Nonsmoking areas in places of public assembly.
- 666.08 Soliciting; loitering to engage in.
- 672.01 Weapons definitions.
- 672.02 Carrying concealed weapons.
- 672.04 Improperly handling firearms in a motor vehicle.
- 672.15 Possession of an object indistinguishable from a firearm in a school safety zone.
- 672.16 Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
- 698.02 Penalties for misdemeanor.