

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

**ORDINANCE: 19-22 PASSED: December 10, 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 July 31, 2019, 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, COUNTY OF MONTGOMERY, STATE OF OHIO, AS FOLLOWS:**

**SECTION I** 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>
18-11	8-14-18	660.19
18-16	11-13-18	252.09
18-18	11-13-18	1044.10, 1044.11, 1052.11, 1052.12
19-02	1-22-19	252.09
19-07	6-25-19	1044.13, 1052.14, 1064.10
19-09	6-25-19	886.02
19-12	7-23-19	252.09
19-13	7-23-19	1426.01

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

402.115, 402.20, 402.22, 402.275, 402.385, 402.53, 408.02, 412.05, 432.03, 432.13, 432.14, 432.155, 432.22, 434.03, 434.08, 436.3074,

436.14, 438.29, 440.01, 440.05, 474.11, 474.12, 606.01, 606.21, 612.07, 624.01, 624.02, 624.03, 624.04, 624.07, 624.12, 624.14, 624.17, 636.001, 642.145, 666.03, 666.04, 666.21, 672.01, 672.05, 672.07, 672.10, 672.01, 672.16

**SECTION III**

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in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows: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 provisions 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 July 31, 2019.


**SECTION IV**

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 V**

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

**PASSED this 10<sup>th</sup> day of December 2019**

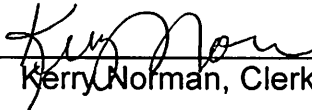
  
Thomas Franz, Jr., Mayor

ATTEST:

  
Kerry Norman, Clerk of Council

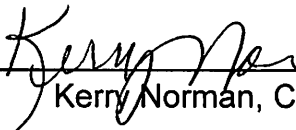
## CERTIFICATE

I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio, do hereby certify the foregoing is a true and correct copy from the *Record of Proceedings* of said City. **WITNESS** my signature this 10th day of December, 2019.

  
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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 publication of the foregoing **ORDINANCE** was made as designated by Sections 224.01 and 24.02 of the Englewood Code.

  
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Kerry Norman, Clerk of Council

## EXHIBIT A

### SUMMARY OF THE NEW MATTER CONTAINED IN THE 2019 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 2018 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.115	Definition of electric bicycle.
402.20	Definition of motor vehicle.
402.22	Definition of motorized bicycle or moped.
402.275	Definition of predicate motor vehicle or traffic offense.
402.385	Definition of shared-use path.
402.53	Definition of vehicle.
408.02	General traffic penalty.
412.05	Freeway use prohibited by pedestrians, bicycles and animals.
432.03	Overtaking, passing to left; driver's duties.
432.13	Signals before changing course, turning or stopping.
432.14	Hand and arm signals.
432.155	Intersections at which traffic-control signals fail or malfunction.
432.22	Driving upon sidewalks, tree lawns or curbs.
434.03	Maximum speed limits; assured clear distance ahead.
434.08	Vehicular homicide; vehicular manslaughter; vehicular assault.
436.074	Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension.
436.14	Removal of vehicles after accidents.
438.29	Occupant restraining devices.
440.01	Permit required to exceed load limits.
440.05	Towing requirements; exception to size and weight restrictions.
474.11	Operation of motorized bicycle.
474.12	Electric bicycles.
606.01	Definitions.
606.21	Attempts.
612.07	Open container prohibited.
624.01	Definitions.
606.21	Attempts.
612.07	Open container prohibited.
624.01	Definitions.
624.02	Trafficking in controlled substances; gift of marijuana.
624.03	Drug Possession Offenses.
624.04	Possession of drug abuse instruments.
624.07	Abusing harmful intoxicants.
624.12	Controlled substance schedules.
624.14	Use or possession of paraphernalia.
624.17	Sale of pure caffeine product.

636.001 Definitions.  
642.145 Forging or selling forged identification cards.  
666.03 Sexual imposition.  
666.04 Public indecency.  
666.21 Nonconsensual dissemination of private sexual images.  
672.01 Definitions for weapons and explosives.  
672.05 License or permit to possess dangerous ordnance.  
672.07 Unlawful transactions in weapons.  
672.16 Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.