

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

ORDINANCE: 24-01

PASSED: January 9, 2024

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 22, 2023, 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>
22-02	1-11-22	1044.10, 1044.11, 1052.11, 1052.12
22-03	3-22-22	252.09
22-05	5-24-22	252.09
22-06	5-24-22	220.02
22-11	9-27-22	252.09
22-13	9-27-22	1070.09
Res. 24-22	9-27-22	Ch. 252, Ed. Note
22-17	11-22-22	1454.04
22-18	11-22-22	252.09
22-21	12-13-22	1044.10, 1044.11, 1052.11, 1052.12
22-22	12-13-22	858.12
23-02	4-25-23	618.195
23-03	5-23-23	252.09
23-04	6-17-23	252.09

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

202.02, 236.13, 408.02, 432.43, 434.01, 434.03, 434.09, 436.071, 436.14, 438.10, 438.16, 438.23, 440.08, 442.01, 606.01, ~~606.06~~, 606.12, 612.02, 612.07, 624.01, 624.03, 624.04, 624.14, 630.092, 636.02, 636.045, 636.05, 636.09, 636.11, 636.12, 636.13, 642.02, 642.08, 648.05, 648.12, 660.02, 660.17, 666.01, 666.05, ~~666.06~~, 666.07, 698.02, 698.03

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in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows: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 December 31, 2021.

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 9th day of January, 2024.


Cathy McGrail, Mayor

ATTEST:


Marla Goodrich, Clerk of Council

CERTIFICATE

I, Marla Goodrich, 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 9th day of January, 2024.



Marla Goodrich, Clerk of Council

CERTIFICATE OF POSTING

I, Marla Goodrich 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.



Marla Goodrich, Clerk of Council

EXHIBIT A

SUMMARY OF NEW MATTER CONTAINED IN THE 2023 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF ENGLEWOOD, OHIO

New matter in the Codified Ordinances of Englewood, Ohio, as contained in the 2023 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
202.02	Definitions
236.13	Liability for loss of public funds
408.02	General traffic code penalties
432.43	Texting while driving prohibited
434.01	Driving under the influence of alcohol; Implied consent
434.03	Maximum speed limits; penalties
434.09	Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles
436.071	Driving under suspension or in violation of license restriction
436.14	Removal of vehicles after accidents
438.10	Lights, emblems, and reflectors on slow-moving vehicles, farm machinery, agricultural tractors, and animal-drawn vehicles
438.16	Number of lights permitted; red and flashing lights
438.23	Windshields and wipers
440.08	Occupying travel trailer, fifth wheel vehicle, or manufactured or mobile home while in motion
442.01	Commercial drivers definitions
606.01	General offenses definitions
606.06	Limitation of criminal prosecutions
606.12	Failure to report a crime, injury or knowledge of death
612.02	Sales to underage persons
612.07	Open container prohibited; exception
624.01	Drug definitions
624.03	Drug possession offenses
624.04	Possessing drug abuse instruments
624.14	Use, possession, or sale of drug paraphernalia
630.092	Raffle drawings
636.02	Assault
636.045	Violating a protection order, consent agreement, anti-stalking protection order or order issued by a court of another state
636.05	Menacing; aggravated menacing; menacing by stalking
636.09	Nonsupport of dependents
636.11	Endangering children
636.12	Interference with custody; interference with support orders

636.13 Failure to provide for a person with a functional impairment
642.02 Theft
642.08 Assaulting police dog or horse, or assistance dog
648.05 Disturbing a lawful meeting
648.12 Impeding public passage of an emergency service responder
660.02 Spreading contagion
660.17 Nonsmoking areas in places of public assembly
666.01 Definitions for sex offenses
666.05 Voyeurism
666.06 Polygraph examinations for victims: restrictions on use
666.07 Procuring; engagement in sexual activity for hire
698.02 Penalties for misdemeanor
698.03 Imposing sentence for misdemeanor