Village of Crooksville, Ohio

ORDINANCE NO. 2486

ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2014 EDITION, AS CODE OF ORDINANCES FOR THE MUNICIPALITY OF THE VILLAGE OF CROOKSVILLE INCLUDING CHAPTER 33 – JUDICIAL AUTHORITY WITHIN TITLE III; ALL OF TITLE I – GENERAL PROVISIONS; ALL OF TITLE VII TRAFFIC CODE; CHAPTER 90 – ANIMALS, CHAPTER 91 – FIREWORKS, EXPLOSIVES, FIRE PREVENTION, AND CHAPTER 92 – INTOXICATING LIQUORS, WITHIN TITLE IX GENERAL REGULATIONS; CHAPTER 110 – GENERAL PROVISIONS, CHAPTER 112 – PEDDLERS, ITINERANT MERCHANTS, AND SOLICITORS, AND CHAPTER 114 – TATTOOING AND BODY PIERCING SERVICES ALL WITHIN TITLE XI BUSINESS REGULATIONS; AND ALL OF TITLE XIII GENERAL OFFENSES – AS REVISED THROUGH 7-16-2013, PUBLISHED BY AMERICAN LEGAL PUBLISHING CORPORATION FOR THE VILLAGE OF CROOKSVILLE, OHIO; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

Whereas, American Legal Publishing Corporation has prepared and published a Model Ohio Municipal Code, as revised through January 1, 2014, which components are based upon and consistent with State law through July 16, 2013; and

Whereas, the Village of Crooksville is in need of a codification of certain portions of such legislation, with which to administer the affairs of the Village, ensure law and order and avoid practical and legal entanglements, and preserve the public peace, health, safety and general welfare of the municipality; and

Whereas, Article XVIII, Section 3, of the Ohio Constitution requires that Village law be in conformity with State law in those areas specified therein; and

Whereas, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW THEREFORE BE IT, AND IT IS HEREBY ORDAINED by the Village Council of the Village of Crooksville, Perry County, State of Ohio, that:

Section One. The 2014 Edition of the Model Ohio Municipal Code – Chapter 33 – Judicial Authority, within Title III; all of Title VII Traffic Code; Chapter 90 – Animals, Chapter 91 – Fireworks, Explosives, Fire Prevention, and Chapter 92 – Intoxicating Liquors, all within Title IX General Regulations; Chapter 110 – General Provisions, Chapter 112 – Peddlers, Itinerant Merchants, and Solicitors, and Chapter 114 – Tattooing and Body Piercing Services, all within Title XI Business Regulations; and all of Title XIII General Offenses; as published by American

Legal Publishing Corporation and as reviewed and approved by the Crooksville Village Council, is hereby approved, adopted and enacted by and for the Village of Crooksville.

Section Two. One book-form copy of American Legal Publishing's Ohio Basic Code, 2014 Edition, certified as correct by the Mayor and Fiscal Officer of the Village, as required by Ohio Revised Code Section 731.23, shall be kept in its initial form on file in the office of the Fiscal Officer of the Village of Crooksville and retained as a permanent ordinance record of the municipality. The Fiscal Officer of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code Section 731.23. Such summary is attached hereto and marked as "Exhibit A."

Section Three. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the 2014 Edition of the Model Ohio Municipal Code – Chapter 33 – Judicial Authority, within Title III; all of Title VII Traffic Code; Chapter 90 – Animals, Chapter 91 – Fireworks, Explosives, Fire Prevention, and Chapter 92 – Intoxicating Liquors, within Title IX General Regulations; Chapter 110 – General Provisions, Chapter 112 – Peddlers, Itinerant Merchants, and Solicitors, and Chapter 114 – Tattooing and Body Piercing Services, all within Title XI Business Regulations; and all of Title XIII General Offenses; as adopted in Section One hereof, are hereby repealed as of the effective date of this ordinance, except as follows:

- A. The enactment of the Ohio Basic Code, 2014 Edition Chapter 33 Judicial Authority, within Title III; all of Title VII Traffic Code; Chapter 90 Animals, Chapter 91 Fireworks, Explosives, Fire Prevention, and Chapter 92 Intoxicating Liquors, all within Title IX General Regulations; Chapter 110 General Provisions, Chapter 112 Peddlers, Itinerant Merchants, and Solicitors, and Chapter 114 Tattooing and Body Piercing Services, all within Title XI Business Regulations; and all of Title XIII General Offenses; shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement 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, nor to affect an indictment or prosecution therefore. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.
- **B.** The repeal provided above shall not affect:
 - (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure f money or promise or guarantees of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;

- (9) The annexation or detachment of territory;
- (10) Any legislation enacted subsequent to the adoption of this ordinance;
- (11) Any legislation specifically superseding the provision of the Ohio Basic Code.

Section Four. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.

Section Five. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date allowed by law.

Passed: March 3, 2014
Darrell Lantz, Mayor
ATTESTED: Brittany Ross, Fiscal Officer
Posting Certification
This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the
Brittany Ross, Fiscal Officer

Exhibit A – Publication Notice OHIO BASIC CODE, 2014 EDITION – SUMMARY OF CONTENTS

Notice is hereby given that on the 3rd day of March, 2014, there was enacted by the Legislative Authority of the Municipality of the Village of Crooksville, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2014 Edition, as the Code of Ordinances for the Municipality of Crooksville, Ohio."

A summary of the subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follows. The majority of Basic Code provisions are based directly on state law.

Title III Chapter 33: Judicial Authority

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33.29 Judgment final33.30 Alternative remedy

	Duties of Mayor and Mayor's Court Magistrate; fees; office; seal Mayor's Court Magistrate
33.05	Powers to suspend driver's license in OVI cases
Conte	mpt of Court
33.20	Summary punishment for contempt
33.21	Acts in contempt of court
	Hearing
33.23	Contempt action for failure to pay support, failure to comply or interference with a
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	Right of accused to bail
33.25	Hearing on contempt; penalties; support orders; failure to withhold or deduct money
	pursuant to support order
	Imprisonment until order obeyed
33.27	Proceedings when party released on bail fails to appear

33.01 Jurisdiction in ordinance cases and traffic violations

33.28 Release of prisoner committed for contempt

33.02 Powers of Mayors and Mayor's Court Magistrate in criminal matters

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70.02	Compliance with order of police officer	
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	Names of persons damaging real property by operation of vehicle to be provided to owner	
70.09	Limited access highways; barriers along; vehicles to enter and leave at designated intersections	
70.10	Through highways	
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70.12	Removal of vehicles after accidents	
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	Signals over reversible lanes	
	Ambiguous or non-working traffic signals	
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70.38	Signal preemption devices; prohibitions	
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71.02 Improper use of noncommercial motor vehicle

71.04 Operation or sale without certificate of title

71.05 Display of certificate of registration

71.06 Use of unauthorized plates

71.03 Operating motor vehicle ordered immobilized; forfeiture

71.07 Operating without dealer or manufacturer license plates

Driver's Licenses

- 71.20 Prohibited acts
- 71.21 Permitting minor to operate vehicle prohibited; temporary instruction permit; probationary license
- 71.22 License required as driver or commercial driver on public or private property; nonresident exemption
- 71.23 Employment of a minor to operate a taxicab prohibited
- 71.24 Restriction against owner lending vehicle for use of another
- 71.25 Suspension of driver's licenses; license suspended by court of record
- 71.26 Display of license
- 71.27 Prohibition against false statements
- 71.28 Driving under suspension or in violation of license restriction
- 71.29 Operating motor vehicle or motorcycle without valid license
- 71.30 Driving under OVI suspension
- 71.31 Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension
- 71.32 Failure to reinstate license

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- 71.46 Use of actual gross weight in lieu of rating
- 71.47 Prohibited acts
- 71.48 Prerequisites to operation of commercial motor vehicle
- 71.49 Physical qualification to operate commercial motor vehicles
- 71.50 Criminal offenses
- 71.51 Application of federal regulations
- 71.52 Employment of drivers of commercial vehicles
- 71.99 Penalty

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- 72.001 Lanes of travel upon roadways
- 72.002 Driving through safety zone
- 72.003 Vehicles traveling in opposite direction
- 72.004 Rules governing overtaking and passing of vehicles
- 72.005 Permission to overtake and pass on the right
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- 72.007 Prohibition against driving upon left side of roadway
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- 72.009 One-way highways and rotary traffic islands
- 72.010 Rules for driving in marked lanes
- 72.011 Space between moving vehicles
- 72.012 Divided roadways
- 72.013 Rules for turns at intersections
- 72.014 U-turns and turning in roadway prohibited
- 72.015 Starting and backing vehicles
- 72.016 Turn and stop signals
- 72.017 Hand and arm signals

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- 72.031 Right-of-way when turning left
- 72.032 Right-of-way at through highways; stop signs; yield signs
- 72.033 Stop at sidewalk area; stop signs on private roads and driveways
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- 72.035 Pedestrian on sidewalk has right-of-way
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- 72.056 Pedestrian walking along highway
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- 72.077 Vehicles required to stop at grade crossings
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- 72.116 Occupying travel trailer while in motion
- 72.117 Driving upon closed highway prohibited
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- 72.128 Operating traction engine upon improved
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- 135.21 Interference with right of person to engage in housing transactions because of race, religion, or the like
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- 135.23 Violating a protection order, consent agreement, anti-stalking protection order or order issued by a court of another state
- 135.24 Adulteration of food
- 135.25 Illegal distribution of cigarettes or other tobacco products; transaction scans
- 135.26 Nonsmoking areas in places of public assembly
- 135.27 Spreading contagion
- 135.28 Abuse of a corpse
- 135.29 Unlawful collection of bodily substances

Chapter 136: Offenses Against Justice and Administration

- 136.01 Definitions
- 136.02 Falsification
- 136.03 Compounding a crime
- 136.04 Failure to report a crime
- 136.05 Failure to aid a law enforcement officer
- 136.06 Obstructing official business
- 136.07 Obstructing justice
- 136.08 Resisting arrest
- 136.09 Having an unlawful interest in a public contract
- 136.10 Soliciting or receiving improper compensation
- 136.11 Dereliction of duty
- 136.12 Interfering with civil rights
- 136.13 Illegal conveyance of prohibited items onto grounds of a detention facility or other specified governmental facilities
- 136.14 False report of child abuse or neglect
- 136.15 Assaulting a police dog or horse, or assistance dog
- 136.16 Disclosure of confidential peace officer information
- 136.17 Intimidation of crime victim or witness
- 136.18 Using sham legal process
- 136.19 Making false allegation of peace officer misconduct
- 136.20 Misuse of 9-1-1 system
- 136.21 Failure to disclose personal information

Chapter 137: Weapons Control

- 137.01 Definitions
- 137.02 Carrying concealed weapons
- 137.03 Using weapons while intoxicated
- 137.04 Improperly handling firearms in a motor vehicle
- 137.05 Possession criminal tools
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- 137.07 Unlawful transactions in weapons
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- 137.10 License or permit to possess dangerous ordnance
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- 137.13 Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession
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- 138.02 Trafficking in controlled substances; gift of marihuana
- 138.03 Drug possession offenses
- 138.04 Possessing drug abuse instruments
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- 138.06 Illegal cultivation of marihuana
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- 138.08 Illegal dispensing of drug samples
- 138.09 Federal prosecution bar to municipal prosecution
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- 138.11 Laboratory report required
- 138.12 Counterfeit controlled substances
- 138.13 Use, possession, or sale of drug paraphernalia
- 138.14 Controlled substance or prescription labels
- 138.15 Possession, sale and disposal of hypodermics
- 138.16 Controlled substance schedules
- 138.17 Unlawful furnishing of prescription to enable persons to be issued handicapped parking placards or license plates
- 138.18 Pseudoephedrine sales

CERTIFICATION OF CODIFIED ORDINANCES

We, Darrell Lantz, Mayor, and Brittany Ross, Fiscal Officer of the Legislative Authority of the Municipality of the Village of Crooksville, Ohio, pursuant to Ohio Revised Code Sections 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes and titles are correct as and constitute certain portions as set forth of the Code of Ordinances for the Municipality of the Village of Crooksville.

Darrell Lantz Mayor

Brittany Ross, Fiscal Officer