

Village of Crooksville, Ohio

ORDINANCE NO. 2584

**ORDINANCE APPROVING, ADOPTING AND ENACTING
AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2017 EDITION,
AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF THE VILLAGE OF
CROOKSVILLE INCLUDING ALL OF TITLE I – GENERAL PROVISIONS;
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,
AND CHAPTER 94 – STREETS AND SIDEWALKS, GENERAL PROVISIONS,
SECTIONS 94.01 THROUGH 94.06 AND SECTION 94.99, 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
REVISED THROUGH JANUARY 1, 2017, 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.**

Whereas, American Legal Publishing Corporation has prepared and published a Model Ohio Municipal Code, as revised through January 1, 2017, which components are based upon and consistent with State law; 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 2017 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, Chapter 92 – Intoxicating Liquors, and Chapter 94 –

Streets and Sidewalks, General Provisions, Sections 94.01 through 94.06, and Section 94.99, 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, 2017 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 2017 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, Chapter 92 – Intoxicating Liquors, and Chapter 94 – Streets and Sidewalks, General Provisions, Sections 94.01 through 94.06, and Section 94.99, 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, 2017 Edition – Chapter 33 – Judicial Authority, within Title III; all of Title VII Traffic Code; Chapter 90 – Animals, Chapter 91 – Fireworks, Explosives, Fire Prevention, Chapter 92 – Intoxicating Liquors, and Chapter 94 – Streets and Sidewalks, General Provisions, Sections 94.01 through 94.06, and Section 94.99, 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 of 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.

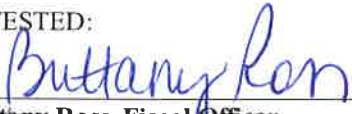
Section Four. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred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

Section Five. This ordinance shall take effect at the earliest date allowable by law.

1st Reading: February 20, 2017
2nd Reading: March 6, 2017
3rd Reading: March 20, 2017

Passed: March 20, 2017


 Fred Redfern, 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 21st day of March, 2017.


 Brittany Ross, Fiscal Officer

Exhibit A – Publication Notice
OHIO BASIC CODE, 2017 EDITION – SUMMARY OF CONTENTS

Notice is hereby given that on the 20th day of March, 2017, 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, 2017 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 I: GENERAL PROVISIONS
Chapter 10: General Provisions

- 10.01 Short Titles
- 10.02 Definitions
- 10.03 Rules of Construction
- 10.04 Revivor; effect of amendment or appeal
- 10.05 Construction of section references
- 10.06 Conflicting provisions
- 10.07 Severability
- 10.08 Reference to offices
- 10.09 Errors and omissions
- 10.10 Ordinances repealed
- 10.11 Ordinances unaffected
- 10.12 Ordinances saved
- 10.13 Application to future ordinances
- 10.14 Interpretation
- 10.15 Amendments to code; amendatory language
- 10.16 Statutory references
- 10.17 Preservation of penalties, offenses, rights and liabilities
- 10.18 Determination of legislative intent

- 10.99 General penalty

Title III: ADMINISTRATION
Chapter 33: Judicial Authority

General Provisions

- 33.01 Jurisdiction in ordinance cases and traffic violations
- 33.02 Powers of Mayors and Mayor’s Court Magistrate in criminal matters
- 33.03 Duties of Mayor and Mayor’s Court Magistrate; fees; office; seal
- 33.04 Mayor’s Court Magistrate
- 33.05 Powers to suspend driver’s license in OVI cases

Contempt of Court

- 33.20 Summary punishment for contempt
- 33.21 Acts in contempt of court
- 33.22 Hearing
- 33.23 Contempt action for failure to pay support, failure to comply or interference with a visitation order; summons
- 33.24 Right of accused to bail
- 33.25 Hearing on contempt; penalties; support orders; failure to withhold or deduct money pursuant to support order
- 33.26 Imprisonment until order obeyed
- 33.27 Proceedings when party released on bail fails to appear
- 33.28 Release of prisoner committed for contempt
- 33.29 Judgment final
- 33.30 Alternative remedy

All of Title VII Traffic Code

Chapter 70: General Provisions

General Provisions

- 70.01 Definitions
- 70.02 Compliance with order of police officer
- 70.03 Emergency vehicles to proceed cautiously past red or stop signal
- 70.04 Exceptions generally; emergency, public safety and coroner vehicles exempt
- 70.05 Persons riding or driving animals upon roadways
- 70.06 Prohibitions against pedestrians and slow-moving vehicles on freeways
- 70.07 Use of private property for vehicular travel
- 70.08 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
- 70.11 Officer may remove ignition key
- 70.12 Removal of vehicles after accidents

Traffic-Control Devices

- 70.30 Obeying traffic-control devices
- 70.31 Signal lights
- 70.32 Signals over reversible lanes
- 70.33 Ambiguous or non-working traffic signals
- 70.34 Pedestrian-control signals

- 70.35 Unauthorized signs and signals prohibited
- 70.36 Alteration, defacement, or removal prohibited
- 70.37 Unauthorized possession or sale of devices
- 70.38 Signal preemption devices; prohibitions

- 70.99 Penalty

Chapter 71: Licensing Provisions

Motor Vehicle Licensing

- 71.01 Display of license plates or validation stickers; registration
- 71.02 Improper use of noncommercial motor vehicle
- 71.03 Operating motor vehicle ordered immobilized; forfeiture
- 71.04 Operation or sale without certificate of title
- 71.05 Display of certificate of registration
- 71.06 Use of unauthorized plates
- 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

Commercial Driver's Licenses

- 71.45 Definitions
- 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

Chapter 72: Traffic Rules

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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
- 72.006 Driving to left of center line
- 72.007 Prohibition against driving upon left side of roadway
- 72.008 Hazardous zones
- 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

Right-of-Way

- 72.030 Right-of-way at intersections
- 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
- 72.034 Right-of-way of public highway
- 72.035 Pedestrian on sidewalk has right-of-way
- 72.036 Right-of-way of public safety vehicles
- 72.037 Funeral procession has right-of-way
- 72.038 Pedestrian on crosswalk has right-of-way
- 72.039 Pedestrian on crosswalk has right-of-way
- 72.040 Right-of-way yielded to blind person
- 72.041 Right-of-way yielded by pedestrian

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- 72.055 Pedestrian movement in crosswalks
- 72.056 Pedestrian walking along highway
- 72.057 Prohibition against soliciting rides; riding on outside of vehicle
- 72.058 Pedestrian on bridge or railroad crossing
- 72.059 Persons operating motorized wheelchairs
- 72.060 Intoxicated or drugged pedestrian hazard on highway
- 72.061 Operation of electric personal assistive mobility devices

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- 72.075 Stop signs at grade crossings
- 72.076 Driving vehicle across railroad grade crossing
- 72.077 Vehicles required to stop at grade crossings
- 72.078 Slow-moving vehicles or equipment crossing railroad tracks

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- 72.091 Violation of regulations; report; investigation; citation; warning
- 72.092 Restrictions on the operation of school buses
- 72.093 School bus inspection
- 72.094 School bus not used for school purposes
- 72.095 Licensing by Department of Public Safety
- 72.096 Registration and identification of school buses
- 72.097 School bus marking
- 72.098 Flashing light signal lamps
- 72.099 Occupant restraining device for operator

Prohibitions

- 72.115 Obstruction and interference affecting view and control of driver
- 72.116 Occupying travel trailer while in motion
- 72.117 Driving upon closed highway prohibited
- 72.118 Driving upon sidewalk area or paths exclusively for bicycles
- 72.119 Obstructing passage of other vehicles
- 72.120 Following an emergency or public vehicle prohibited; approaching stationary public safety vehicle with caution
- 72.121 Driving over unprotected fire hose
- 72.122 Placing injurious material on highway or depositing litter from motor vehicle
- 72.123 Transporting child not in child-restraint system prohibited
- 72.124 Occupant restraining devices
- 72.125 Use of engine brakes prohibited
- 72.126 Operating motor vehicle while wearing earphones or earplugs

- 72.127 Chauffeured limousines and livery services
- 72.128 Operating traction engine upon improved highway
- 72.129 Cracking exhaust noises; peeling out
- 72.130 Shortcutting across private property
- 72.131 Texting while driving prohibited
- 72.132 Use of electronic wireless communication devices by minors or probationary drivers while driving prohibited

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- 73.02 Implied consent
- 73.03 Physical control of vehicle while under the influence
- 73.04 Driving commercial vehicle with impaired alertness or ability; use of drugs
- 73.05 Reckless operation of vehicles
- 73.06 Reckless operation off streets and highways; competitive operation
- 73.07 Operator to be in reasonable control
- 73.08 Immobilizing or disabling device violation
- 73.09 Street racing defined; prohibited on public highways
- 73.10 Speed limits
- 73.11 Slow speed or stopping
- 73.12 Emergency vehicles excepted from speed limitation
- 73.13 Speed regulations on bridges
- 73.14 Presenting false name or information to officer
- 73.15 Prohibition against resisting officer
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- 74.01 Unsafe vehicles, prohibition against operating
- 74.02 Bumpers on motor vehicles
- 74.03 Lighted lights required
- 74.04 Headlights
- 74.05 Tail lights and illumination of rear license plate

- 74.06 Red reflectors required
- 74.07 Safety lighting of commercial vehicles
- 74.08 Stoplight regulations
- 74.09 Obscured lights on vehicles
- 74.10 Red light or flag required
- 74.11 Lights on parked vehicles
- 74.12 Lights and emblem on slow-moving vehicles; lights and reflectors on multi-wheel agricultural tractors or farm machinery
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- 74.14 Cowl, fender, and back-up lights
- 74.15 Two lights displayed
- 74.16 Headlights required
- 74.17 Lights of less intensity
- 74.18 Number of lights permitted; red and flashing lights
- 74.19 Standard for lights permitted for certain types of vehicles
- 74.20 Flashing lights permitted for certain types of vehicles
- 74.21 Lights and sign on transportation for preschool children
- 74.22 Focus and aim of headlights
- 74.23 Brake equipment; specifications
- 74.24 Brake fluid
- 74.25 Minimum standards for brakes and components
- 74.26 Horns, sirens, and warning devices
- 74.27 Mufflers; excessive smoke or gas
- 74.28 Rearview mirrors
- 74.29 Windshields and wipers
- 74.30 Solid tire requirements
- 74.31 Requirements for safety glass in motor vehicles; use of tinted glass or reflectorized materials
- 74.32 Directional signals
- 74.33 Installation and sale of seat safety belts required; definition
- 74.34 Requirements for extra signal equipment
- 74.35 Display of warning devices on disabled vehicles
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- 74.37 Studded tires; seasonal use permitted
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- 74.51 Limitation of load extension of left side of vehicle
- 74.52 All loads shall be properly secured
- 74.53 Towing requirements; exception to size and weight restrictions
- 74.54 Weighing of vehicle; removal of excess load
- 74.55 Operation of vehicle exceeding weight limits prohibited

- 74.56 Load limits
- 74.57 Maximum width, height, and length
- 74.58 Statement of gross vehicle weight
- 74.59 Wheel protectors required on heavy commercial vehicles
- 74.60 Liability for damages; prosecution; application of monies
- 74.61 Weight exceptions for certain vehicles

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- 75.02 Operation of motorized bicycle
- 75.03 Rules for bicycles, motorcycles, and snowmobiles
- 75.04 Prohibition against attaching bicycles and sleds to vehicles
- 75.05 Riding bicycles; motorcycles abreast
- 75.06 Equipment of bicycles

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- 75.26 Equipment
- 75.27 Code application; prohibited operation
- 75.28 Permitted operation
- 75.29 Licensing requirements of operator
- 75.30 Maintenance of vehicles for hire
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- 75.32 Impounding of vehicle
- 75.33 Local control within police power
- 75.34 Registration of vehicles
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- 76.02 Condition when motor vehicle left unattended
- 76.03 Policy may remove illegally parked vehicle
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- 90.02 Confining animal found at large; publication of notice; lien
- 90.03 Unavoidable escapes
- 90.04 Fees
- 90.05 Rabies quarantine orders of Mayor
- 90.06 Interfering with enforcement of quarantine orders
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- 90.21 Injuring animals
- 90.22 Poisoning animals
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- 90.24 Animal fights
- 90.25 Trapshooting
- 90.26 Loud dog
- 90.27 Dog tags
- 90.28 Nuisance, dangerous and vicious dog defined; transfer of ownership certificate; form stating dog's prior behavior
- 90.29 Failure to register dog or dog kennel
- 90.30 Hindering the capture of unregistered dog
- 90.31 Unlawful tag
- 90.32 Rights of blind, deaf or hearing impaired, or mobility impaired person, or trainer with assistance dog
- 90.33 Retail sale and transportation of dogs
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- 91.35 Fire suppression systems
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- 91.57 Open burning in restricted areas
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- 92.02 Exemptions form chapter
- 92.03 Restrictions applicable to sale of beer and intoxicating liquor for consumption on the premises
- 92.04 Restrictions on sale of beer and liquor
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- 92.06 Illegal transportation prohibited

- 92.07 Open container prohibited; exception
- 92.08 Underage person shall not purchase intoxicating liquor or beer
- 92.09 Prohibitions; minors under 18 years; low-alcohol beverages
- 92.10 Alcohol vaporizing devices prohibited
- 92.11 Misrepresentation to obtain alcoholic beverage for a minor prohibited
- 92.12 Misrepresentation by a minor under 21 years
- 92.13 Sale to underage persons prohibited
- 92.14 Posting of card
- 92.15 Good faith acceptances of spurious identification
- 92.16 Consumption in motor vehicle prohibited
- 92.17 Hours of sale or consumption
- 92.18 Obstructing search or premises prohibited
- 92.19 Illegal possession of intoxicating liquor prohibited
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- 92.24 Poisonously adulterated liquors
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- 110.02 Application for license
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- 110.04 Date and duration of license
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- 112.04 Standards for issuance
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- 114.02 Prohibitions
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- 130.06 Limitation of criminal prosecutions
- 130.07 Requirements for criminal liability; voluntary intoxication
- 130.08 Culpable mental states
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- 130.15 Delinquency adjudications deemed convictions
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- 130.17 Disposition of unclaimed or forfeited property held by Police Department
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- 131.02 Arson; determining property value or amount of physical harm
- 131.03 Criminal damaging or endangering; vehicular vandalism
- 131.04 Criminal mischief
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- 131.19 Value of stolen property
- 131.20 Degree of offense when certain property involved

- 131.21 Injuring vines, bushes, trees, or crops
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CERTIFICATION OF CODIFIED ORDINANCES

We, Fred Redfern, 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.



Fred Redfern, Mayor



Brittany Ross, Fiscal Officer