Village of Crooksville, Ohio

ORDINANCE NO. 2696

ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2021 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF THE VILLAGE OF CROOKSVILLE INCLUDING ALL OF TITLE I - GENERAL PROVISIONS; CHAPTER 30 – GENERAL PROVISIONS, AND CHAPTER 31 – EXECUTIVE AUTHORITY, AND CHAPTER 33 – JUDICIAL AUTHORITY WITHIN TITLE III: CHAPTER 70 - GENERAL PROVISIONS, AND CHAPTER 71 - LICENSING PROVISIONS, AND CHAPTER 73 – MOTOR VEHICLE CRIMES, AND CHAPTER 75 - BICYCLES, MOTORCYCLES AND OFF-ROAD VEHICLES, AND CHAPTER 76 -PARKING REGULATIONS WITHIN TITLE VII TRAFFIC CODE; CHAPTER 90 -ANIMALS, CHAPTER 93 – NUISANCES ALL WITHIN TITLE IX GENERAL REGULATIONS; CHAPTER 110 – GENERAL PROVISIONS WITHIN TITLE XI BUSINESS REGULATIONS; AND CHAPTER 130 - GENERAL PROVISIONS, AND CHAPTER 131 – OFFENSES AGAINST PROPERTY, AND CHAPTER 135 OFFESNES AGAINST PERSONS, AND CHAPTER 136 - OFFENSES AGAINST JUSTICE AND ADMINISTRATION ALL WITHIN TITLE XIII GENERAL OFFENSES – AS REVISED THROUGH JANUARY 1, 2021, 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 publishes a Code of Ordinances suitable for adoption by municipalities in Ohio, 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; and

Whereas, it is necessary to pass this Ordinance as an emergency measure, for the immediate preservation of the peace, health, safety and general welfare of this Village.

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. American Legal Publishing's 2021 Edition of the Ohio Basic Code – All of Title I – General Provisions; Chapter 30 – General Provisions, and Chapter 31 Executive Authority, and Chapter 33 – Judicial Authority within Title III; Chapter 70 – General Provisions, and Chapter 71 – Licensing Provisions, and Chapter 73 – Motor Vehicle Crimes, and Chapter 75 – Bicycles, Motorcycles and Off-Road Vehicles, and Chapter 76 – Parkin Regulations within Title VII Traffic Code; Chapter 90 – Animals, and Chapter 93 – Nuisances, all within Title IX General Regulations; Chapter 110 – General Provisions within Title XI Business Regulations; Chapter 130 – General Provisions, and Chapter 131 – Offenses Against Property, and Chapter 135 – Offenses Against Persons, and Chapter 136 – Offenses Against Justice and Administration, all within Title XIII General Offenses; as reviewed and approved by the Crooksville Village Council, is hereby adopted and enacted by and for the Village of Crooksville. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2021 Edition.

Section Two. One book-form copy of American Legal Publishing's Ohio Basic Code, 2020 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 2020 Edition of the Model Ohio Municipal Code – All of Title I – General Provisions; Chapter 30 – General Provisions, and Chapter 31 Executive Authority, and Chapter 33 – Judicial Authority within Title III; Chapter 70 – General Provisions, and Chapter 71 – Licensing Provisions, and Chapter 73 – Motor Vehicle Crimes, and Chapter 75 – Bicycles, Motorcycles and Off-Road Vehicles, and Chapter 76 – Parking Regulations within Title VII Traffic Code; Chapter 90 – Animals, and Chapter 93 – Nuisances, all within Title IX General Regulations; Chapter 110 – General Provisions within Title XI Business Regulations; Chapter 130 – General Provisions, and Chapter 131 – Offenses Against Property, and Chapter 135 – Offenses Against Persons, and Chapter 136 – Offenses Against Justice and Administration, all within 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, 2021 Edition All of Title I – General Provisions; Chapter 30 – General Provisions, and Chapter 31 Executive Authority, and Chapter 33 – Judicial Authority within Title III; Chapter 70 – General Provisions, and Chapter 71 – Licensing Provisions, and Chapter 73 – Motor Vehicle Crimes, and Chapter 75 – Bicycles, Motorcycles and Off-Road Vehicles, and Chapter 76 – Parkin Regulations within Title VII Traffic Code; Chapter 90 – Animals, and Chapter 93 – Nuisances, all within Title IX General Regulations; Chapter 110 – General Provisions within Title XI Business Regulations; Chapter 130 – General Provisions, and Chapter 131 – Offenses Against Property, and Chapter

135 – Offenses Against Persons, and Chapter 136 – Offenses Against Justice and Administration, all within 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 guarantee 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 an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this Village, and shall take effect at the earliest date provided by law.

1st Reading:	Waived	;
2nd Reading:	Waived	;
3rd Reading:	June 21, 2021	<u>;</u>

Passed: <u>June 21, 2021</u>

Mayor Christopher Mohler

Marilyn Homer, Fiscal Officer

Posting Certification

Marilyn Horner, Fiscal Officer

Exhibit A – Publication Notice OHIO BASIC CODE, 2020 EDITION – SUMMARY OF CONTENTS

Notice is hereby given that on the 21st day of June, 2021, 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, 2021 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.

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10.05	Construction of section references
10.06	Conflicting provisions
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10.08	Reference to offices
10.09	Errors and omissions
10.10	Ordinances repealed
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10.13	Application to future ordinances
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- 30.03 Bonds of officers and employees; amount
- 30.04 Additional bond; where bonds recorded and kept

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- 30.09 Records Commission
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- 32.029 Award to lowest responsive and responsible bidder

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- 32.041 Passage procedure
- 32.042 Style of ordinances
- 32.043 Subject and amendment of ordinances and resolutions
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- 32.075 Words to be printed in red
- 32.076 Designation of committee filing petition; public inspection of petitions; ordinances passed or repealed prior to election
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- 32.079 Accepting premiums for signing
- 32.080 Threats in securing signatures
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- 33.4 Mayor's Court Magistrate
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- 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
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CERTIFICATION OF CODIFIED ORDINANCES

We, Christopher Mohler, Mayor, and Marilyn Horner, 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.

Christopher Mohler, Mayor

Marilyn Horner, Fiscal Officer