

City of Willoughby Hills

ORDINANCE NO. 2009-19

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Constitution requires that Ohio municipal ordinances comply with State law if they are an exercise of the Municipality's police powers; and

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. The editing, arrangement and numbering of those ordinances and resolutions enacted by Council from September 14, 2006 to December 2008, as listed in the Comparative Section Table, are hereby approved and adopted as printed in the 2009 Replacement Pages to the Codified Ordinances so as to achieve uniformity of style and classification. A copy of 2009 Replacement Pages for the Codified Ordinances is on file in the office of the Clerk of Council and is incorporated herein by reference.

SECTION 2. The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

301.19	Definition of Motorcycle. (Amended)
301.20	Definition of Motor Vehicle. (Amended)
331.01	Driving Upon Right Side of Roadway. (Amended)
331.07	Hazardous or No Passing Zones. (Amended)
331.14	Signals Before Changing Course. (Amended)
333.01	Driving or Physical Control While Under the Influence. (Amended)
333.04	Stopping Vehicle; Slow Speed. (Amended)
333.08	Operation Without Reasonable Control. (Amended)
335.03	Driving With Temporary Instruction Permit. (Amended)
335.031	Driving With Probationary License. (Amended)
335.05	Wrongful Entrustment of a Motor Vehicle. (Amended)
335.072	Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)

Traffic Code
(Continued)

- 337.10 Lights on Slow-Moving Vehicles. (Amended)
- 337.18 Motor Vehicle and Motorcycle Brakes. (Amended)
- 337.26 Child Restraint System Usage. (Amended)
- 339.03 Maximum Width, Height and Length. (Amended)
- 339.05 Wheel Protectors. (Amended)
- 339.11 Use of Studded Tires and Chains. (Amended)
- 337.01 Code Application to Bicycles. (Amended)
- 373.02 Riding Upon Bicycle and Motorcycle Seats. (Amended)
- 373.05 Signal Device On a Bicycle. (Amended)
- 373.06 Lights and Reflector on Bicycle. (Amended)
- 373.07 Riding Bicycle on Right Side of Roadway. (Amended)

General Offenses Code

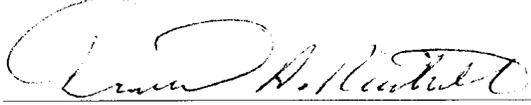
- 501.01 Definitions. (Amended)
- 501.06 Limitation on Criminal Prosecution. (Amended)
- 509.06 Inducing Panic. (Amended)
- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.03 Controlled Substance Possession or Use. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.14 Offender May Be Required to Pay Costs For Controlled Substance Tests. (Added)
- 517.01 Gambling Definitions. (Amended)
- 517.15 Skill-Based Amusement Machines. (Added)
- 525.02 Falsification. (Amended)
- 525.03 Impersonation of Peace Officer. (Amended)
- 525.10 Having an Unlawful Interest in a Public Contract. (Amended)
- 529.02 Sales to and Use by Underage Persons. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 529.08 Hours of Sale or Consumption. (Amended)
- 533.01 Obscenity and Sexual Offenses' Definitions. (Amended)
- 533.07 Public Indecency. (Amended)
- 537.02 Vehicular Homicide and Manslaughter. (Amended)
- 537.03 Assault. (Amended)
- 537.051 Menacing by Stalking. (Amended)
- 537.08 Unlawful Restraint. (Amended)
- 537.16 Illegal Distribution of Cigarettes. (Amended)
- 537.17 Criminal Child Enticement. (Amended)
- 549.01 Weapons and Explosives Definitions. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
- 549.12 Defacing Identification Marks of a Firearm, or Possessing a Defaced Firearm. (Added)

SECTION 3. The complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this Ordinance as "Exhibit A". The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION 4. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 5. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Municipality and its inhabitants for the reason that there exists an imperative necessity for the earliest publication and distribution of current Replacement Pages to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements, including conflict with general State law, and shall go into effect immediately.

PASSED: March 26, 2009

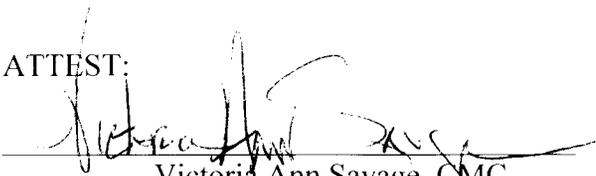


David A. Reichelt
President of Council, Pro-tem

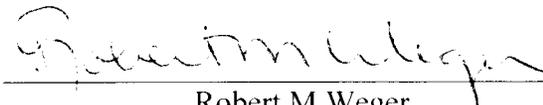
Submitted to the Mayor for his approval
on this 27 day of March, 2009

Approved by the Mayor
March 26, 2009

ATTEST:



Victoria Ann Savage, CMC
Clerk of Council



Robert M Weger
Mayor