

City of Willoughby Hills

ORDINANCE NO. 2012 – 2

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 March 25, 2010 to December 31, 2011, as listed in the Comparative Section Table, are hereby approved and adopted as printed in the 2012 Replacement Pages to the Codified Ordinances so as to achieve uniformity of style and classification. A copy of 2012 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 The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.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

333.01	Driving or Physical Control While Under the Influence. (Amended)
333.031	Approaching a Public Safety, Emergency or Road Service Vehicle. (Amended)
335.01	Driver's License or Commercial Driver's License Required. (Amended)
335.02	Permitting Operation Without a Valid License. (Amended)
335.05	Wrongful Entrustment of a Motor Vehicle. (Amended)
335.06	Display of License. (Amended)
335.07	Driving Under License Suspension or Restriction. (Amended)
335.071	Driving Under OVI Suspension. (Amended)
335.072	Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)
335.073	Driving Without Complying With License Reinstatement Requirements. (Amended)
335.074	Driving Under License Forfeiture or Child Support Suspension. (Added)
335.10	Expired or Unlawful License Plates. (Amended)
335.12	Stopping After Accident Upon Streets. (Amended)
335.13	Stopping After Accident Upon Property Other Than Street. (Amended)
335.14	Vehicle Accident Resulting in Damage to Realty. (Amended)
337.22	Windshield and Windshield Wipers. (Amended)
337.28	Use of Sunscreening Materials. (Amended)
337.29	Bumper Heights. (Amended)

Traffic Code – (Continued)

351.04	Parking Near Curb; Handicapped Parking. (Amended)
373.02	Riding Upon Seats; Handlebars; Helmets. (Amended)

General Offenses Code

501.01	Definitions. (Amended)
501.02	Classification of Offenses. (Amended)
501.13	Conspiracy. (Added)
501.99	Penalties for Misdemeanors. (Amended)
509.06	Inducing Panic. (Amended)
509.07	Making False Alarms. (Amended)
513.03	Drug Abuse; Controlled Substance Possession. (Amended)
517.01	Gambling Definitions. (Amended)
517.02	Gambling. (Amended)
517.05	Cheating. (Amended)
517.06	Methods of Conducting a Bingo Game. (Amended)
517.07	Instant Bingo Conduct. (Amended)
525.01	Law Enforcement and Public Office Definitions. (Amended)
525.02	Falsification. (Amended)
529.07	Open Container Prohibited. (Amended)
537.10	Telecommunication Harassment. (Amended)
537.11	Threatening or Harassing Telephone Calls. (Repealed)
537.12	Misuse of 9-1-1 System. (Amended)
537.14	Domestic Violence. (Amended)
537.15	Temporary Protection Order. (Amended)
541.02	Arson. (Amended)
545.02	Determining Property Value in Theft Offense. (Amended)
545.04	Detention of Shoplifters. (Amended)
545.05	Petty Theft. (Amended)
545.07	Insurance Fraud. (Amended)
545.08	Unauthorized Use of Property. (Amended)
545.09	Passing Bad Checks. (Amended)
545.10	Misuse of Credit Cards. (Amended)
545.13	Criminal Simulation. (Amended)
545.14	Tampering With Records. (Amended)
545.15	Securing Writings by Deception. (Amended)
545.17	Defrauding Creditors. (Amended)
545.18	Receiving Stolen Property. (Amended)
549.04	Improperly Handling Firearms in a Motor Vehicle. (Amended)

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 constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills insofar as it provides for the usual daily operation of the Police Department, and further reason being 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; wherefore, this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED February 9, 2012

Submitted to the Mayor for his approval
on this February 9 day of February, 2012

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

David A. Reichelt
David A. Reichelt
President of Council

Approved by the Mayor

February 9, 2012

Robert M Weger
Robert M Weger
Mayor