

VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2018-15

APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; APPROVING, ADOPTING AND ENACTING NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing has completed its updating and revision of the Codified Ordinances of the Village; and

WHEREAS, various ordinances and resolutions of a general and permanent nature have been passed by Council since the date of the last updating and revision of the Codified Ordinances (December 31, 2016) and have been included in the Codified Ordinances of the Village; and

WHEREAS, certain changes were made in the Codified Ordinances to bring Village law into conformity with State law;

NOW, THEREFORE, The Council of the Village of Yellow Springs, Ohio, hereby ordains that:

Section 1. The editing, arrangement and numbering or renumbering of the following ordinances and resolutions and parts of ordinances and resolutions are hereby approved as parts of the various component codes of the Codified Ordinances of the Village, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. or Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2017-05	4-17-17	1248.03
2017-09	5-1-17	674.02
2017-12	7-3-17	1048.05
2017-14	9-5-17	882.01 - 882.17, 882.99
2017-17	9-18-17	1262.08
2017-18	9-18-17	1226.06
2017-19	9-18-17	1264.02
2017-20	9-18-17	1284.07
2017-22	9-18-17	1248.02
2017-23	9-18-17	1260.04
2017-24	9-18-17	1284.03
2017-25	9-18-17	242.01
2017-27	10-16-17	660.13
2017-29	10-16-17	1048.01

<u>Ord. or</u> <u>Res. No.</u>	<u>Date</u>	C.O. Section
2017-30	10-16-17	1046.01
2017-31	10-16-17	1042.02
2017-33	11-20-17	1258.01, 1262.08
2017-34	11-6-17	1246.02
2017-35	11-6-17	1248.02
2017-36	11-6-17	1250.02
2017-37	11-7-17	1284.08
2017-38	11-7-17	1284.09
2017-39	11-7-17	Part 12, App. B
2017-40	11-7-17	1226.06
2017-42	12-18-17	1040.01
2017-47	12-18-17	Part 12, App. A

Section 2. The following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

402.24, 402.27, 402.57, 404.03, 416.14, 432.03, 432.16, 432.34, 434.011, 434.03, 434.09, 434.11, 436.09, 436.14, 446.01, 446.03, 446.04, 446.08, 452.05, 452.06, 452.07, 606.01, 608.04, 608.16, 612.07, 618.01, 618.26, 624.01, 636.05, 636.14, 636.16, 642.06, 642.07, 678.01, 678.02, 678.04, 678.14, 678.15

Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance, except as follows:

- (a) The enactment of such sections 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 therefor. 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 any legislation enacted subsequent to December 31, 2017.

Section 4. Pursuant to Section 25 of the Village Charter and Ohio R.C. 731.23, the Clerk of Council shall cause to be published a summary of this ordinance within one week after its passage, together with a summary of the new matter contained in the 2018 Replacement Pages hereby approved, adopted and enacted, a copy of which summary is attached hereto as Exhibit A.

Section 5. This ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the public health, peace and welfare by providing an up-to-date codification of the legislation of the Village, consistent with State law, where and as required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the Village, enforce law and order and avoid practical and legal entanglements, wherefore this ordinance, including the 2018 Replacement Pages hereby approved, adopted and enacted, shall be in full force and effect from and immediately after its passage by an affirmative vote of not less than four members of Council.

Brian Housh, President of Council

Passed: 5-21-18

Attest: Patti Bates, Deputy Clerk of Council

Roll Call:	Housh	Y_____
	MacQueen	Y_____
	Hempfling	Y_____
	Stokes	Y_____
	Kreeger	Y_____

EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2018 REPLACEMENT PAGES
FOR THE CODIFIED ORDINANCES
OF YELLOW SPRINGS, OHIO

New matter in the 2018 Replacement Pages for the Codified Ordinances of Yellow Springs, Ohio, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.24	Definition of motorized bicycle.
402.27	Definition of pedestrian.
402.57	Definition of vehicle.
404.03	Exceptions generally; emergency, public safety and coroner vehicles exempt.
416.14	Operation of personal delivery device on sidewalks and crosswalks.
432.03	Rules governing overtaking and passing of vehicles.
432.16	Ambiguous or non-working traffic signals.
432.34	Stop signs at grade crossings.
434.011	Immobilizing or disabling device violation.
434.03	Speed limits.
434.09	Street racing defined; prohibited on public highways.
434.11	Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles.
436.09	Display of license plates or validation stickers; registration.
436.14	Removal of vehicles after accidents.
446.01	Definitions for bicycles, motorcycles, etc.
446.03	Code application; prohibited operation.
446.04	Permitted operation.
446.08	Registration of vehicles.
452.05	Impounding abandoned motor vehicle on public property.
452.06	Impounding motor vehicle on private property.
452.07	Condition when motor vehicle left unattended.
606.01	Definitions.
608.04	Failure to report a crime.
608.16	Disposition of unclaimed or forfeited property held by Police Department.
612.07	Open container prohibited.
618.01	Dogs or other animals running at large; nuisance, dangerous or vicious dogs; hearings.
618.26	Sexual conduct with an animal.
624.01	Controlled substance or prescription label.
636.05	Violating a protection order, consent agreement, anti-stalking protection order or order issued by a court of another state.
636.14	Contributing to unruliness or delinquency of a child.
636.16	Threatening or harassing telecommunications.
642.06	Arson.

- 642.07 Determining property value or amount of physical harm in arson.
- 678.01 Weapons definitions.
- 678.02 Carrying concealed weapons.
- 678.04 Improperly handling firearms in a motor vehicle.
- 678.14 Possession of an object indistinguishable from a firearm in a school safety zone.
- 678.15 Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.