

**ORDINANCE NO.:** 2019-10  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** APRIL 23, 2019      **ASSIGNED TO:** HUMAN RESOURCES & PERSONNEL

**AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.**

WHEREAS, American Legal Publishing Corporation has completed its annual updating and revision of the Codified Ordinances of the City, 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 (July 10, 2018), and have been included in the Codified Ordinances of the City, and

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

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, STATE OF OHIO, THAT:**

**SECTION ONE:**

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 City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2018-13	8-28-18	1224.06, 1229.01
2018-16	8-14-18	210.08
2018-24	11-13-18	636.20
2018-25	11-27-18	286.01 to 286.12
2018-27	11-27-18	218.01 to 218.08

**SECTION TWO:**

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

402.115, 402.20, 402.22, 402.275, 402.385, 402.53, 402.54, 408.02, 412.05, 414.01, 416.01, 416.02, 416.09, 432.01, 432.02, 432.03, 432.04, 432.05, 432.06, 432.07, 432.08, 432.09, 432.10, 432.11, 432.12, 432.13, 432.14, 432.15, 432.155, 432.16, 432.17, 432.18, 432.195, 432.20, 432.21, 432.22, 432.24, 432.25, 432.27, 432.28, 432.29, 432.32, 432.33, 432.34, 432.41, 432.42, 434.03, 434.035, 434.04, 434.05, 434.08, 438.16, 474.01, 474.02, 474.03, 474.04, 474.05, 474.12, 606.01, 606.12, 606.21, 612.07, 618.10, 624.01, 624.02, 624.025, 624.03, 624.04, 624.05, 624.06, 624.07, 624.08, 624.12, 624.14, 624.16, 636.001, 642.145, 642.15, 648.04, 660.08, 666.03, 666.04, 666.22, 672.01, 672.04, 672.05, 672.07, 672.14

**SECTION THREE:**

Pursuant to Ohio R.C. 731.23 and Section 4.11 of the Charter of the City, the Clerk of Council shall cause to be posted, for a minimum period of two weeks, in at least five public places within the City, a notice of the enactment of this ordinance, containing the title of this ordinance and a summary of the new matter approved, adopted and enacted in Section 2 hereof, which summary is attached hereto as Exhibit A. The Clerk of Council shall also cause to be published a concise summary of this ordinance in at least one newspaper of general circulation in the City once a week for two consecutive weeks.

**SECTION FOUR:**

All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 1 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows:

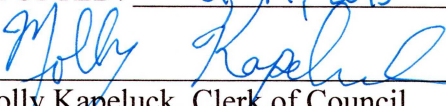
- (a) The enactment of such sections and subsections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall 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 recodification.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to December 31, 2018.

**SECTION FIVE:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

**SECTION SIX:**

Council hereby declares this ordinance to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, welfare and morals of the citizens of the City, for the reason that it is necessary to have a current codification of the legislation of the City, one which is consistent with State law, as required by Article XVIII, Section 3, of the Ohio Constitution, to properly provide for the administration of government and to assure law and order in the City, for which reasons this ordinance, including the 2018-B Replacement Pages hereby approved, adopted and enacted, shall take effect immediately.

ADOPTED: May 14, 2019  
  
Molly Kapeluck, Clerk of Council

  
Bob Young, Council President

Page 3  
Ordinance 2019-10

APPROVED: May 14, 2019

Gerard M. Neugebauer  
Gerard M. Neugebauer, Mayor

COPIED  
MAY FIN LAW PLAN ENG  
SVCE FIRE PARK ZONE HR

ENACTED EFFECTIVE: May 14, 2019

ON ROLL CALL: Babbitt Aye Dyer Aye Humphrey Aye Shaughnessy Aye  
Speight Aye Yeargin Aye Young Aye Adopted 7-0

Suburbanite publication on May 17 and May 24, 2019

Molly Kapeluck  
Molly Kapeluck, Clerk

4/23/2019 Approved as to form and content by William G. Chris, Director of Law, Interim

WGC

SUMMARY OF NEW MATTER  
CONTAINED IN THE 2018-B REPLACEMENT PAGES  
FOR THE CODIFIED ORDINANCES OF GREEN

New matter in the Codified Ordinances of Green, Ohio, as contained in the 2018-B Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.115	Definition of electric bicycle.
402.20	Definition of motor vehicle.
402.22	Definition of motorized bicycle or moped.
402.275	Definition of predicate motor vehicle or traffic offense.
402.385	Definition of shared-use path.
402.53	Definition of vehicle.
402.54	Definition of waste collection vehicle.
408.02	General Code penalty.
412.05	Freeway use prohibited by pedestrians, bicycles and animals.
414.01	Obedience to traffic control devices.
416.01	Duties of pedestrians and drivers at crosswalks.
416.02	Right-of-way of blind person.
416.09	Right-of-way on sidewalks.
432.01	Driving upon right side of roadway; exceptions.
432.02	Passing to right when proceeding in opposite directions.
432.03	Overtaking, passing to left; driver's duties.
432.04	Overtaking, passing to right of vehicle.
432.05	Overtaking, passing to left of centerline.
432.06	Driving upon left side of roadway.
432.07	Hazardous or no passing zones.
432.08	Driving within lanes or continuous lines of traffic.
432.09	Following too closely.
432.10	Turning at intersections.
432.11	"U" turns restricted.
432.12	Starting and backing vehicles.
432.13	Signals before changing course, turning or stopping.
432.14	Hand arm signals.
432.15	Right-of-way at intersections.
432.155	Intersections at which traffic control signals fail or malfunction.
432.16	Right-of-way when turning left.
432.17	Operation of vehicle at stop and yield signs.

Section New or amended matter regarding:

- 432.18 Emergency or public safety vehicles at stop signals or signs.
- 432.195 Driving while approaching stationary public safety vehicle and certain other vehicles with caution.
- 432.20 Right-of-way at private driveway, alley or building.
- 432.21 Right-of-way of funeral procession.
- 432.22 Driving upon sidewalks, tree lawns or curbs.
- 432.24 Driving upon street posted as closed for repair.
- 432.25 Following and parking near emergency or safety vehicles.
- 432.27 Driving through safety zone.
- 432.28 One-way streets and rotary traffic islands.
- 432.29 Driving upon divided roadways.
- 432.32 Stopping for school bus; actuating visual signals; discharging children.
- 432.33 Slow-moving vehicle or equipment at grade crossings.
- 432.34 Obstructing intersections, crosswalks or grade crossings.
- 432.41 Texting while driving prohibited.
- 432.42 Use of electronic wireless communication devices by minors or probationary drivers while driving prohibited.
- 434.03 Maximum speed limits; assured clear distance ahead.
- 434.035 Speed limits on private roads and driveways.
- 434.04 Slow speed; posted minimum speeds.
- 434.05 Speed limitations over bridges.
- 434.08 Vehicular homicide; vehicular manslaughter; vehicular assault.
- 438.16 Number of lights permitted; red and flashing lights.
- 474.01 Code application to bicycles.
- 474.02 Riding upon seats; carrying packages; motorcycle handle bars; helmets and glasses.
- 474.03 Attaching bicycles, motorcycles to other vehicles.
- 474.04 Riding on right side of roadway; riding abreast.
- 474.05 Lights, signal devices, brakes on bicycles.
- 474.12 Electric bicycles.
- 606.01 General Offenses Code definitions.
- 606.12 Failure to report a crime or death.
- 606.21 Attempts.
- 612.07 Open container prohibited.
- 618.10 Cruelty to animals; cruelty to companion animals.
- 624.01 Drug definitions.
- 624.02 Trafficking in controlled substances; gift of marihuana.
- 624.025 Cultivation of marihuana.
- 624.03 Drug possession offenses.
- 624.04 Possession of drug abuse instruments.
- 624.05 Permitting drug abuse.
- 624.06 Counterfeit controlled substances.
- 624.07 Abusing harmful intoxicants.
- 624.08 Illegal dispensing of drug samples.
- 624.12 Controlled substance schedules.
- 624.14 Use or possession of paraphernalia.

SectionNew or amended matter regarding:

624.16 Sale of pure caffeine product.

636.001 Offenses relating to persons definitions.

642.145 Forging or selling forged identification cards.

642.15 Misuse of credit cards.

648.04 Disorderly conduct.

660.08 Open burning.

666.03 Sexual imposition.

666.04 Public indecency.

666.22 Nonconsensual dissemination of private sexual images.

672.01 Weapons and explosives definitions.

672.04 Improperly handling firearms in a motor vehicle.

672.05 License or permit to possess dangerous ordnance.

672.07 Unlawful transactions in weapons.

672.14 Concealed handgun licenses; possession of a revoked or suspended license;  
additional restrictions; posting of signs prohibiting possession.