

ORDINANCE NO. 37-86

BY: William W. Boney

An Ordinance to amend Chapter 660 of the Bexley Code by the addition of Section 660.15 and to declare an emergency.

WHEREAS, Ohio R.C. 3707.99(C) and 3709.99 make it a crime to violate an order or regulation of a city board of health adopted pursuant to Ohio R.C. 3707.48, 3709.20 or 3709.22; and

WHEREAS, it is desirable to provide in the Bexley Code penalties for violations of orders and regulations of the Bexley Board of Health; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That Chapter 660 of the Bexley Code be, and it hereby is, amended by the addition of Section 660.15 as follows:

660.15 PROHIBITION AGAINST VIOLATION OF ORDERS OR REGULATIONS OF BOARD OF HEALTH.

(a) No person shall violate Ohio R.C. 3707.01 to 3707.53, inclusive, or Ohio R.C. 3709.20 to 3709.22 or any order or regulation of the Board of Health made in pursuance of any of such sections or of Section 49 of the City Charter, obstruct or interfere with the execution of such order, or willfully or illegally omit to obey such order. A separate offense shall be deemed committed each day during or on which a violation or non-compliance occurs or continues.

(b) No officer of a corporation violating this Section, who has authority over the matter involved in such violation, shall permit the violation of this Section.

(c) Whoever violates an order or regulation of the Board of Health made in pursuance of Ohio R.C. 3707.01 to 3707.53, inclusive, is guilty of a minor misdemeanor. Punishment shall be provided in Section 698.02.

(d) Whoever violates an order or regulation of the Board of Health made in pursuance of Ohio R.C. 3709.20 or 3709.22, or interferences with the execution of such an order or regulation by a member of the Board or person authorized by the Board, shall be fined no more than one hundred dollars or imprisoned not more than ninety days, or both. No person shall be imprisoned for the first offense, and the prosecution shall always be for a first offense unless the affidavit upon which the prosecution is instituted contains the allegation that the offense is a subsequent offense.

Section 2. That this Ordinance is an emergency ordinance necessary for the immediate preservation of the public peace, health and safety and shall go into effect upon its passage and approval by the Mayor.

Passed: June 24, 1986

J. Holmquist
President of Council

ATTEST:

J. W. Hunsby
Clerk of Council

APPROVED: June 24, 1986

David H. Madison
David H. Madison, Mayor

May 27, 1986 - 1st reading
June 10, 1986 - 2nd reading
June 24, 1986 - 3rd reading
Adopted