

ORDINANCE NO. 56-89

By: _____

An Ordinance to establish police regulations and jurisdiction of the Bexley Police with respect to property of the City located outside the corporate limits thereof and to declare an emergency.

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

Section 1. That Section 606.055 of the Codified Ordinances is hereby amended as follows:

606.055 CRIMINAL LAW JURISDICTION.

(a) A person is subject to misdemeanor prosecution and punishment in this Municipality if any of the following occurs:

- (1) He or she commits an offense under the laws of this Municipality, any element of which takes place in this Municipality;
- (2) While in this Municipality, he or she conspires or attempts to commit, or is guilty of complicity in the commission of, an offense in another jurisdiction, which offense is an offense under both the laws of this Municipality and such other jurisdiction;
- (3) While out of this Municipality, he or she conspires or attempts to commit, or is guilty of complicity in the commission of an offense in this Municipality;
- (4) While out of this Municipality, he or she omits to perform a legal duty imposed by the laws of this Municipality, which omission affects a legitimate interest of the Municipality in protecting, governing or regulating any person, property, thing, transaction or activity in this Municipality;
- (5) While out this Municipality, he or she unlawfully takes or retains property and subsequently brings any of such property into this Municipality;
- (6) While out this Municipality, he or she unlawfully takes or entices another and subsequently brings such other person into this Municipality.

(b) In homicide, the element referred to in paragraph (a)(1) hereof is either the act which causes death, or the physical contact which causes death, or the death itself. If any part of the body of a homicide victim is found in this Municipality, the death is presumed to have occurred within this Municipality.

(c) This Municipality includes the land and water within its boundaries and the air space above such land and water, and real property outside the corporate limits, with respect to which this Municipality has either exclusive or concurrent legislative jurisdiction. Where the boundary between this Municipality and another jurisdiction is disputed, the disputed territory is conclusively presumed to be within this Municipality for purposes of this section. NOTWITHSTANDING THE USUAL DEFINITION OF THE WORDS "CITY" AND "MUNICIPALITY" IN THE CODIFIED ORDINANCES, AND NOTWITHSTANDING ANY LIMITING WORDS OF ANY PARTICULAR PROVISION THEREOF, ALL POLICE REGULATIONS CONTAINED IN THE CODIFIED ORDINANCES SHALL APPLY ON ALL LANDS OWNED, USED AND/OR LEASED BY THE CITY AND SITUATED OUTSIDE THE CORPORATE LIMITS THEREOF, TO THE FULL EXTENT AUTHORIZED BY STATUTES OF THE STATE OF OHIO; PROVIDED,

HOWEVER, THAT ANY VIOLATIONS OF SUCH POLICE REGULATIONS OCCURRING ON CITY LANDS OUTSIDE THE CORPORATE LIMITS SHALL BE PROSECUTED EXCLUSIVELY IN THE FRANKLIN COUNTY MUNICIPAL COURT.

(d) When an offense is committed under the laws of this Municipality, and it appears beyond a reasonable doubt that the offense or any element thereof took place either in this Municipality or in another jurisdiction or jurisdictions, but it cannot reasonably be determined in which it took place, such offense or element is conclusively presumed to have taken place in this Municipality for purposes of this section.

Section 2. That Section 606.055 as presently in effect is hereby repealed.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being the need to provide immediately police protection of City lands outside the corporate limits, and shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: Feb. 27, 1989

Attest: John. Hojn
Clerk of Council

Robert K. Schmitz
President of Council

Approved: Feb. 27, 1989

D. Madison
David H. Madison, Mayor

Oct. 24, 1989 - 1st reading

Nov. 14, 1989 - 2nd reading

Nov. 28, 1989 - 3rd reading
Voted

Feb. 27, 1990 - passed