

ORDINANCE NO. 80-04

By: Ms. Max Murray Margo

An Ordinance to revise the Codified Ordinances by adopting current replacement pages and declaring an emergency.

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish an annual supplement to the Codified Ordinances which is before Council;

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

Section 1. That the ordinances of the City of Bexley, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2004 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

- | | |
|---------|---|
| 402.221 | Operate Defined. (Amended) |
| 402.271 | Predicate Motor Vehicle or Traffic Offense Defined. (Added) |
| 434.01 | Driving or Physical Control While Under the Influence. (Amended) |
| 434.07 | Street Racing Prohibited. (Amended) |
| 436.01 | Driver's License or Commercial Driver's License Required.
(Amended) |
| 436.02 | Permitting Operation Without Valid License; One License Permitted.
(Amended) |
| 436.03 | Driving With Temporary Instruction Permit; Curfew. (Amended) |
| 436.031 | Driving With Probationary License; Curfew. (Amended) |
| 436.04 | Certain Acts Prohibited. (Amended) |
| 436.05 | Wrongful Entrustment of a Motor Vehicle. (Amended) |
| 436.06 | Display of License. (Amended) |
| 436.07 | Driving Under Suspension or License Restriction. (Amended) |
| 436.071 | Driving Under OVI Suspension. (Added) |

Traffic Code (Cont.)

- 436.072 Driving Under Financial Responsibility Law Suspension or Cancellation. (Added)
- 436.073 Driving Without Complying With License Reinstatement Requirements. (Added)
- 436.08 Operation or Sale Without Certificate of Title. (Amended)
- 436.09 Display of License Plates. (Amended)
- 436.10 Expired or Unlawful Plates. (Amended)
- 436.11 Use of Illegal License Plates; Transfer of Registration. (Amended)
- 436.12 Stopping After Accident Upon Streets; Collision With Unattended Vehicle. (Amended)
- 436.13 Stopping After Accident Upon Property Other Than Street. (Amended)
- 436.14 Vehicle Accident Resulting in Damage to Realty. (Amended)
- 442.01 Commercial Drivers Definitions. (Amended)
- 442.02 Exemptions. (Amended)
- 442.03 Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)
- 442.04 Prohibitions. (Amended)
- 442.05 Criminal Offenses. (Amended)
- 442.06 Employment of Drivers of Commercial Vehicles. (Amended)

General Offenses Code

- 606.03 Classification of Offenses. (Amended)
- 606.05 Rules of Construction. (Amended)
- 612.03 Sales to Intoxicated Persons. (Amended)
- 612.04 Liquor Consumption in Motor Vehicle. (Amended)
- 612.05 Permit Required. (Amended)
- 612.07 Open Container Prohibited. (Amended)
- 624.01 Drug Abuse Definitions. (Amended)
- 624.02 Gift of Marihuana. (Amended)
- 624.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 624.04 Possessing Drug Abuse Instruments. (Amended)
- 624.05 Permitting Drug Abuse. (Amended)
- 624.06 Illegal Cultivation of Marihuana. (Amended)
- 624.07 Possessing or Using Harmful Intoxicants. (Amended)
- 624.08 Illegally dispensing drug samples. (Amended)
- 624.12 Drug Paraphernalia. (Amended)
- 630.01 Gambling Definitions. (Amended)
- 630.02 Gambling. (Amended)
- 630.04 Public Gaming. (Amended)
- 630.05 Cheating. (Amended)
- 630.06 Methods of Conducting a Bingo Game. (Amended)
- 630.07 Instant Bingo Conduct. (Added)
- 630.08 Raffles. (Added)
- 630.09 Charitable Instant Bingo Organizations. (Added)
- 630.10 Location of Instant Bingo. (Added)
- 630.11 Bingo or Game of Chance Records. (Amended)
- 630.13 Bingo Exceptions. (Amended)
- 630.14 Instant Bingo Conduct By a Veteran's or Fraternal Organization. (Added)

General Offenses Code (Cont.)

- 636.02 Vehicular Homicide and Manslaughter. (Amended)
- 636.021 Vehicular Assault in a Construction Zone. (Added)
- 636.03 Assault. (Amended)
- 636.051 Menacing by Stalking. (Amended)
- 636.09 Coercion. (Amended)
- 636.14 Domestic Violence. (Amended)
- 636.15 Temporary Protection Order. (Amended)
- 636.18 Contributing to Unruliness or Delinquency of a Child. (Amended)
- 642.04 Criminal Mischief. (Amended)
- 642.05 Criminal Trespass. (Amended)
- 648.03 Failure to Disperse. (Amended)
- 648.06 Misconduct at an Emergency. (Amended)
- 666.01 Sexual Offenses Definitions. (Amended)
- 666.02 Presumption of Knowledge; Actual Notice and Defense. (Amended)
- 666.09 Soliciting. (Amended)
- 666.11 Disseminating Matter Harmful to Juveniles. (Amended)
- 672.01 Weapons and Explosives Definitions. (Amended)
- 672.02 Carrying Concealed Weapons. (Amended)
- 672.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
- 672.11 Possessing Replica Firearm in School. (Amended)

Section 3. That the complete text of the sections listed above is set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this Ordinance as Exhibit A. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Passed: 11-23, 2004

John B. Paly
President of Council

Attest: [Signature]
Clerk of Council

Approved: 11/23, 2004

10/26/04 First Reading
11/09/04 Second Reading
11-23/04 Third Reading
Passed

[Signature]
David H. Madison, Mayor

The Walter H. Drane Company
Professional Codification Service

TOWER EAST SUITE 420
20600 CHAGRIN BLVD.
CLEVELAND, OHIO 44122-5334

216-752-1022
FAX 216-752-7935
E-MAIL whdrane1@aol.com
WEB SITE www.walterdrane.com

October 13, 2004

Dorothy Pritchard
Director of Public Service
2242 East Main Street
Bexley, Ohio 43208

Dear Dorothy:

Enclosed are an approval ordinance for the 2004 replacement pages and an invoice for our services. I have forwarded a CD-ROM containing the revised Codified Ordinances in PDF format to the Information Systems Manager.

The cost was a littler higher this year since I revised the Traffic Code to comply with Senate Bill 123, and there were an unusual number of amendments to the State criminal code which I reflected in the Bexley General Offenses Code.

Please let me know if I may be of further assistance.

Sincerely,



William W. Kenneweg
General Counsel

WWK:jg

Enclosures