

VILLAGE OF WESTFIELD CENTER, OHIO

ORDINANCE NO. 2023-13

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; PUBLISHING THE ENACTMENT OF SUCH NEW MATTER; REPEALING ORDINANCES 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 Village, and

WHEREAS, various ordinances of a general and permanent nature that have been passed by Council since the date of the last updating and revision of the Codified Ordinances (December 31, 2021) 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, BE IT ORDAINED by the Council of the Village of Westfield Center, Ohio, that:

SECTION 1. The editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances 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. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2022-04	- -	1272.10
2022-05	10-4-22	Repeals 1030.11

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:

202.02, 408.02, 432.41, 434.01, 434.03, 434.11, 436.071, 436.14, 438.10, 438.16, 438.23, 440.08, 442.01, 452.04, 452.05, 452.06, 606.01, 606.06, 608.04, 612.02, 612.07, 618.05, 618.06, 624.01, 624.03, 624.04, 624.06, 630.11, 636.02, 636.05, 636.06, 636.11, 636.12, 636.13, 636.24, 642.12, 648.05, 648.12, 660.02, 660.13, 666.01, 666.05, 666.06, 666.07, 672.01, 678.02, 678.04, 678.10, 678.13, 678.14, 698.02, 698.03

SECTION 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted by Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows: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 recodification.
- B. The repeal provided above shall not affect any legislation enacted subsequent to October 4, 2022.

SECTION 4. Pursuant to R.C. § 731.23 and 731.25 and Section 222.01 of the Codified Ordinances, the Fiscal Officer shall post a copy of this ordinance, together with a summary of the new matter adopted by it, a copy of which summary, identified as Exhibit A, is attached hereto, for a period of not less than fifteen days in the five public places set forth in Section 222.01 of the Codified Ordinances.

SECTION 5. This ordinance is declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the residents of the Village of Westfield Center in order to provide an up-to-date codification of the legislation of the Village, consistent with State law, with which to administer the affairs of the Village, enforce law and order and avoid practical and legal entanglements, wherefore this ordinance shall be in full force and effect from and immediately after its passage.

Passed: December 5, 2023

Fiscal Officer

Mayor

EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2023 REPLACEMENT PAGES
FOR THE CODIFIED ORDINANCES
OF WESTFIELD CENTER, OHIO

New matter in the 2023 Replacement Pages for the Codified Ordinances of Westfield Center, Ohio, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
202.02	General definitions.
408.02	General code penalty.
432.41	Texting while driving prohibited.
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
434.03	Maximum speed limits; assured clear distance ahead.
434.11	Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles.
436.071	Driving under suspension or in violation of license restriction.
436.14	Removal of vehicles after accidents.
438.10	Lights, emblems, and reflectors on slow-moving vehicles, farm machinery, agricultural tractors, and animal-drawn vehicles.
438.16	Number of lights permitted; red and flashing lights.
438.23	Windshield required; sign or poster upon windshield; windshield wiper.
440.08	Occupying travel trailer, fifth wheel vehicle, or manufactured home or mobile home while in motion.
442.01	Definitions related to drivers of commercial vehicles.
452.04	Manner of parallel and angle parking; privileges for persons with disabilities.
452.05	Willfully leaving vehicles on private or public property.
606.01	Definitions related to general offenses.
606.06	Limitation on criminal prosecutions.
608.04	Failure to report a crime or death.
612.02	Sales to underage persons; prohibitions and misrepresentations.
612.07	Open container prohibited.
618.05	Cruelty to animals; cruelty to companion animals.
618.06	Coloring rabbits and baby poultry; sale or display of poultry.
624.01	Definitions related to drugs.
624.03	Drug possession offenses.
624.04	Possession of drug abuse instruments.
624.06	Use or possession of paraphernalia.
630.11	Raffle drawings.
636.02	Assault.
636.05	Menacing by stalking.
636.06	Menacing.

<u>Section</u>	<u>New or amended matter regarding:</u>
636.11	Nonsupport of dependents.
636.12	Endangering children.
636.13	Interference with custody.
636.24	Failing to provide for a person with a functional impairment.
642.12	Assaulting police dog or horse or assistance dog.
648.05	Disturbing a lawful meeting.
648.12	Impeding public passage of an emergency service responder.
660.02	Spreading contagion.
660.13	Smoking in places of public assembly.
666.01	Definitions concerning sex related offenses.
666.05	Voyeurism.
666.06	Polygraph examinations for victims; restrictions on use.
666.07	Procuring; engagement in sexual activity for hire.
672.01	Theft.
678.02	Carrying concealed weapons.
678.04	Improperly handling firearms in a motor vehicle.
678.10	Fireworks.
678.13	Possession of an object indistinguishable from a firearm in a school safety zone.
678.14	Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
698.02	Penalties for misdemeanor.
698.03	Imposing sentence for misdemeanor.