

SPONSOR: Ellitt/Urban

## ORDINANCE NO. 55-09

AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES THERETO AND DECLARING AN EMERGENCY.

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

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

WHEREAS, the Walter H. Drane Company has prepared a supplement containing such amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

Section One. That, in accordance with Ohio R.C. Section 731.23, the ordinances of the City of Jackson, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2009 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

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 That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law: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

301.04	Definition of a Bicycle. (Amended)
301.19	Definition of a Motorcycle. (Amended)
301.321	Definition of a Road Service Vehicle. (Added)
333.01	Driving or Physical Control While Under the Influence. (Amended)
333.03	Maximum Speed Limits. (Amended)
333.031	Approaching a Public Safety, Emergency or Road Service Vehicle. (Amended)
335.031	Driving With Probationary License; Curfew. (Amended)
335.05	Wrongful Entrustment of a Motor Vehicle. (Amended)
337.02	Lighted Lights Required. (Amended)
337.26	Child Restraint System Usage. (Amended)
339.11	Use of Studded Tires and Chains. (Amended)
341.03	Prerequisites to Operation of a Commercial Vehicle. (Amended)
373.02	Riding Upon Bicycle and Motorcycle Seats. (Amended)
375.05	Licensing Requirements of Operator. (Amended)

### General Offenses Code

513.01	Drug Abuse Control Definitions. (Amended)
513.03	Controlled Substance Possession or Use. (Amended)
525.02	Falsification. (Amended)
525.05	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
529.07	Open Container Prohibited. (Amended)
533.06	Voyeurism. (Amended)
537.02	Vehicular Homicide and Manslaughter. (Amended)
537.03	Assault. (Amended)
537.14	Domestic Violence. (Amended)
537.15	Temporary Protection Order. (Amended)
541.05	Criminal Trespass. (Amended)
545.01	Theft and Fraud Definitions. (Amended)
545.05	Petty Theft. (Amended)
549.01	Weapons and Explosives Definitions. (Amended)
549.02	Carrying Concealed Weapons. (Amended)
549.04	Improperly Handling Firearms in a Motor Vehicle. (Amended)
549.07	Underage Purchase of a Firearm. (Amended)

### Fire Prevention Code

1501.01	Ohio Fire Code Adopted. (Amended)
1511.01	Open Burning Definitions. (Amended)
1511.03	Open Burning Restricted. (Amended)
1511.04	Permission From and Notification to the Ohio EPA. (Amended)
1511.05	Open Burning, Bonfires and Recreational Fires. (Amended)

**Section Three.** That the complete text of the sections of the Codified Ordinances listed above are set forth in the current replacement pages to the Codified Ordinances, a complete copy of which is attached to this Ordinance as Exhibit "A", and made a part hereof.

**Section Four.** This Ordinance is hereby declared to be an emergency Ordinance, necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, in that it is necessary to adopt these replacement pages as soon as possible in order to keep the City's Codified Ordinances up to date and in compliance with changes in the Ohio Revised Code. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

**Section Five.** In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

Section Six.

In is hereby found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that the deliberations of this Council that resulted in such formal actions were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Date: 7/23/11

[Signature]  
PRESIDENT OF COUNCIL

[Signature]  
CLERK OF COUNCIL

Approved:

Date: 7/23/11

[Signature]  
MAYOR