

VILLAGE OF BENTLEYVILLE

ORDINANCE NO. 2024-50

INTRODUCED BY: RUBIN

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 AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing has completed its most recent updating and revision of the Codified Ordinances of the Village; and

WHEREAS, various ordinances and a resolution of a general and permanent nature have been passed by Council since the date of the last updating and revision of the Codified Ordinances (December 31, 2021) and 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 Bentleyville, County of Cuyahoga, State of Ohio:

Section 1. That the editing, arrangement and numbering or renumbering of the following ordinances and resolution 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>
2022-53	12-21-22	1448.01 - 1448.15, 1448.99
2022-54	12-21-22	1450.01 - 1450.18, 1450.99

Section 2. That the following sections and subsections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

202.02, 233.07, 402.077, 402.37, 402.515, 432.30, 432.43, 434.01, 434.03, 434.09, 436.071, 436.09, 436.14, 438.10, 438.16, 438.23, 438.28, 440.01, 440.08, 442.01, 442.03, 442.05, 452.04, 452.05, 452.055, 606.01, 606.06, 606.12, 606.30, 612.02, 612.07, 618.05, 618.06, 624.01, 624.01, 624.03, 624.04, 624.14, 624.17, 630.11, 636.02, 636.045, 636.05, 636.10, 636.11, 636.12, 636.20, 636.21, 642.02, 642.08, 648.05, 648.07, 648.12, 660.02, 660.13, 666.01, 666.05, 666.06, 666.07, 672.02, 672.04, 672.13, 698.02, 698.03

Section 3. That all ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows: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 and subsections 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 July, 2023.

Section 4. That pursuant to R.C. §§ 731.23 and 731.25 and Section 222.01 of the Codified Ordinances, the Clerk of Council shall post a notice of the enactment of this ordinance, containing the title of this ordinance and a summary of the new matters covered by it, which summary is attached to this ordinance as Exhibit A, for a period of not less than 15 days in the five public places set forth in Section 222.01 of the Codified Ordinances.

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety within the Village of Bentleyville, the emergency arising because of the need to have 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. Therefore, this ordinance, and the 2024 Replacement Pages for the Codified Ordinances hereby approved, adopted and enacted, shall take effect immediately upon its passage and approval by the Mayor.

Passed: November 20, 2024 
Mayor

Attest: _____

I, the undersigned, Fiscal Officer of the Village of Bentleyville, hereby certify that the foregoing is a true copy of Ordinance 2024-50, duly enacted by the Council of said Village on 11-20-, 2024.



Village Fiscal Officer

I, the undersigned, Village Fiscal Officer of the Village of Bentleyville, hereby certify that there is no newspaper published or having an office of publication in the same Village and that I published the foregoing ordinance by posting the same in five (5) of the most public places of said Village, as defined by ordinance of Council, for a period of fifteen (15) days, beginning 11-20, 2024.



Village Fiscal Officer

EXHIBIT A

SUMMARY OF NEW MATTER CONTAINED IN THE 2024 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF BENTLEYVILLE, OHIO

New matter in the Codified Ordinances of Bentleyville, Ohio, as contained in the 2024 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>	
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<u>Section</u>	<u>New or amended matter regarding:</u>	
202.02	Definitions	
233.07	Liability for loss of public funds	
402.077; 402.37; 402.515	Traffic definitions	
432.30	Regulations concerning school buses	
432.43	Texting while driving prohibited	
434.01	Driving under the influence of alcohol	
434.03	Speed limits	
434.09	Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles	
436.071	Driving under suspension or in violation of license restriction	
436.09	Expired or unlawful license plates	
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 (Replace entire section)	
438.16	Number of lights permitted; red and flashing lights	
438.23	Windshields and wipers	
438.28	Transporting child not in child restraint system prohibited	
440.01	Permit required to exceed load limits.	
440.08	Occupying travel trailer, fifth wheel vehicle, or manufactured or mobile home while in motion (amended title)	
442.01	Commercial drivers definitions	
442.03	Prohibited acts	
442.05	Criminal offenses	
452.04	Parking near curb; privileges for persons with disabilities	
452.05	Impounding motor vehicle on public property; abandonment of junk motor vehicle prohibited	

452.055 Impounding motor vehicle on private property
606.01 General offenses definitions
606.06 Limitation of criminal prosecutions
606.12 Failure to report a crime, injury or knowledge of death
606.30 Misuse of 9-1-1 system
612.02 Sales to underage persons
612.07 Open container prohibited; exception
618.05 Cruelty to companion animals
618.06 Coloring rabbits or baby poultry; regulation of sale and display
624.01 Drug definitions
624.01 Drug definitions
624.03 Drug possession offenses
624.04 Possessing drug abuse instruments
624.14 Use, possession, or sale of drug paraphernalia
624.17 Adult use cannabis control; limitations on conduct by individuals
630.11 Raffle drawings
636.02 Assault
636.045 Violating a protection order, consent agreement, anti-stalking protection order or order issued by a court of another state
636.05 Menacing; aggravated menacing; menacing by stalking
636.10 Nonsupport of dependents
636.11 Endangering children
636.12 Interference with custody; interference with support orders
636.20 Illegal distribution of cigarettes, other tobacco products, or alternative nicotine products; transaction scans
636.21 Failure to provide for a person with a functional impairment
642.02 Theft
642.08 Assaulting police dog or horse, or assistance dog
648.05 Disturbing a lawful meeting
648.07 Inducing panic
648.12 Impeding public passage of an emergency service responder
660.02 Spreading contagion
660.13 Nonsmoking areas in places of public assembly
666.01 Definitions for sex offenses
666.05 Voyeurism
666.06 Polygraph examinations for victims: restrictions on use
666.07 Procuring; engagement in sexual activity for hire
672.02 Carrying concealed weapons
672.04 Improperly handling firearms in a motor vehicle
672.13 Possession of an object indistinguishable from a firearm in a school safety zone
698.02 General penalty for offenses
698.03 Imposing sentence for misdemeanor