

# RECORD OF ORDINANCES

Ordinance No. 2019-29

Passed August 12 20 19

**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 IN CONFLICT THEREWITH; AND THE DECLARATION OF 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 have been passed by Council since the date of the last updating and revision of the Codified Ordinances 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; and,

WHEREAS, this ordinance will need to be passed as an emergency measure for the immediate preservation of the public peace, health and safety, the emergency being the necessity of having an up-to-date Code of laws with which to administer the affairs of the Village, one which is consistent with the latest State law, as required by the Ohio Constitution;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO, THREE-FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

SECTION 1: That the editing, arrangement and numbering or renumbering of the following 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>
2015-27	8-24-15	T.S.O. C
2015-33	9-29-15	T.S.O. C
2015-40	11-9-15	830.01 - 830.26, 830.99
2015-41	11-23-15	1024.05
2015-43	11-9-15	T.S.O. H
2015-44	12-14-15	452.15
2015-45	11-23-15	T.S.O. F
3-28-2016-1	3-28-16	240.01
3-28-2016-4	4-25-16	1042.09
3-28-2016-5	4-25-16	246.02, 246.07
4-11-2016-1	4-11-16	236.03.01
4-11-2016-4	4-11-16	1024.04
5-23-2016-2	5-23-16	452.15
6-27-2016-3	6-27-16	T.S.O. H.
7-11-2016-4	8-8-16	1042.07

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
7-25-2016-1	7-25-16	T.S.O. B
9-12-2016-1	10-10-16	452.21
10-10-2016-2	10-24-16	T.S.O. E
10-24-2016-2	11-28-16	1026.10
11-14-2016-2	11-14-16	1406.01, 1406.02

Res.

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11-28-2016-3	11-28-16	248.01
1-23-2017-1	1-23-17	240.01
2-27-2017-1	2-27-17	240.01
2-27-2017-2	3-27-17	452.15
3-27-2017-1	4-10-17	1002.01, 1002.03, 1002.04, 1002.06, 1002.08
4-24-2017-2	5-22-17	412.07
4-24-2017-4	4-24-17	240.01
5-8-2017-1	5-8-17	1406.02
5-8-2017-2	5-8-17	240.01
5-8-2017-6	5-8-17	240.01
6-12-2017-4	7-10-17	T.S.O. I
6-26-2017-1	6-26-17	T.S.O. H
6-26-2017-2	6-26-17	1406.02
8-14-2017-1	9-11-17	260.01
8-14-2017-2	9-11-17	1026.03, 1026.04
8-28-2017-3	9-11-17	T.S.O. H
9-25-2017-1	9-25-17	T.S.O. F
9-25-2017-3	10-23-17	810.01 - 810.07, 810.99
9-25-2017-4	9-25-17	T.S.O. E
11-27-2017-2	11-27-17	240.01
12-11-2017-5	12-11-17	240.01
2018-02	1-8-18	1026.10
2018-07	4-9-18	1046.01
2018-08	3-12-18	830.23
2018-09	4-9-18	240.01
2018-11	3-26-18	830.03, 830.05, 830.27
2018-13	4-9-18	1406.02
2018-14	5-14-18	T.S.O. F
2018-15	5-29-18	618.01 - 618.19
2018-17	6-25-18	1024.03, 1024.04, 1024.07, 1024.12
2018-18	5-14-18	T.S.O. A
2018-22	5-29-18	260.01
2018-23	7-9-18	240.01
2018-32	7-23-18	260.01
2018-41	10-22-18	T.S.O. E
2018-46	1-28-19	1254.04

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

402.135, 402.22, 402.23, 402.24, 402.27, 402.305, 402.425, 402.57, 402.58, 404.03, 408.02, 412.05, 414.01, 416.01, 416.02, 416.09, 416.13, 432.01, 432.02, 432.03, 432.04, 432.05, 432.06, 432.07, 432.08, 432.09, 432.10, 432.11, 432.12, 432.13, 432.14, 432.15, 432.16, 432.17, 432.18, 432.19, 432.20, 432.205, 432.21, 432.23, 432.24, 432.26, 432.27, 432.28, 432.29, 432.30, 432.31, 432.34, 432.35, 432.36, 432.41, 432.47, 432.48, 434.01, 434.011, 434.03, 434.04, 434.05, 434.06, 434.09, 434.10, 434.11, 436.01, 436.09, 436.11, 436.12, 436.14, 438.16, 444.01, 444.02, 444.03, 444.04, 444.05, 444.12, 446.01, 446.03, 446.04, 446.08, 452.03, 452.05, 452.06, 452.07, 606.01, 606.06, 606.11, 608.04, 608.16, 612.01, 612.07, 612.08, 624.01, 624.02, 624.025, 624.03, 624.04, 624.05, 624.06, 624.07, 624.076, 624.08, 624.09, 624.10, 624.14, 624.16, 636.001, 636.05, 636.09, 636.11, 636.13, 636.14, 636.16, 642.03, 642.06, 642.07, 642.08, 642.09, 642.12, 648.04, 660.03, 660.08, 660.13, 666.03, 666.04, 666.08, 666.21, 672.10, 672.12, 678.01, 678.02, 678.04, 678.05, 678.07, 678.10, 678.13, 678.15, 698.02

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SECTION 3: That all ordinances 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 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 January 28, 2019.

SECTION 4: That pursuant to Ohio Revised Code §731.23, the Fiscal Officer of Council shall publish, in a manner required by law, a notice of the enactment of this ordinance, containing the title of this ordinance, together with a summary of the new matter contained in the 2019 S-14 supplement, a copy of which summary is attached hereto as EXHIBIT A.

SECTION 5: That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, the emergency being the necessity of having an up-to-date Code of laws with which to administer the affairs of the Village, one which is consistent with the latest State law, as required by the Ohio Constitution, and as such, this ordinance, and the 2019 S-14 Supplement pages hereby approved, shall be in full force and effect from and after its passage.

  
\_\_\_\_\_  
Brad Nicodemus, Mayor

DATE OF PASSAGE: 8-12-2019

EFFECTIVE DATE: 8-12-2019

ATTEST:   
\_\_\_\_\_  
Brian Bibler, Fiscal Officer

SPONSOR: Hamilton

APPROVED AS TO FORM:   
\_\_\_\_\_  
Jeffrey Feyko, Village Solicitor

EXHIBIT A

SUMMARY OF NEW MATTER  
IN THE 2019 S-14 SUPPLEMENT PAGES FOR THE  
CODIFIED ORDINANCES OF BALTIMORE, OHIO

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New matter in the Codified Ordinances of Baltimore, as contained in the 2019 S-14 Supplement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.135	Definition of electric bicycle.
402.22	Definition of motor vehicle.
402.23	Definition of motorcycle.
402.24	Definition of motorized bicycle or moped.
402.27	Definition of pedestrian.
402.305	Definition of predicate motor vehicle or traffic offense.
402.425	Definition of shared use path.
402.57	Definition of vehicle.
402.58	Definition of waste collection vehicle
404.03	Exceptions generally; emergency, public safety and coroner vehicles exempt.
408.02	General traffic penalty.
412.05	Prohibitions against pedestrians and slow-moving vehicles on freeways.
414.01	Obeying traffic-control devices.
416.01	Pedestrian on crosswalk has right-of-way.
416.02	Right-of-way yielded to blind pedestrian.
416.09	Pedestrian on sidewalk has right-of-way.
416.13	Operation of personal delivery device on sidewalks and crosswalks.
432.01	Lanes of travel upon roadways.
432.02	Vehicles traveling in opposite directions.
432.03	Rules governing overtaking and passing of vehicles.
432.04	Permission to overtake and pass on the right.
432.05	Driving to left of center line.
432.06	Prohibition against driving upon left side of roadway.
432.07	Hazardous zones.
432.08	Rules for driving in marked lanes.
432.09	Space between moving vehicles.
432.10	Rules for turns at intersections.
432.11	U-turns and turning in roadway prohibited.
432.12	Starting and backing vehicles.
432.13	Turn and stop signals.
432.14	Hand and arm signals
432.15	Right-of-way at intersections.
432.16	Ambiguous or non-working traffic signals.
432.17	Right-of-way when turning left.
432.18	Right-of-way at through highways; stop signs; yield signs.

## EXHIBIT A

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<u>Section</u>	<u>New or amended matter regarding:</u>
432.19	Emergency vehicles to proceed cautiously past red or stop signal.
432.20	Right-of-way of public safety vehicles.
432.205	Driving while approaching stationary public safety vehicle and certain other vehicles with caution.
432.21	Stop at sidewalk area; stop signs on private roads and driveways; right-of-way on public highway.
432.23	Funeral procession has right-of-way.
432.24	Driving upon sidewalks, tree lawns or curbs.
432.26	Driving upon closed highway prohibited.
432.27	Following and parking near emergency or safety vehicles.
432.28	Driving over unprotected fire hose.
432.29	Driving through safety zone.
432.30	One-way highways and rotary traffic islands.
432.31	Divided roadways.
432.34	Stop signs at grade crossings.
432.35	Slow-moving vehicles or equipment crossing railroad tracks.
432.36	Obstructing passage of other vehicles.
432.41	Operation on paths set aside for bicycles.
432.47	Texting while driving prohibited.
432.48	Use of electronic wireless communication devices by minors or probationary drivers while driving prohibited.
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
434.011	Immobilizing or disabling device violation.
434.03	Speed limits.
434.04	Speed limits on private roads and driveways.
434.05	Slow speed or stopping.
434.06	Speed regulations on bridges.
434.09	Street racing defined; prohibited on public highways.
434.10	Vehicular homicide; vehicular manslaughter; vehicular assault
434.11	Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles.
436.01	Driver's or commercial driver's license required.
436.09	Display of license plates or validation stickers; registration.
436.11	Failure to stop after accident.
436.12	Stopping after accident on other than public roads or highways.
436.14	Removal of vehicles after accidents.
438.16	Number of lights permitted; red and flashing lights.
444.01	Bicycles; application of Title VII
444.02	Rules for bicycles, motorcycles, and snowmobiles.
444.03	Prohibition against attaching bicycles and sleds to vehicles.
444.04	Riding bicycles; motorcycles abreast.
444.05	Lights, signal devices, brakes on bicycles
444.12	Electric bicycles (NEW)
446.01	Definitions for bicycles, motorcycles etc.
446.03	Code application; prohibited operation.
446.04	Permitted operation.
446.08	Registration of vehicles.

<u>Section</u>	<u>New or amended matter regarding:</u>
452.03	Prohibited standing or parking places
452.05	Impounding abandoned motor vehicle on public property.
452.06	Impounding motor vehicle on private property.
452.07	Condition when motor vehicle left unattended.
606.01	Definitions regarding general offenses.
606.06	Limitation on criminal prosecutions.
606.11	Attempts
608.04	Failure to report a crime.
608.16	Disposition of unclaimed or forfeited property held by Police Department.
612.01	Definitions (alcohol).
612.07	Open container prohibited; exception.
612.08	Hours of sale or consumption.
624.01	Definitions relating to drugs.
624.02	Trafficking in controlled substances; gift of marihuana.
624.025	Illegal cultivation of marihuana.
624.03	Drug possession offenses.
624.04	Possessing drug abuse instruments.
624.05	Permitting drug abuse.
624.06	Drug paraphernalia.
624.07	Abusing harmful intoxicants.
624.076	Possessing nitrous oxide in motor vehicles.
624.08	Illegal dispensing of drug samples.
624.09	Counterfeit controlled substances.
624.10	Controlled substance or prescription label.
624.14	Controlled substance schedules
624.16	Sale of pure caffeine product
636.001	Definitions
636.05	Menacing by stalking.
636.09	Criminal child enticement.
636.11	Nonsupport of dependents.
636.13	Interference with custody; interference with support orders.
636.14	Contributing to unruliness or delinquency of a child.
636.16	Telecommunications harassment.
642.03	Unauthorized use of property, including telecommunication property and computers; possession of municipal property.
642.06	Arson.
642.07	Determining property value or amount of physical harm in arson.
642.08	Vehicular vandalism.
642.09	Criminal mischief.
642.12	Assaulting police dog or horse or assistance dog.
648.04	Disorderly conduct
660.03	Discarding litter prohibited.
660.08	Open burning
660.13	Nonsmoking areas in places of public assembly.
666.03	Sexual imposition
666.04	Public indecency

## EXHIBIT A

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<u>Section</u>	<u>New or amended matter regarding:</u>
666.08	Soliciting; loitering to engage in.
666.21	Nonconsensual dissemination of private sexual images
672.10	Misuse of credit cards.
672.12	Forging or selling forged identification cards
678.01	Weapons definitions.
678.02	Carrying concealed weapons.
678.04	Improperly handling firearms in a motor vehicle.
678.05	License or permit to possess dangerous ordnance
678.07	Unlawful transactions in weapons
678.10	Fireworks.
678.13	Possession of an object indistinguishable from a firearm in a school safety zone.
678.15	Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
698.02	Penalties for misdemeanor.