

# RECORD OF ORDINANCES

Ordinance No. 2011-07Passed NOVEMBER 1, 20 11**AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES, AND DECLARING IT 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**, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council in the form of replacement pages to the Codified Ordinances;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF BROOKVILLE, OHIO THAT:**

**SECTION I:** The ordinances of the Municipality of Brookville, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2011 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

**SECTION II:** The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

**Traffic Code**

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|---------|--|
| 335.01  | Driver's License or Commercial Driver's License Required. (Amended)              |
| 335.02  | Permitting Operation Without a Valid License. (Amended)                          |
| 335.05  | Wrongful Entrustment of a Motor Vehicle. (Amended)                               |
| 335.06  | Display of License. (Amended)  |
| 335.07  | Driving Under License Suspension or Restriction. (Amended)                       |
| 335.071 | Driving Under OVI Suspension. (Amended)  |
| 335.072 | Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended) |
| 335.073 | Driving Without Complying With License Reinstatement Requirements. (Amended)     |
| 335.074 | Driving Under License Forfeiture or Child Support Suspension. (Added)            |
| 335.12  | Stopping After Accident Upon Streets. (Amended)                                  |
| 335.13  | Stopping After Accident Upon Property Other Than Street. (Amended)               |
| 335.14  | Vehicle Accident Resulting in Damage to Realty. (Amended)                        |
| 337.22  | Windshield and Windshield Wipers. (Amended)                                      |
| 351.04  | Parking Near Curb; Handicapped Parking. (Amended)                                |
| 373.02  | Riding Upon Seats; Handlebars; Helmets. (Amended)                                |

**General Offenses Code**

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|--------|--|
| 501.01 | Definitions. (Amended)                                   |
| 501.02 | Classification of Offenses. (Amended)                    |
| 501.99 | Penalties for Misdemeanors. (Amended)                    |
| 509.06 | Inducing Panic. (Amended)                                |
| 509.07 | Making False Alarms. (Amended)                           |
| 513.03 | Drug Abuse; Controlled Substance Possession. (Amended)   |
| 517.05 | Cheating. (Amended)                                      |
| 525.01 | Law Enforcement and Public Office Definitions. (Amended) |
| 525.02 | Falsification. (Amended)                                 |
| 529.07 | Open Container Prohibited. (Amended)                     |
| 537.10 | Telecommunication Harassment. (Amended)                  |

# RECORD OF ORDINANCES

Ordinance No. 2011-07Passed NOVEMBER 1, 20 11General Offenses Code Continued

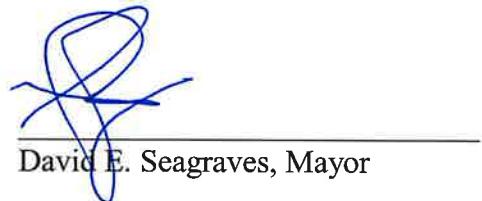
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|--------|--|
| 541.02 | Arson. (Amended)   |
| 545.02 | Determining Property Value in Theft Offense. (Amended)     |
| 545.04 | Detention of Shoplifters. (Amended)                        |
| 545.05 | Petty Theft. (Amended)                                     |
| 545.07 | Insurance Fraud. (Amended)                                 |
| 545.08 | Unauthorized Use of Property. (Amended)                    |
| 545.09 | Passing Bad Checks. (Amended)                              |
| 545.10 | Misuse of Credit Cards. (Amended)                          |
| 545.13 | Criminal Simulation. (Amended)                             |
| 545.14 | Tampering With Records. (Amended)                          |
| 545.15 | Securing Writings by Deception. (Amended)                  |
| 545.17 | Defrauding Creditors. (Amended)                            |
| 545.18 | Receiving Stolen Property. (Amended)                       |
| 549.04 | Improperly Handling Firearms in a Motor Vehicle. (Amended) |

**SECTION III:** The complete text of the sections listed above are 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.

**SECTION IV:** This Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the Municipality, the emergency being the immediate necessity to approve and distribute current Replacement Pages to the Codified Ordinances so as to facilitate administration, daily operation and avoid practical and legal entanglements; and it shall therefore take effect immediately upon passage by two-thirds of the members of Council of the Municipality of Brookville, Ohio.

PASSED this 1st day of November 2011.

ATTEST:

  
Sonja M. Keaton, Clerk  
David E. Seagraves, MayorCERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2011-07, passed by the Council of the City of Brookville, Ohio, on the 1st day of November 2011.

  
Sonja M. Keaton, ClerkCERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2011-07 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 2nd day of November 2011 to the 2nd day of December 2011, both days inclusive.

  
Sonja M. Keaton, Clerk