

RECORD OF ORDINANCES

Ordinance No. 2009-14 Passed NOVEMBER 3RD, 20 09

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 2009 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SECTION II: The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.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

- 301.04 Definition of a Bicycle. (Amended)
- 301.19 Definition of a Motorcycle. (Amended)
- 301.321 Definition of a Road Service Vehicle. (Added)
- 303.082 Private Tow-Away Zones. (Amended)
- 331.38 Stopping for School Bus. (Amended)
- 333.03 Maximum Speed Limits. (Amended)
- 333.031 Approaching a Public Safety, Emergency or Road Service Vehicle. (Amended)
- 335.01 Driver's License or Commercial Driver's License Required. (Amended)
- 335.02 Permitting Operation Without a Valid License. (Amended)
- 335.031 Driving With Probationary License; Curfew. (Amended)
- 335.05 Wrongful Entrustment of a Motor Vehicle. (Amended)
- 335.07 Driving Under License Suspension or Restriction. (Amended)
- 335.10 Expired or Unlawful License Plates. (Amended)
- 337.02 Lighted Lights Required. (Amended)
- 337.03 Headlights on Motor Vehicle and Motorcycles. (Amended)
- 337.04 Tail Light; Illumination of Rear License Plate. (Amended)
- 337.05 Rear Red Reflectors. (Amended)
- 337.06 Safety Lighting on Commercial Vehicles. (Amended)
- 337.08 Red Light or Red Flag on Extended Load. (Amended)
- 337.10 Lights on Slow Moving Vehicles. (Amended)
- 337.11 Spotlight and Auxiliary Lights. (Amended)
- 337.12 Cowl, Fender and Back-Up Lights. (Amended)
- 337.13 Display of Lighted Lights. (Amended)
- 337.14 Use of Headlight Beams. (Amended)
- 337.15 Lights of Less Intensity on Slow-Moving Vehicles. (Amended)
- 337.16 Number of Lights. (Amended)
- 337.17 Focus and Aim of Headlights. (Amended)
- 337.19 Horn, Siren and Theft Alarm Signal. (Amended)
- 337.20 Muffler, Excessive Smoke, Gas or Noise. (Amended)
- 337.21 Rear-View Mirror; Clear View to All Sides. (Amended)
- 337.22 Windshield and Windshield Wiper. (Amended)

RECORD OF ORDINANCES

Ordinance No. 2009-14 Passed NOVEMBER 3RD, 20 09

Traffic Code (Cont.)

- 337.24 Motor Vehicle Stop Lights. (Amended)
- 337.26 Child Restraint System Usage. (Amended)
- 337.27 Drivers and Passengers Required to Wear Seat Belts. (Amended)
- 341.03 Prerequisites to Operation of a Commercial Vehicle. (Amended)
- 351.04 Parking Near Curb; Angle Parking. (Amended)
- 373.02 Riding Upon Bicycle and Motorcycle Seats. (Amended)
- 375.05 Licensing Requirements of Operator. (Amended)

General Offenses Code

- 525.02 Falsification. (Amended)
- 525.03 Impersonation of Peace Officer. (Amended)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (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)
- 549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
- 549.07 Underage Purchase of a Firearm. (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 3rd day of November 2009.

ATTEST:

Sonja M. Keaton, Clerk

David E. Seagraves, Mayor

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2009-14

Passed NOVEMBER 3RD, 20 09

CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2009-14, passed by the Council of the City of Brookville, Ohio, on the 3rd day of November 2009.


Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2009-14 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 4th day of November 2009 to the 3rd day of December 2009, both days inclusive.


Sonja M. Keaton, Clerk