

RECORD OF ORDINANCES

Ordinance No. 2004-15Passed NOVEMBER 2, 2004

AN ORDINANCE TO APPROVE AND ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES, 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, Council has heretofore entered into a contract with 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:

SECTION 1: 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 2004-1 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2: The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

301.201	Operate Defined. (Amended)
303.08	Impounding of Vehicles; Redemption. (Amended)
333.07	Street Racing Prohibited. (Amended)
335.01	Driver's License or Commercial Driver's License Required. (Amended)

General Offenses Code

501.04	Rules of Construction. (Amended)
501.99	Penalties for Misdemeanors. (Amended)
509.02	Failure to Disperse. (Amended)
509.05	Misconduct at an Emergency. (Amended)
513.01	Drug Abuse Definitions. (Amended)
513.02	Gift of Marihuana. (Amended)
513.03	Drug Abuse; Controlled Substance Possession or Use. (Amended)
513.04	Possessing Drug Abuse Instruments. (Amended)
513.05	Permitting Drug Abuse. (Amended)
513.06	Illegal Cultivation of Marihuana. (Amended)
513.07	Possessing or Using Harmful Intoxicants. (Amended)
513.08	Illegally dispensing drug samples. (Amended)
513.12	Drug Paraphernalia. (Amended)
529.021	Purchase by Minor. (Amended)
529.03	Sales to Intoxicated Persons. (Amended)
529.04	Liquor Consumption in Motor Vehicle. (Amended)
529.05	Permit Required. (Amended)
529.07	Open Container Prohibited. (Amended)
529.08	Hours of Sale or Consumption. (Amended)
533.01	Sexual Offenses Definitions. (Amended)
533.02	Presumption of Knowledge; Actual Notice and Defense. (Amended)
533.09	Soliciting. (Amended)
533.11	Disseminating Matter Harmful to Juveniles. (Amended)
537.02	Vehicular Homicide and Manslaughter. (Amended)
537.021	Vehicular Assault in a Construction Zone. (Added)
537.03	Assault. (Amended)
537.051	Menacing by Stalking. (Amended)
537.07	Endangering Children. (Amended)
537.09	Coercion. (Amended)
537.14	Domestic Violence. (Amended)
537.15	Temporary Protection Order. (Amended)
537.18	Contributing to Unruliness or Delinquency of a Child. (Amended)
541.04	Criminal Mischief. (Amended)
541.05	Criminal Trespass. (Amended)
549.01	Weapons and Explosives Definitions. (Amended)

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549.02 Carrying Concealed Weapons. (Amended)
549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
549.10 Possessing Replica Firearm in School. (Amended)

SECTION 3: 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.

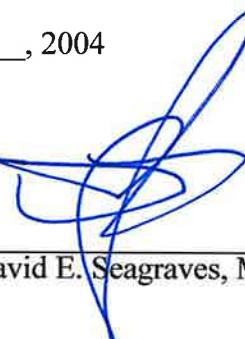
SECTION 4: This Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the Municipality, the emergency being the immediate necessity to approve and distribute current Replacement Pages to the Codified Ordinances 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 2nd day of November, 2004

ATTEST:



Sonja M. Keaton, Clerk



David E. Seagraves, Mayor

CERTIFICATE

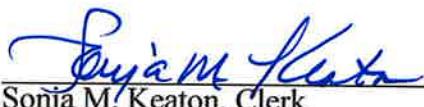
The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2004-15, passed by the Council of the City of Brookville, Ohio, on the 2nd day of November, 2004.



Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2004-15 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 3rd day of November, 2004 to the 3rd day of December, 2004, both days inclusive.



Sonja M. Keaton, Clerk