

RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1997-02

Passed APRIL 15 1997

ORDINANCE NO. 1997-02

AN ORDINANCE TO APPROVE THE 1997 CODIFIED ORDINANCES, AND DECLARING IT AN EMERGENCY.

WHEREAS, a determination has been made that the ordinances of the Municipality of a permanent and general nature should be recodified; and

WHEREAS, the Municipality has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such recodification; and

WHEREAS, the recodification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council.

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

SECTION 1: That 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 are hereby approved, adopted and enacted as the Codified Ordinances of Brookville, Ohio, 1997.

SECTION 2: That the provisions of this Ordinance, including all provisions of the Codified Ordinances, shall be in full force and effect as provided in Section 6 of this Ordinance. All ordinances and resolutions or parts thereof enacted prior to November 1, 1996, which are inconsistent with any provision of the Codified Ordinances, are hereby repealed as of the effective date of this Ordinance, except as follows;

(a) The enactment of the Codified Ordinances shall not be construed to affect a right or liability accrued or incurred under any legislative provisions prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability, including, but not limited to, any prosecution for a traffic or criminal offense committed prior to the enactment of this Codified Ordinance. This 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

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force and effect notwithstanding its repeal for the purpose of revision and recodification.

(b) The repeal provided above shall not affect:

- (1) The grant or creation of a franchise, license, right, easement or privilege.
- (2) The purchase, sale, lease or transfer of property.
- (3) The appropriation or expenditure of money or promise or guarantee of payment.
- (4) The assumption of any contract or obligation.
- (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness.
- (6) The levy or imposition of taxes, assessments or charges.
- (7) The establishment, naming, vacating or grade level of any street or public way.
- (8) The dedication of property or plat approval.
- (9) The annexation or detachment of territory.
- (10) Any legislation enacted subsequent to November 1, 1996.

SECTION 3: That as provided in Section 4.13 of the Charter, the Clerk of Council shall cause a notice of the proposed recodification to be published in a newspaper or advertising tabloid or circulation in the Municipality and no further publication shall be necessary.

SECTION 4: That each section of the Codified Ordinances without an ordinance or resolution history at the end thereof indicates that the section contains new material which is hereby enacted by this adopting ordinance.

SECTION 5: That through authentication and approval of this Ordinance the Mayor and Clerk of Council shall certify that the permanent and general ordinances of the Municipality as codified therein are correctly set forth and constitute the Codified Ordinances of Brookville, 1997.

SECTION 6: That as provided in Section 4.13 of the Charter, the 1997 Codified Ordinances shall immediately be effective upon approval of this ordinance by a majority vote of the members of Council.

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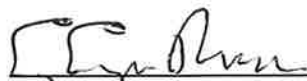
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SECTION 7: That this ordinance is declared to be an emergency measure to provide for the timely implementation of the codification and the orderly administration of the municipal ordinances.

PASSED this 15th day of April, 1997.

ATTEST:



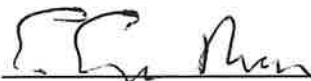
E. Eugene Roeser, Clerk



Thomas L. Dafler, Mayor

CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1997-02, passed by the Council of the Municipality of Brookville, Ohio, on the 15th day of April, 1997.



E. Eugene Roeser, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing Ordinance 1997-02 was posted at the Municipal Building, U.S. Post Office, and the Brookville National Bank, Brookville, Ohio, on the 17th day of April, 1997, to the 17th day of May, 1997, both days inclusive.



E. Eugene Roeser, Clerk