

ORDINANCE NO. 5-92

SPENCER VILLAGE

AN ORDINANCE TO ADOPT THE 1992 REPLACEMENT PAGES FOR THE MODEL OHIO MUNICIPAL CODE PUBLISHED BY THE JUSTINIAN PUBLISHING COMPANY; TO REPEAL ORDINANCES IN CONFLICT THEREWITH AND TO DECLARE AN EMERGENCY.

WHEREAS, during the year September 1, 1990, through January 1, 1992, the General Assembly enacted numerous State laws that affect the Model Ohio Municipal Code, previously adopted by the Municipality;

WHEREAS, the Municipality is in need of having an up to date Code, one which is consistent with the latest State law, as required by Article XVIII, Section 3, of the Ohio Constitution, so that prosecutions can continue to be made under Municipal ordinance rather than State statute; and

WHEREAS, The Justinian Publishing Company has published a set of 1992 Replacement Pages for the Model Ohio Municipal Code, which Replacement Pages incorporate the latest State law through January 1, 1992, and, pursuant to authority previously given by the Municipality, has furnished the Municipality with sets of such Replacement Pages equal in number to the number of copies of the Model Code previously ordered by the Municipality;

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

SECTION 1. Pursuant to Ohio R.C. 731.23, the 1992 Replacement Pages for the Model Ohio Municipal Code, prepared and promulgated by The Justinian Publishing Company of Cleveland, Ohio, are hereby adopted by and for the Municipality.

SECTION 2. All ordinances, resolutions and parts of ordinances and resolutions which are in conflict with any of the provisions of the 1992 Replacement Pages for the Model Ohio Municipal Code, adopted in Section 1 hereof, are hereby repealed. Those ordinances, resolutions and parts of ordinances and resolutions which are not in conflict with any provision of the 1992 Replacement Pages for the Model Ohio Municipal Code are hereby expressly excepted from repeal by this ordinance and shall continue in full force and effect until otherwise amended or repealed by Council.

SECTION 3. The enactment of this ordinance, including the 1992 Replacement Pages for the Model Ohio Municipal Code adopted herein and the repeal provided for in Section 2 hereof, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the date of such enactment, or any 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 the 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 adoption of the 1992 Replacement Pages for the Model Ohio Municipal Code provided for herein.

SECTION 4. Pursuant to Ohio R.C. 731.21, 731.22 and 731.23, the Clerk of Council shall cause to be published a notice of the enactment of this ordinance, containing the title of the ordinance and a summary of the new matter covered by it, which summary is

EXHIBIT "A"

SUMMARY OF NEW MATTER CONTAINED IN THE 1992 REPLACEMENT PAGES FOR THE MODEL OHIO MUNICIPAL CODE

PART FOUR - TRAFFIC CODE

Chap. 402.	Definitions
.29	Public safety vehicle.
Chap. 404.	Enforcement; Impounding
.08	Furnishing false information incident to traffic citation.
Chap. 408.	Penalties
.01	Penalties for misdemeanor.
Chap. 432.	Operation Generally
.30	Stopping for school bus; actuating visual signals; discharging children.
Chap. 434.	DWI; Reckless Operation; Speed
.01	Driving or physical control while under the influence; evidence.
.03	Maximum speed limits; assured clear distance ahead.
.04	Slow speed; posted minimum speeds.
Chap. 436.	Licensing; Accidents
.09	Display of license plates; registration; obstructions.
Chap. 438.	Safety and Equipment
.27	Air cleaner required.
.30	Ignition interlock devices.
Chap. 442.	Drivers of Commercial Vehicles
.08	Authority of peace officers re drunk driving.
Chap. 452.	Parking Generally
.04	Manner of parallel and angle parking; handicapped persons.
.055	Parking prohibitions on private property; private tow-away zones.

PART SIX - GENERAL OFFENSES CODE

Chap. 606.	General Provisions; Administration and Enforcement
.01	Definitions.
.10	Falsification.
.105	False report of child abuse or neglect.
.21	Attempt.
.24	Disposition of property held by Police Department.
.25	Impersonating an officer.
Chap. 612.	Alcoholic Beverages
.01	Definitions.
.06	Posting liquor age and firearm warning signs.
.07	Open container prohibited.
.08	Hours of sale or consumption.
Chap. 618.	Animals
.05	Cruelty to animals.
Chap. 624.	Drugs
.01	Definitions.
.03	Drug abuse.
.12	Controlled substance schedules.
Chap. 630.	Gambling
.01	Definitions.
.02	Gambling in general.
.06	Responsibility of charitable organization conducting bingo game.
.09	Exemption for bingo games conducted for amusement.
Chap. 636.	Offenses Relating to Persons
.12	Interference with custody.
.15	Threatening or harassing telephone calls.
.20	Sale of cigarettes to minors.
Chap. 642.	Offenses Relating to Property
.145	Forging or selling forged identification cards.
.155	Recording credit card, telephone or social security numbers.