

ORDINANCE 2005-08
Passed February 15, 2005

AN ORDINANCE TO APPROVE THE 2005 REPLACEMENT PAGES
TO THE POWELL CODIFIED ORDINANCES AND DECLARING AN
EMERGENCY.

WHEREAS, the Ohio Constitution requires that Ohio municipal ordinances comply with State law if they are an exercise of the Municipality's police powers;

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law; 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, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Municipality of Powell, Delaware County, Ohio as follows:

SECTION 1: That the ordinances of the Municipality of Powell, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2005 Replacement Pages to the Codified Ordinances, are hereby approved and adopted.

SECTION 2: That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.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. (Added)
303.08	Impounding of Vehicles; Redemption. (Amended)
333.01	Driving or Physical Control While Under the Influence. (Amended)
333.02	Operation in Willful or Wanton Disregard of Safety. (Amended)
333.07	Street Racing Prohibited. (Amended)
335.01	Driver's License or Commercial Driver's License Required. (Amended)
335.03	Driving With Temporary Instruction Permit; Curfew. (Amended)
337.28	Use of Sunscreening, Nontransparent and Reflectorized Materials. (Amended)

General Offenses Code

501.04	Rules of Construction. (Amended)
501.99	Penalties for Misdemeanors. (Amended)
509.02	Failure to Disperse. (Amended)
505.071	Cruelty to Companion Animals. (Added)
509.05	Misconduct at an Emergency. (Amended)
513.01	Drug Abuse Definitions. (Amended)
513.06	Illegal Cultivation of Marihuana. (Amended)
529.03	Sales to Intoxicated Persons. (Amended)
529.05	Permit Required. (Amended)
529.07	Open Container Prohibited. (Amended)
537.02	Vehicular Homicide and Manslaughter. (Amended)
537.021	Vehicular Homicide in a Construction Zone. (Added)

- 541.04 Criminal Mischief. (Amended)
- 541.05 Criminal Trespass. (Amended)
- 549.01 Weapons and Explosives Definitions. (Added)
- 549.02 Carrying Concealed Weapons. (Added)
- 549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
- 549.10 Possessing Replica Firearm in School. (Amended)

SECTION 3: That 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. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

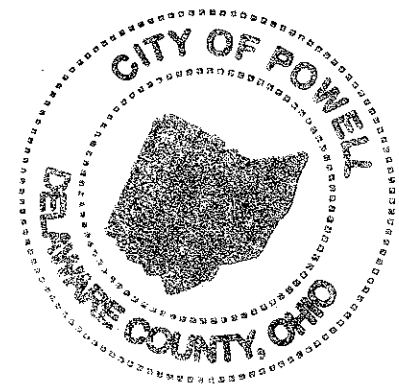
SECTION 4: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Municipality and its inhabitants for the reason that there exists an imperative necessity for the earliest publication and distribution of current Replacement Pages to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements, including conflict with general State law, and shall go into effect immediately except that the amendments or additions listed in Section 2 shall be effective January 1, 2005, or on the effective date of this ordinance, whichever date is later.

VOTE ON RULE SUSPENSION: Y N

VOTE ON ORDINANCE 2005-08: Y 7 N 0

 Dan Wiencek 3/1/05
 Dan Wiencek Date
 Mayor

 Dawn Nauman 3/1/05
 Dawn Nauman Date
 Clerk of Council



This legislation has been posted in accordance with
 the City Charter on this date 3/5/05 .
 Dawn
 Clerk of Council