



City of Powell, Ohio

ORDINANCE 2008-02

Adopted February 5, 2008

AN ORDINANCE TO APPROVE THE 2008 REPLACEMENT PAGES TO THE POWELL CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Constitution requires that Ohio municipal ordinances regarding traffic and criminal offenses substantially conform to State law; and

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 CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That the ordinances of the City of Powell, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2008 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Section 2: That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to substantially conform to current State law:

Traffic Code

301.20	Definition of Motor Vehicle. (Amended)
333.01	Driving or Physical Control While Under the Influence. (Amended)
333.08	Operation Without Reasonable Control. (Amended)
335.03	Driving With Temporary Instruction Permit. (Amended)
335.031	Driving With Probationary License. (Amended)
337.10	Lights on Slow-Moving Vehicles. (Amended)
337.18	Motor Vehicle and Motorcycle Brakes. (Amended)
337.26	Child Restraint System Usage. (Amended)
339.05	Wheel Protectors. (Amended)

General Offenses Code

501.01	Definitions. (Amended)
513.12	Drug Paraphernalia. (Amended)
517.01	Gambling Definitions. (Amended)
517.15	Skill-Based Amusement Machines. (Added)
525.02	Falsification. (Amended)
525.03	Impersonation of Peace Officer. (Amended)
525.10	Having an Unlawful Interest in a Public Contract. (Amended)
533.01	Obscenity and Sexual Offenses' Definitions. (Amended)
533.07	Public Indecency. (Amended)
537.02	Vehicular Homicide and Manslaughter. (Amended)

General Offenses Code (continued)

- 537.03 Assault. (Amended)
- 537.051 Menacing by Stalking. (Amended)
- 537.08 Unlawful Restraint. (Amended)
- 537.16 Illegal Distribution of Cigarettes. (Amended)
- 537.17 Criminal Child Enticement. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)

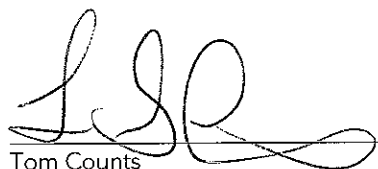
Section 3: That the complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4: It is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

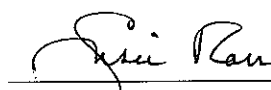
Section 5: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that there exists an imperative necessity for the earliest publication and distribution of current Replacement Pages to the officials and residents of the City, so as to facilitate administration, daily operation and avoid practical and legal entanglements, including conflict with general State law; wherefore, this ordinance shall take effect and be in force from and after its passage.

VOTE ON RULES SUSPENSION: Y 6 N 0

VOTE ON ORDINANCE 2008-02: Y 6 N 0


Tom Counts
Mayor

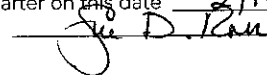
2/18/08
Date

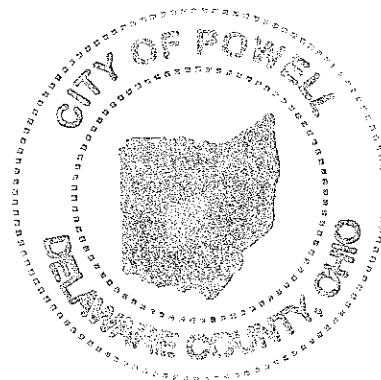

Susie Ross
City Clerk

2/18/08
Date

EFFECTIVE DATE: February 5, 2008

This legislation has been posted in accordance with the City Charter on this date 2/19/08.


Susie D. Ross
City Clerk



City Council

Tom Counts, Mayor

Richard Cline

Don Grubbs

Elmer Meider

Bill Morton

Art Schultz

Dan Wienczek