

**CITY OF VANDALIA**  
**MONTGOMERY COUNTY, OHIO**  
**ORDINANCE 13-05**

**AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND A RESOLUTION AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.**

**WHEREAS**, American Legal Publishing Corporation has completed its updating and revision of the Codified Ordinances of the City; and

**WHEREAS**, various ordinances and resolutions of a general and permanent nature that have been passed by Council since the last update of the Codified Ordinances (December 31, 2011) have been included in the Codified Ordinances of the City; and

**WHEREAS**, certain changes were made in the Codified Ordinances to bring City law into conformity with State law;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VANDALIA, MONTGOMERY COUNTY, OHIO:**

**Section 1.** The editing, arrangement and numbering or renumbering of the following ordinances and resolution are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

| <u>Ordinance or<br/>Resolution No.</u> | <u>Date</u> | <u>C.O. Section</u> |
|----------------------------------------|-------------|---------------------|
| 12-01                                  | 2-6-12      | Pt. 12, Appx. I     |
| 12-02                                  | 2-6-12      | Pt. 12, Appx. I     |
| 12-03                                  | 2-6-12      | Pt. 12, Appx. I     |
| 12-07                                  | 7-16-12     | Pt. 12, Appx. I     |
| 12-12                                  | 11-19-12    | Pt. 12, Appx. I     |
| 12-15                                  | 12-17-12    | Pt. 12, Appx. I     |
| 12-16                                  | 12-17-12    | Pt. 12, Appx. I     |
| 12-19                                  | 1-7-13      | Pt. 12, Appx. I     |

**Section 2.** The following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

402.045, 402.195, 402.196, 402.20, 402.216, 402.306, 402.425, 402.51, 402.52, 402.53, 404.04, 414.03, 414.04, 414.05, 432.11, 432.45, 432.46, 436.05, 436.071, 436.074, 438.01, 438.09, 438.17, 438.19, 438.25, 438.27, 438.29, 440.01, 440.02, 440.04, 440.05, 440.06, 442.01, 442.04, 442.05, 452.04, 606.01, 606.09, 608.01, 608.09, 608.16, 612.02, 612.04, 612.07, 618.01, 618.18, 624.02, 624.06, 630.01, 630.02, 630.06, 630.07, 630.09, 630.10, 630.11, 630.12, 630.13, 636.21, 642.01, 660.08, 666.07, 666.08, 672.01, 672.06, 678.15, 678.16, 698.02, 698.05

**Section 3.** The following section of the Codified Ordinances is hereby repealed:

414.06

**Section 4.** All ordinances and resolutions or parts thereof that are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows:

- (a) The enactment of such sections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an 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 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 purposes of revision and recodification.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to December 31, 2012.

**Section 5.** Pursuant to Section 4-6 of the City Charter and Ohio R.C. 731.23, the Clerk of Council shall publish this ordinance at least once within ten days after its final passage or adoption, together with a summary of the new matter contained in the 2013 Replacement Pages hereby adopted, a copy of which Summary of New Matter is attached hereto as Exhibit A.

**Section 6.** This ordinance shall take full force and effect from and after the earliest period allowed by law.

Passed this 18 day of March, 2013.

APPROVED:

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Arlene J. Setzer, Mayor

ATTEST:

\_\_\_\_\_  
Robert L. Anderson  
Clerk of Council

## EXHIBIT A

### SUMMARY OF NEW MATTER CONTAINED IN THE 2013 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF VANDALIA, OHIO

New matter in the Codified Ordinances of Vandalia, Ohio, as contained in the 2013 Replacement Pages therefor, includes legislation regarding:

| <u>Section</u> | <u>New or amended matter regarding:</u>                                                                                   |
|----------------|---------------------------------------------------------------------------------------------------------------------------|
| 402.045        | Definition of beacon.                                                                                                     |
| 402.195        | Definition of highway traffic signal.                                                                                     |
| 402.196        | Definition of hybrid beacon.                                                                                              |
| 402.20         | Definition of intersection.                                                                                               |
| 402.216        | Definition of median.                                                                                                     |
| 402.306        | Definition of private road open to public travel.                                                                         |
| 402.425        | Definition of shared-use path.                                                                                            |
| 402.51         | Definition of traffic.                                                                                                    |
| 402.52         | Definition of traffic control device.                                                                                     |
| 402.23         | Definition of traffic control signal.                                                                                     |
| 404.04         | Emergency, public safety and coroners' vehicles excepted.                                                                 |
| 414.03         | Traffic control signal terms and lights.                                                                                  |
| 414.04         | Signal to control lane direction of travel.                                                                               |
| 414.05         | Pedestrian control signals.                                                                                               |
| 414.06         | Flashing traffic signals. (Repealed)                                                                                      |
| 432.11         | "U" turns restricted.                                                                                                     |
| 432.45         | Texting while driving prohibited.                                                                                         |
| 432.46         | Use of electronic wireless communication devices by minors or probationary drivers while driving prohibited.              |
| 436.05         | Owner or operator allowing another to drive.                                                                              |
| 436.071        | Driving under suspension or in violation of license restriction.                                                          |
| 436.074        | Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension. |
| 438.01         | Driving unsafe vehicles; application.                                                                                     |
| 438.09         | Lights on parked or stopped vehicles.                                                                                     |
| 438.17         | Vehicles transporting preschool children.                                                                                 |
| 438.19         | Motor vehicle and motorcycle brakes.                                                                                      |
| 438.25         | Limited load extension on left side of passenger vehicle.                                                                 |
| 438.27         | Bumpers.                                                                                                                  |
| 438.29         | Use of child restraints.                                                                                                  |
| 440.01         | Load limits.                                                                                                              |
| 440.02         | Maximum width, height and length.                                                                                         |
| 440.04         | Vehicles transporting explosives.                                                                                         |
| 440.05         | Towing requirements; exception to size and weight restrictions.                                                           |

| <u>Section</u> | <u>New or amended matter regarding:</u>                                                                                                     |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 440.06         | Loads dropping or leaking; tracking mud; removal required.                                                                                  |
| 442.01         | Definitions relating to drivers of commercial vehicles.                                                                                     |
| 442.04         | Physical qualification to operate commercial motor vehicles.                                                                                |
| 442.05         | Criminal offenses.                                                                                                                          |
| 452.04         | Manner of parallel and angle parking; handicapped persons.                                                                                  |
| 606.01         | Definitions relating to general offenses.                                                                                                   |
| 606.09         | Organizational criminal liability.                                                                                                          |
| 608.01         | Falsification.                                                                                                                              |
| 608.09         | Compliance with lawful order of police officer; fleeing.                                                                                    |
| 608.16         | Disposition of unclaimed or forfeited property held by police department.                                                                   |
| 612.02         | Sales to underage persons; prohibitions and misrepresentations.                                                                             |
| 612.04         | Consumption in motor vehicle.                                                                                                               |
| 612.07         | Open container prohibited.                                                                                                                  |
| 618.01         | Dogs and other animals running at large; nuisance, dangerous and vicious dogs; hearings.                                                    |
| 618.18         | Restrictions on dog ownership for certain convicted felons.                                                                                 |
| 624.02         | Trafficking in controlled substances; gift of marihuana.                                                                                    |
| 624.06         | Use or possession of paraphernalia.                                                                                                         |
| 630.01         | Definitions relating to gambling.                                                                                                           |
| 630.02         | Gambling in general.                                                                                                                        |
| 630.06         | Responsibility of charitable organization conducting bingo game.                                                                            |
| 630.07         | Maintenance of records by charitable organizations.                                                                                         |
| 630.09         | Exemption for bingo games conducted for amusement.                                                                                          |
| 630.10         | Prohibitions where instant bingo game is conducted.                                                                                         |
| 630.11         | Raffle drawings.                                                                                                                            |
| 630.12         | Instant bingo other than at bingo sessions.                                                                                                 |
| 630.13         | Restrictions on owner or lessor of location at instant bingo.                                                                               |
| 636.21         | Illegal distribution of cigarettes or other tobacco products; transaction scans.                                                            |
| 642.01         | Definitions relating to property offenses.                                                                                                  |
| 660.08         | Open burning.                                                                                                                               |
| 666.07         | Procuring.                                                                                                                                  |
| 666.08         | Soliciting.                                                                                                                                 |
| 672.01         | Theft.                                                                                                                                      |
| 672.06         | Prosecutions for theft of utilities.                                                                                                        |
| 678.15         | Possession of an object indistinguishable from a firearm in a school safety zone.                                                           |
| 678.16         | Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession. |
| 698.02         | Penalties for misdemeanor.                                                                                                                  |
| 698.05         | Multiple sentences.                                                                                                                         |