

AMENDED 02-13-17

SPONSORED BY: Council  
REFERRED TO: Committee Work Session  
INTRODUCED BY: Paul Tousley-Rules Chair

**CITY OF NORTON**  
**AMENDED ORDINANCE NO. 1-2017**

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; APPROVING, ADOPTING AND ENACTING NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

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

WHEREAS, various ordinances of a general and permanent nature have been passed by Council since the date of the last updating and revision of the Codified Ordinances (January 11, 2016) and 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 Norton, County of Summit and State of Ohio:

Section 1: That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances 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>Ord. or Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
94-2010	9-27-10	258.03
<b>85-2015</b>	<b>12-14-15</b>	<b>234.14</b>
69-2016	9-12-16	618.05
77-2016	10-24-16	1066.02
81-2016	10-24-16	1066.04
82-2016	11-14-16	1064.02
86-2016	11-14-16	856.04, 856.07, 856.15

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

402.23, 432.20, 436.01, 436.09, 436.11, 436.12, 436.14, 444.02, 606.06, 612.01, 612.07, 624.01, 624.02, 624.025, 624.03, 624.04, 624.05, 624.06, 624.07, 624.076, 624.08, 636.05, 636.09, 636.13, 636.16, 642.08, 642.09, 642.12, 666.08, 698.02

Section 3: That all ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance, except as follows: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 and subsections 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, nor 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 purpose of revision and recodification.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to December 31, 2016.

Section 4: That pursuant to Ohio R.C. 731.23 and Section 222.01 of the Codified Ordinances, the Clerk of Council shall post a copy of this Adopting Ordinance, together with a summary of the new matter contained in the Codified Ordinances, which summary is attached hereto as Exhibit "A," for a period of not less than fifteen days in at least one public place within each of the four wards within the City determined to be the most public.

Section 5: That all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Ohio R.C. 121.22.

WHEREFORE, this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Norton and the inhabitants thereof, for the reason that it is immediately necessary to have an up-to-date codification of the legislation of the City, consistent with State law, where and as required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of affairs of the City, enforce law and order and avoid practical and legal entanglements, and, provided provided it receives the approval of two-thirds of the members of Council, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

ADOPTING ORDINANCE

Emergency Vote: Yeas 5 Nays 0

PASSED: February 27th

Charlotte Whipkey  
Charlotte Whipkey, President of Council

Approval by Mayor:  
Mike Zita  
Mike Zita, Mayor

ATTEST:  
Karla D. Richards  
Karla D. Richards, CMC, Clerk of Council

te filed with Mayor Zita: February 27th

I, Karla D. Richards, Clerk of Council for the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Amended Ordinance No. 1-2017** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio, at a meeting held on February 27th, 2017.

That this legislation was posted according to law on March 3rd, 2017, and will become effective on February 27th, 2017.

Karla D. Richards  
Karla D. Richards, CMC, Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor, City of Norton, ~~January 3,~~  
2017.  
**February 6, 2017.**

EXHIBIT A

SUMMARY OF NEW MATTER  
CONTAINED IN THE 2017 REPLACEMENT PAGES  
FOR THE  
CODIFIED ORDINANCES OF NORTON, OHIO

---

New matter in the Codified Ordinances of Norton, Ohio, as contained in the 2017 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.23	Definition of motorcycle.
432.20	Right-of-way of public safety or coroner=s vehicle.
436.01	Driver=s or commercial driver=s license required.
436.09	Display of license plates or validation stickers; registration.
436.11	Failure to stop after accident.
436.12	Stopping after accident on other than public roads or highways.
436.14	Removal of vehicles after accidents.
444.02	Rules for bicycles, motorcycles, and snowmobiles.
606.06	Limitation of criminal prosecution.
612.01	Definitions related to alcohol.
612.07	Open container prohibited; exception.
624.01	Drug related definitions.
624.02	Trafficking in controlled substances; gift of marihuana.
624.025	Illegal cultivation of marihuana.
624.03	Drug possession offenses.
624.04	Possessing drug abuse instruments.
624.05	Permitting drug abuse.
624.06	Drug paraphernalia.
624.07	Abusing harmful intoxicants.
624.076	Possessing nitrous oxide in motor vehicles.
624.08	Illegal dispensing of drug samples.
636.05	Menacing by stalking.
636.09	Criminal child enticement.
636.13	Interference with custody; interference with support orders.
636.16	Telecommunications harassment.
642.08	Vehicular vandalism.
642.09	Criminal mischief.
642.12	Assaulting police dog or horse or assistance dog.
666.08	Soliciting; loitering to engage in.
698.02	Penalties for misdemeanor.