

ORDINANCE NO. 12-02

ADOPTED: Feb. 27, 2012

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2012 EDITION FOR THE VILLAGE OF THORNVILLE, OHIO, REPEALING ALL INCONSISTENT CODE SECTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has prepared and published the 2012 Edition of the Ohio Basic Code, as revised and containing the most current State Legislation; and

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution requires Village ordinances conform with State law in those areas specified therein ; and

WHEREAS, Council for the Village of Thornville believes, with the 2012 Edition of the Ohio Basic Code, the Village needs to codify such legislation in order to administer the affairs of the Village, help ensure law and order, and try to avoid practical and legal entanglements.

NOW, **THEREFORE, BE IT RESOLVED** by the Council of the Village of Thornville, County of Perry, State of Ohio:

SECTION 1: American Legal Publishing's Ohio Basic Code, 2012 Edition is hereby adopted and enacted. All prior version of the Ohio Basic Code which may have been previously adopted by the Village are hereby repealed as obsolete and are hereby replaced in its entirety by this Ohio Basic Code, 2012 Edition.

SECTION 2: One copy of American Legal Publishing's Ohio Basic Code, 2012 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by R.C. § 731.23, shall be kept in its initial form on file in the office of the Clerk of the Village and retained as a permanent ordinance record of the Village. The Clerk of the Village is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by R.C. 731.23. Such summary is attached hereto as "Exhibit A" and incorporated herein by reference.

SECTION 3: All legislation or parts thereof, which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2012 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this Ordinance, except as follows:

(A) The enactment of the Ohio Basic Code, 2012 Edition, shall not be construed to affect a right of 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 therefore. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

(B) The repeal provided above shall not affect:

- (1) The grant or creation of a franchise, license, right, easement or privilege;
- (2) The purchase, sale, lease or transfer of property;
- (3) The appropriation or expenditure of money or promise or guarantee of payment;
- (4) The assumption of any contract or obligation;
- (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
- (6) The levy or imposition of taxes, assessments or charges;

- (7) The establishment, naming, vacating or grade level of any street or public way;
- (8) The dedication of property or plat approval;
- (9) The annexation or detachment of territory;
- (10) Any legislation enacted subsequent to the adoption of this Ordinance; or
- (11) Any legislation specifically superseding the provision of the Ohio Basic Code.

SECTION 4: Whenever reference is made in any documents, publications, or signs of the Village, including, but not limited to, traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.

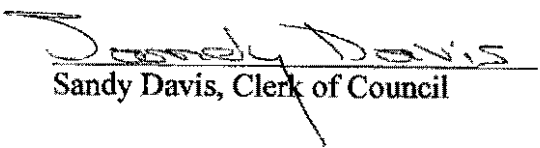
SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 6: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that the Village needs to adopt the most recent edition of the Ohio Basic Code as soon as possible. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council. *And declare as an emergency.*

Passed in Council this 27<sup>th</sup> day of February, 2012.

  
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Gavin Renner, Mayor

ATTEST:

  
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Sandy Davis, Clerk of Council

APPROVED:

Approved as to form this 26<sup>th</sup> day of January 2012.

  
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Brian M. Zets, Esq.  
Village Solicitor