

ORDINANCE NO. 14-02

AN ORDINANCE APPROVING, ADOPTING, AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2014 EDITION, AS THE CODE OF ORDINANCES FOR THE VILLAGE OF THORNVILLE, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, the present general and permanent ordinances of the Village of Thornville are inadequately arranged and classified and are insufficient in form and substance for the complete perseverance of the public peace, health, safety and general welfare of the Village and for the proper conduct of its affairs.

WHEREAS, American Legal Publishing Cooperation publishes a Code of Ordinances suitable for adoption by the municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the Village of Thornville and for the immediate preservation of the public peace, health, safety and general welfare of the Village that this ordinance take effect at an early date.

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

SECTION 1: American Legal Publishing's Ohio Basic Code, 2014 Edition, as reviewed and approved by the Council for the Village of Thornville, is hereby adopted and enacted. Any prior version of the Basic Code which may have been previously adopted by Council is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2014 Edition.

SECTION 2: One copy of American Legal Publishing's Ohio Basic Code, 2014 Edition, certified as correct by the Mayor and Clerk, as required by R.C. 731.23, shall be kept in its initial form on file in the office of the Clerk of Village of Thornville and retained as an ordinance record of the municipality. The Clerk of the municipality 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 and marked as "Exhibit A."

SECTION 3: All ordinances and resolutions or part thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2014 Edition, as adopted in Section 1 hereof, are hereby repealed as of effective date of this ordinance, except as follows:

(A) The enactment of the Ohio Basic Code, 2014 Edition, 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 constructed to relieve any person from punishment for any act committed in violation of any such legislative provision, not to affect an indictment or prosecution thereof. 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 effect:

- (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 bond, obligations or other instruments of indebtedness;

- (6) The levy or imposition of taxes, assessment 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.
- (11) Any legislation specifically superseding the provision of the Ohio Basic Code.

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

SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thornville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements 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 2014 Edition of the Ohio Basic Code must be adopted immediately so it can be enforced. 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.

Passed in Council this 27th day of January, 2014.


Gavin Renner, Mayor

ATTEST:


Sharon Brussee, Clerk of Council

APPROVED:

Approved as to form this 23rd day of January 2014:



Brian M. Zets, Esq.
Village Solicitor