

Ordinance No. 15-01

AN ORDINANCE APPROVING, ADOPTING, AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE – 2015 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF THORNVILLE, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, the present general and permanent ordinances of the Village of Thornville are not arranged and classified in form and substance for the complete preservation of the public peace, health, safety and general welfare of the Village and for the proper conduct of its affairs; and

WHEREAS, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio; and

WHEREAS, it is necessary to provide for 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: Council for the Village of Thornville hereby approves, adopts, and enacts American Legal Publishing's Ohio Basic Code, 2015 Edition. Any prior version of the Ohio Basic Code which was adopted previously by the Village of Thornville is hereby repealed as obsolete and is hereby replaced in its entirety by the Ohio Basic Code, 2015 Edition.

SECTION 2: One copy of American Legal Publishing's Ohio Basic Code, 2015 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 and retained as a permanent ordinance record of the Village of Thornville. The Clerk is authorized and directed to publish a summary of all new matters contained in the Code of Ordinance as required by R.C. 731.23. Such summary is attached hereto and marked as "Exhibit A."

SECTION 3: All legislation, or parts thereof, which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2015 Edition, as adopted in Section 1 hereof, is hereby repealed as of the effective date of this Ordinance, excepted as follows:

(A) The enactment of the Ohio Basic Code, 2015 Edition, shall not be constructed 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, not 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 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 or imposition of taxes, assessments or charges;

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.
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 of Thornville, 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 2015 Edition of the Ohio Basic Code immediately so it can be used and administered. Wherefore, provided this Ordinance receives the required affirmative votes of Council, it shall take effect and be in full force immediately upon passage by Council.

Passed in Council this 23rd day of February, 2015.



Gavin Renner, Mayor

ATTEST


Sharon Brussee, Clerk of Council

APPROVED:

Approved as to form this 21st day of January 2015:



Brian M. Zets, Esq.
Village Solicitor