

ORDINANCE NO. 17- 03

AN ORDINANCE APPROVING, ADOPTING, AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2017 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 are inadequately arranged and classified and are insufficient 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 the usual daily operation of the Village, 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, 2017 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the Village is hereby repealed as obsolete and hereby replaced in its entirety by this Ohio Basic Code, 2017 Edition.

SECTION 2: One copy of American Legal Publishing's Basic Code, 2017 Edition, certified as correct by the Mayor and Clerk of the Village of Thornville, as required by Ohio Revised Code 731.23, shall be kept in its initial form on file in the office of the Clerk of the Village of Thornville, and is an authorized and permanent ordinance record of the Village. The Clerk of the Village of Thornville is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code 731.23. Such summary is attached hereto and marked as "Exhibit A."

SECTION 3: All ordinances and resolutions or parts thereof which are in conflict or inconsistent with all provisions of the Ohio Basic Code, 2017 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this Ordinance, except as follows: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, 2017 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 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 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 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 instrument 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; and
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 municipality, 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 actions were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 6: This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare, and safety and for the further reason that there exists an imperative necessity for the earliest publication and distribution of current Code, so as to facilitate administration, daily operation, and avoid practical and legal entanglements. Wherefore, provided this Ordinance receives the required affirmative votes of Council, it shall take effect and be in full force immediately upon passage.

Passed in Council this 27th day of February, 2017



Gavin Renner, Mayor


ATTEST:



Clerk of Council

APPROVED:

Approved as to form this 23rd day of February, 2017:




Brian M. Zets, Esq.
Village Solicitor

CERTIFICATION OF CODIFIED ORDINANCES

We, Gavin Renner, Mayor, and Sharon Brussee, Clerk of Council of the Village of Thornville, Ohio, pursuant to Ohio Revised Code 731.23 and 731.42, hereby certified that the general and permanent ordinances of the Village of Thornville, as revised, rearranged, compiled, renumbered as to sections, codified, and printed herewith in component codes and titles are correct as and constitute the Code of Ordinances for the Village of Thornville, Ohio.



Mayor



Clerk of Council