

VILLAGE OF PENINSULA, OHIO  
ORDINANCE NO.: 18-2017  
INTRODUCED BY: Pam Schneider  
DATE PASSED: August 14, 2017

**AN EMERGENCY ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE PENINSULA CODIFIED ORDINANCES**

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the Village has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. That the Ordinances of the Village of Peninsula, Ohio, of a general and permanent nature, as revised, recodified, rearranged, and consolidated into component codes, titles, chapters, and sections within the 2017 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2. That the following sections and chapters are hereby added, amended, or repealed as respectively indicated in order to comply with current State law.

Traffic Code

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|-----------|--|
| 301.04    | Bicycle; Motorized Bicycle; Moped. (Amended)                     |
| 301.19    | Motorcycle. (Amended)  |
| 303.04    | Road Workers, Motor Vehicles and Equipment Excepted.             |
| (Amended) |  |
| 303.081   | Impounding Vehicles on Private Residential Property. (Amended)   |
| 303.082   | Tow Away Zones. (Amended)  |
| 313.09    | Driver's Duties Upon Approaching Ambiguous Traffic Signal.       |
| (Amended) |  |
| 331.03    | Overtaking, Passing to Left; Driver's Duties. (Amended)          |
| 331.21    | Right of Way of Public Safety or Coroner's Vehicle. (Amended)    |
| 331.211   | Report of Vehicle Failing to Yield Right of Way to Public Safety |
| Vehicle.  |  |
|           | (Added)  |
| 333.01    | Driving Under the Influence. (Amended)                           |
| 335.021   | Ohio Driver's License Required for In State Residents. (Added)   |
| 335.09    | Display of License Plates. (Amended)                             |
| 335.111   | Registration Within Thirty Days of Residency. (Added)            |
| 335.12    | Stopping After Accident Upon Streets. (Amended)                  |
| 335.13    | Stopping After Accident Upon Property Other Than Street.         |
| (Amended) |  |
| 351.07    | Unattended Vehicles: Duties. (Amended)                           |
| 373.02    | Riding Upon Seats; Handlebars; Helmets and Glasses. (Amended)    |

General Offenses Code

- 501.01 General Definitions. (Amended)
- 501.06 Limitation of Criminal Prosecution. (Amended)
- 505.071 Cruelty to Companion Animals. (Amended)
- 513.02 Gift of Marihuana. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 513.04 Possessing Drug Abuse Instruments. (Amended)
- 513.05 Permitting Drug Abuse. (Amended)
- 513.07 Possessing or Using Harmful Intoxicants. (Amended)
- 513.08 Illegally Dispensing Drug Samples. (Amended)
- 513.11 Possessing Nitrous Oxide in Motor Vehicle. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.121 Marihuana Drug Paraphernalia. (Amended)
- 513.13 Counterfeit Controlled Substances. (Amended)
- 521.10 Nonsmoking Areas in Places of Public Assembly. (Amended)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 525.15 Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
- 529.01 Liquor Control Definitions. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 537.051 Menacing by Stalking. (Amended)
- 537.10 Telecommunications Harassment. (Amended)
- 537.17 Criminal Child Enticement. (Amended)
- 537.18 Contributing to Child Delinquency. (Amended)
- 541.02 Arson. (Amended)
- 541.04 Criminal Mischief. (Amended)
- 541.09 Vehicular Vandalism. (Amended)
- 549.01 Weapons Definitions. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling a Firearm in a Motor Vehicle. (Amended)

Fire Prevention Code

- 1519.04 Fireworks Possession, Sale or Discharge Prohibited. (Amended)

SECTION 3. That the complete text of the sections of the Codified Ordinances listed above are set forth in full in the current replacement pages to the Codified Ordinances. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION 4. That 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 this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public and/or in compliance with all legal requirements including Section 121.022 of the Ohio Revised Code.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare, and safety for the reason that there exists an imperative necessity for the earliest publication and distribution of the Codified Ordinances to the officials and residents of the Municipality,

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so as to facilitate administration, daily operation, and avoid legal entanglements including conflict with general State law, and shall go into full force and effect immediately upon its passage.

SECTION 6. Effective Date. This Ordinance shall take effect on the 14 day of August, 2017.

IN WITNESS WHEREOF, we have hereunto set our hands this 14 day of August, 2017.

Passed:

  
\_\_\_\_\_  
Douglas G. Mayer, Mayor

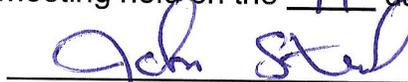
Attest:

  
\_\_\_\_\_  
John Stiegel, Fiscal Officer

Approved as to Legal Form.

  
\_\_\_\_\_  
Bradric T. Bryan, Solicitor

I, John D. Stiegel, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly passed by the Council of the Village of Peninsula, at a meeting held on the 14 day of Aug., 2017.

  
\_\_\_\_\_  
John D. Stiegel, Fiscal Officer

Posting Certificate

I, John D. Stiegel, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Ordinance was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, commencing on the 21 day of August, 2017, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

  
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John D. Stiegel, Fiscal Officer