

VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2022-25

APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; APPROVING, ADOPTING AND ENACTING NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PUBLISHING THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY

WHEREAS, American Legal Publishing has completed its updating and revision of the Codified Ordinances of the Village; and

WHEREAS, various ordinances and resolutions of a general and permanent nature have been passed by Council since the date of the last updating and revision of the Codified Ordinances (July 30, 2020) and have been included in the Codified Ordinances of the Village; and

WHEREAS, certain changes were made in the Codified Ordinances to bring Village law into conformity with State law;

NOW, THEREFORE, Council for the Village of Yellow Springs, Ohio, hereby ordains that:

Section 1. The editing, arrangement and numbering or renumbering of the following ordinances and resolutions and parts of ordinances and resolutions are hereby approved as parts of the various component codes of the Codified Ordinances of the Village, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. or Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2020-16	9-8-20	624.02, 624.025, 624.03, 624.06
2020-18	9-8-20	1060.05
2020-24	10-19-20	1268.03
2020-25	10-25-20	1268.06
2020-26	10-19-20	1260.01 to 1260.05
2020-27	10-19-20	1226.01 to 1226.13, 1226.99
2020-28	10-19-20	Pt. 12, Title 2, App. A
2020-30	11-16-20	1224.01
2020-31	11-16-20	1248.03
2020-32	11-16-20	1262.08
2020-33	11-16-20	1272.01
2020-34	11-16-20	Pt. 12, Title 4, Appendix
2020-35	11-16-20	1242.06
2020-36	11-16-20	220.02

<u>Ord. or Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2020-38	12-21-20	440.12
2021-01	2-1-21	220.01
2021-02	- -	1264.02
2021-05	4-5-21	1064.02
2021-06	5-3-21	882.01 to 882.18, 882.99
2021-08	5-3-21	1262.08
2021-11	6-21-21	212.01, 212.02, 212.99
2021-12	6-7-21	254.01, 254.02
2021-16	7-6-21	674.01 to 674.04, 674.99, Ch. 674, Appendix
2021-17	6-21-21	868.01 to 868.06
2021-18	9-20-21	626.02, 626.08
2021-19	6-21-21	220.02
2021-21	7-21-21	1262.05, 1262.08
2021-22	7-19-21	1268.09
2021-23	7-19-21	1278.06
2021-24	9-20-21	1043.01 to 1043.06
2021-25	9-7-21	1440.02, Ch. 1440, App. A
2021-34	12-20-21	252.06

Section 2. The following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

202.03, 402.215, 402.57, 416.14, 416.15, 432.20, 432.24, 434.03, 436.01, 436.02, 436.04, 436.09, 452.05, 452.06, 606.13, 608.13, 612.01, 612.07, 618.05, 618.26, 624.01, 624.17, 630.01, 630.06, 630.07, 630.09, 630.13, 630.14, 630.17, 636.20, 642.09, 642.10, 642.11, 642.13, 648.08, 666.07, 666.08, 666.085, 666.09, 672.04, 672.09, 678.02, 678.05, 678.07, 678.10, 678.15

Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance, except as follows:

- (a) The enactment of such sections 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 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 affect any legislation enacted subsequent to December 31, 2021.

Section 4. Pursuant to Section 25 of the Village Charter and R.C. § 731.23, the Clerk of Council shall cause to be published a summary of this ordinance within one week after its passage, together with a summary of the new matter contained in the 2022 Replacement Pages hereby approved, adopted and enacted, a copy of which summary is attached hereto as Exhibit A.

Section 5. This ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the public health, peace and welfare by providing an up-to-date codification of the legislation of the Village, consistent with State law, where and as required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the Village, enforce law and order and avoid practical and legal entanglements, wherefore this ordinance, including the 2022 Replacement Pages hereby approved, adopted and enacted, shall be in full force and effect from and immediately after its passage by an affirmative vote of not less than four members of Council.

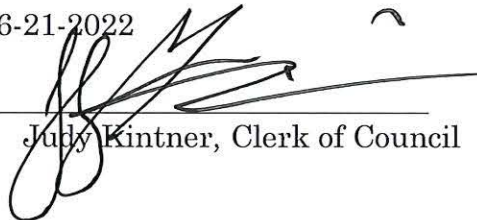
Signed: _____



Brian Housh, President of Council

Passed: 6-21-2022

Attest: _____



Judy Kintner, Clerk of Council

ROLL CALL:

Housh__Y__

Stokes__Y__

MacQueen__Y__

Brown__Y__

DeVore-Leonard__Y__

EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2022 REPLACEMENT PAGES
FOR THE CODIFIED ORDINANCES
OF YELLOW SPRINGS, OHIO

New matter in the 2022 Replacement Pages for the Codified Ordinances of Yellow Springs, Ohio, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
202.03	Rules of construction.
402.215	Definition of "low-speed micromobility device."
402.57	Definition of "vehicle."
416.14	Operation of personal delivery device on sidewalks and crosswalks.
416.15	Low-speed micromobility devices.
432.20	Right-of-way of public safety vehicle or coroner's vehicle.
432.24	Driving upon sidewalks, tree lawns or curbs.
434.03	Maximum speed limits; assured clear distance ahead.
436.01	Driver's or commercial driver's license required.
436.02	Possession of more than one license prohibited.
436.04	Certain acts prohibited.
436.09	Display of license plates or validation stickers; registration.
452.05	Willfully leaving vehicles on private or public property.
452.06	Parking prohibitions on private property; private tow-away zones.
606.13	Self defense: limitations on duty to retreat prior to using force.
608.13	Interfering with civil rights.
612.01	Definitions related to alcoholic beverages.
612.07	Open container prohibited.
618.05	Cruelty to animals; cruelty to companion animals.
618.26	Sexual conduct with an animal.
624.01	Definitions related to drugs.
624.17	Sale of dextromethorphan.
630.01	Definitions related to gambling.
630.06	Responsibility of charitable organization conducting bingo game.
630.07	Maintenance of records by charitable organizations.
630.09	Exemption for bingo games conducted for amusement.
630.13	Raffle drawings.
630.14	Instant bingo other than at bingo sessions.
630.17	Electronic instant bingo; prohibited conduct.
636.20	Hazing.
642.09	Criminal mischief.
642.10	Criminal trespass.
642.11	Aggravated trespass.
642.13	Railroad vandalism; criminal trespass; interference with operation of train; grade crossing device vandalism.

<u>Section</u>	<u>New or amended matter regarding:</u>
648.08	Making false alarms.
666.07	Procuring; engagement in sexual activity for hire.
666.08	Soliciting.
666.085	Loitering to engage in solicitation.
666.09	Prostitution.
672.04	Degree of offense when certain property involved.
672.09	Passing bad checks.
678.02	Carrying concealed weapons.
678.05	License or permit to possess dangerous ordnance.
678.07	Unlawful transactions in weapons.
678.10	Fireworks.
678.15	Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.