

ORDINANCE O-2019-7

**AN ORDINANCE APPROVING THE RECODIFICATION,
EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF
THE VARIOUS COMPONENT CODES OF THE CODIFIED
ORDINANCES OF WINDHAM, OHIO**

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

WHEREAS, numerous sections in the Traffic and General Offenses Codes need to be amended or enacted so as to conform to State law;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WINDHAM, OHIO:

Section 1. That the recodification, editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Windham, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances, to-wit:

Ord. No.	Date	C.O. Section
2018-21	10-23-18	555.01 to 555.04, 555.99
2018-22	10-23-18	315.01 to 315.09
2018-26	10-23-18	133.06
2018-33	12-18-18	921.04, 923.02
2019-2	1-22-19	315.01 to 315.09

Section 2. The following sections of the Traffic and General Offenses Codes, as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly:

Traffic Code

301.04	Bicycle, Motorized Bicycle, Moped, Electric Bicycle. (Amended)
301.20	Motor Vehicle. (Amended)
301.251	Predicate Motor Vehicle Offense. (Amended)
301.361	Shared-Use Path. (Amended)
301.51	Vehicle. (Amended)
301.53	Waste Collection Vehicle. (Added)
303.06	Freeway Use Restricted. (Amended)
303.991	Committing an Offense While Distracted Penalty. (Added)
313.01	Obedience to Traffic Control Devices. (Amended)
313.09	Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
331.01	Driving Upon Right Side of Roadway; Exceptions. (Amended)
331.02	Passing to Right When Proceeding in Opposite Directions. (Amended)
331.03	Overtaking, Passing to Left; Driver's Duties. (Amended)
331.04	Overtaking and Passing Upon Right. (Amended)
331.05	Overtaking, Passing to Left of Center. (Amended)
331.06	Additional Restrictions on Driving upon Left Side of Roadway. (Amended)
331.07	Hazardous or No Passing Zones. (Amended)
331.08	Driving in Marked Lanes or Continuous Lines of Traffic. (Amended)
331.09	Following Too Closely. (Amended)
331.10	Turning at Intersections. (Amended)
331.12	"U" Turns Restricted. (Amended)
331.13	Starting and Backing Vehicles. (Amended)
331.14	Signals Before Changing Course, Turning or Stopping. (Amended)
331.15	Hand and Arm Signals. (Amended)
331.16	Right of Way at Intersections. (Amended)
331.17	Right of Way When Turning Left. (Amended)
331.18	Operation of Vehicle at Yield Signs. (Amended)
331.19	Operation of Vehicle at Stop Signs. (Amended)
331.20	Emergency or Public Safety Vehicles at Stop Signals or Signs. (Amended)
331.22	Driving Onto Roadway From Place Other Than Roadway: Duty to Yield. (Amended)
331.23	Driving Onto Roadway From Place Other Than Roadway: Stopping at Sidewalk. (Amended)
331.24	Right of Way of Funeral Procession. (Amended)
331.26	Driving Upon Street Posted as Closed for Repair. (Amended)
331.27	Following and Parking Near Emergency or Safety Vehicles. (Amended)
331.28	Driving Over Fire Hose. (Amended)
331.29	Driving Through Safety Zone. (Amended)

Traffic Code (Cont.)

331.30 One-Way Streets and Rotary Traffic Islands. (Amended)
331.31 Driving Upon Divided Roadways. (Amended)
331.33 Obstructing Intersection, Crosswalk or Grade Crossing. (Amended)
331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
331.40 Stopping at Grade Crossing. (Amended)
333.03 Maximum Speed Limits. (Amended)
333.031 Approaching a Public Safety Vehicle. (Amended)
333.04 Stopping Vehicle. (Amended)
333.05 Speed Limitations Over Bridges. (Amended)
337.16 Number of Lights. (Amended)
351.03 Prohibited Standing of Parking Places. (Amended)
371.01 Right of Way in Crosswalk. (Amended)
371.02 Right of Way of Blind Person. (Amended)
371.07 Right of Way on Sidewalk. (Amended)
373.01 Code Application to Bicycles. (Amended)
373.03 Attaching Bicycle to Vehicle. (Amended)
373.04 Riding Bicycles and Motorcycles Abreast. (Amended)
373.05 Signal Device on Bicycle. (Amended)
373.06 Lights and Reflector on Bicycle. (Amended)
373.07 Riding Bicycle on Right Side of Roadway. (Amended)
373.08 Reckless Operation. (Amended)
373.09 Parking of Bicycle. (Amended)
373.11 Paths Exclusively for Bicycles. (Amended)
373.12 Electric Bicycles. (Added)

General Offenses Code

509.03 Disorderly Conduct. (Amended)
513.01 Drug Abuse Control Definitions. (Amended)
513.03 Drug Abuse; Controlled Substance Use. (Amended)
513.05 Permitting Drug Abuse. (Amended)
529.07 Open Container Prohibited. (Amended)
529.08 Hours of Sale or Consumption. (Amended)
533.04 Sexual Imposition. (Amended)
533.07 Public Indecency. (Amended)
533.15 Dissemination of Private Sexual Images. (Added)
545.10 Misuse of Credit Cards. (Amended)
549.01 Weapons Definitions. (Amended)
549.04 Improperly Handling a Firearm in a Motor Vehicle. (Amended)
549.06 Unlawful Transactions in Weapons. (Amended)

Section 3. The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the 2019 replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4. 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 the Council, and that 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 Section 121.22 of the Ohio Revised Code.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

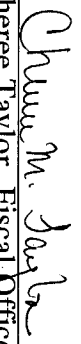
First Reading: April 24, 2019

Second Reading: May 28, 2019

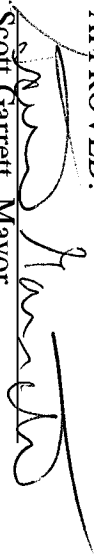
Third Reading and Passed in Council this 25th day of June, 2019.

Vote of Council: Ayes: 6
Nays: 0

ATTEST:


Chere Taylor, Fiscal Officer

APPROVED:


Scott Garrett, Mayor

I hereby certify that the Ordinance was duly published by public posting at pre-designated posting places.


Cheree Taylor, Fiscal Officer

APPROVED AS TO FORM:


Thomas Reitz, Solicitor

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