



CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

Publication date: 08.18.2014

The City of North Ridgeville Legislative Bulletin contains Ordinances and Resolutions acted upon by City Council. If noted within Ordinance or Resolution text, supplemental and supporting documents, such as exhibits, are available, upon request, by contacting Tara L. Peet, CMC at the Clerk of Council's office, 7307 Avon Belden Road, North Ridgeville, OH 44039, (440) 353.1508.

ORDINANCES AND RESOLUTIONS

(The following Ordinances and Resolutions were passed by City Council on August 18, 2014)

5161-2014 AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT, ENACT AND PUBLISH NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

WHEREAS, the Walter H. Drane Company has completed the 2014 updating and revision of the Codified Ordinances of the City; and

WHEREAS, various ordinances and resolutions of a general and permanent nature that have been passed by Council since the date of publication of the Codified Ordinances (December 31, 2005) have been included in the Codified Ordinances of the City; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, 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 City, so as to conform to the classification and numbering system of the Codified Ordinances.

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
5074-2013	10-7-13	650.01(d)
5075-2013	10-7-13	1480.17(a)(1)
5076-2013	10-7-13	642.04(e)
5078-2013	11-4-13	1220.11(12)
5079-2013	11-4-13	1226.11(c)
5080-2013	11-4-13	1220.07
5090-2013	8-18-13	668.01 to 668.06

5103-2014	2-18-14	1020.12
5107-2014	3-17-14	880.14(c)
5112-2014	3-17-14	1294.01(e)
5120-2014	4-7-14	242.09(a)
5131-2014	6-2-14	874.01 to 874.09, 974.99
5138-2014	6-2-14	854.01 to 854.04, 854.99
5152-2014	7-7-14	1044.01(d)(2)B.1., C.1.

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

Traffic Code

402.05	Bicycle. (Amended)
402.171	Highway Maintenance Vehicle. (Added)
402.172	Highway Traffic Signal. (Added)
404.03	Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
414.03	Traffic Signal Indications. (Amended)
432.195 (Amended)	Approaching a Stationary Public Safety, Emergency or Road Service Vehicle.
434.01	Driving or Physical Control While Under the Influence. (Amended)
434.03	Maximum Speed Limits. (Amended)
438.16	Number of Lights; Limitations on Flashing. (Amended)
438.18	Focus and Aim of Headlights. (Amended)
440.05	Maximum Width, Height and Length. (Amended)
442.01	Commercial Vehicle Definitions. (Amended)
442.03	Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)
452.04	Parking Near Curb; Handicapped Parking. (Amended)

General Offenses Code

606.12	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
612.01	Liquor Control Definitions. (Amended)
612.07	Open Container Prohibited. (Amended)
618.051	Cruelty to Companion Animals. (Amended)
630.01	Gambling Definitions. (Amended)
630.02	Gambling. (Amended)
636.02	Assault. (Amended)
636.08	Criminal Child Enticement. (Amended)
636.20	Illegal Distribution of Cigarettes, Other Tobacco Products or Alternate Nicotine Products. (Amended)
636.26	Misuse of 9-1-1 System. (Amended)
642.02	Petty Theft. (Amended)
642.22	Receiving Stolen Property. (Amended)

SECTION 3. All ordinances and resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and enacted by Section 2 hereof are hereby repealed, except as follows:

(a) The enactment of such new matter 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 or to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and recodification.

(b) The repeal provided above shall not affect any legislation enacted subsequent to October 6, 2008.

SECTION 4. Pursuant to Section 3.14 and 3.16 of the City Charter, Ohio R.C. 731.23 and Section 222.01 of the Codified Ordinances of the City of North Ridgeville, the Clerk of Council shall cause to be posted, as set forth in Section 222.01 of the Codified Ordinances, a notice of the adoption of this ordinance, including the title of this ordinance and a summary of the new matter covered by it, which summary is attached hereto as Exhibit A.

SECTION 5. This ordinance is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the City of North Ridgeville in that it is necessary to have an up-to-date Code of laws, one that is consistent with State law, as required by Article XVIII, Section 3, of the Constitution, with which to administer the affairs of the City, ensure law and order, and avoid practical and legal entanglements, wherefore this ordinance, and the 2014 Replacement Pages for the Codified Ordinances of the City, hereby approved, adopted and enacted, shall take immediate effect upon its signature by the Mayor, or upon the expiration of the time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to City of North Ridgeville Charter Section 3.13.

SECTION 6. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

5162-2014 AN ORDINANCE AMENDING ORDINANCE NO. 5130-2014, WHICH AUTHORIZED AN INCREASE OF THE EXPENDITURE OF FUNDS FOR THE RELOCATION OF THE MULTIPLE CELL TOWER COMMUNICATION APPARATUS, BY INCREASING THE “NOT TO EXCEED” AMOUNT FROM \$87,000.00 TO \$105,000.00 AND DECLARING AN EMERGENCY.

WHEREAS, on May 19, 2014, Council passed Ordinance No. 5130-2014 which amended Ordinance No. 5119-2014 by increasing the amount to be expended for the relocation of the cell tower from \$70,000.00 to \$87,000.00; and

WHEREAS, the cost of installing all of the antennas and equipment on the tower was not included in Ordinance No. 5130-2014, necessitating this amendment; and

WHEREAS, Tower Co. has paid the City \$18,000.00 for an easement for use of land for the cell tower; these funds will be used to pay for the cost of installation.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. Ordinance No. 5130-2014 is hereby amended by increasing the amount to be expended for the relocation of the multiple cell tower communication apparatus and installation of antennas and equipment, not to exceed \$105,000.00.

SECTION 2. Funds received from Tower Co. as payment for an easement shall be used to pay for the cost of installation of antennas and equipment on the cell tower, and shall be charged to and paid from the appropriate fund.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted 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 in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure, the emergency being for the health, safety, and welfare of the residents WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5163-2014 AN ORDINANCE AMENDING ORDINANCE NO. 5146-2014 MAINTENANCE TECHNICIAN PAY SCALE TO CORRECT AN ADMINISTRATIVE ERROR.

WHEREAS, Ordinance No. 5146-2014, which established a pay scale for the Maintenance Technician, needs to be amended in order to correct the name of the department contained in Section 1.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. Ordinance No. 5146-2014 is hereby amended by correcting the name of the department in Section 1 from Sexton/Grounds Maintenance Department to the Grounds Maintenance Department.

SECTION 2. In all other respects, Ordinance No. 5146-2014 shall remain in full force and effect as previously passed and approved.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted 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 in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

5164-2014 PID NO. 97103 PROJECT NAME: BRIDGE INSPECTION PROGRAM SERVICES. AN ORDINANCE COOPERATING WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM BRIDGE INSPECTIONS.

WHEREAS, it is the opinion of Council and the Administration that it would be beneficial to the City of North Ridgeville and to the public's welfare and safety to take advantage of a program offered by ODOT to inspect the City's bridges free of charge; and

WHEREAS, upon passage of this ordinance, the Clerk of Council shall return two (2) original signature copies to Omar Abu-Hajar, P.E., Local Bridge Program Manager, Ohio Department of Transportation, 3rd Floor – Mail Stop 5180, 1980 West Broad Street, Columbus, Ohio 43223.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. The City of North Ridgeville has identified the need for the described project:

Bridge Inspection Program Services, including, but not limited to bridge load rating calculations, scour assessments, bridge inspections, and fracture critical plan development.

SECTION 2. Being in the public interest, the City of North Ridgeville gives consent to the Director of Transportation to complete the above described project.

SECTION 3. The City of North Ridgeville shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City of North Ridgeville and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).

The City of North Ridgeville agrees to pay 100% of the cost of those features which are not included in Exhibit A.

SECTION 4. The City of North Ridgeville agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

SECTION 5. The Mayor of said City of North Ridgeville is hereby empowered on behalf of the City of North Ridgeville to enter into contracts with the Director of Transportation necessary to complete the above described project.

SECTION 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted 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 in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

REMAINING CITY COUNCIL MEETING DATES FOR 2014

September 2, 2014
November 3, 2014
December 15, 2014

October 6, 2014
November 17, 2014

October 20, 2014
December 1, 2014

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