VILLAGE OF NEW RICHMOND

ORDINANCE 2022-01

Council for the Village of New Richmond, Ohio met in regular session this 25 day of January, 2022.

Councilperson Allen moved for adoption of the following:

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2022 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF NEW RICHMOND, OHIO AND DECLARING AN EMERGENCY

Whereas: the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, and safety, and general welfare of the municipality and for the proper conduct of its affairs.

Whereas: American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

Whereas: it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety, and general welfare of the municipality that this ordinance take effect at an early date.

NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF NEW RICHMOND, OHIO:

Section 1. American Legal Publishing's Ohio Basic Code, 2022 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 Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2022 Edition.

Section 2. One copy of the American Legal Publishing's Ohio Basic Code, 2022 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, 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 municipality and retained as a permanent ordinance record of the municipality. The Clerk of the municipality 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 ordinance and resolutions or parts thereof are in conflict or inconsistent with any provisions of the Ohio Basic Code, 2022 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this Ordinance, except as follows: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, 2022 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 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 take 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 instruments 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.
   (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, re-codified, or renumbered.

Section 5. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the people of the Village of New Richmond. That the Village by at least a vote of ¾ of its members hereby dispenses with the requirement that this Ordinance be read on three separate days and hereby authorizes the adoption of the Ordinance upon its second reading. That this Ordinance shall take effect at the earliest date provided by law.

Section 6. That Council finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting and that all deliberations of Council which resulted in the passage of this Resolution were taken in meetings open to the public, in full compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Councilperson Prues seconded the motion to adopt the foregoing Ordinance and upon roll call the vote was as follows:

Mary Allen	Yes
Larry Prues	Yes
Dennis Dalton	Yes
Richard Feldkamp	NO
Jon Tharpe	Yes
Ryan Woodruff	Yes

First Reading: 1/11/2022

Second Reading: 1/25/2022

Third Reading: ———

Adopted: 1/25/2022

ATTEST:

Glenn Ewing
Mayor, Glenn Ewing

Kathy Fuchs
Clerk of Council, Kathy Fuchs

Approved as to form:

Solicitor, Scott Sollmann

Exhibit A

OHIO BASIC CODE, 2022 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the 25 day of January, 2022, there was enacted by the Legislative Authority of the Municipality of Village of New Richmond, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2022 Edition, as the Code of Ordinances for the Municipality of Village of New Richmond, Ohio."

A summary of the subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follows. The majority of Basic Code provisions are based directly on state law.

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This summary of contents has been verified and authorized for publication by the Legislative Authority of the Municipality of Village of New Richmond, Ohio.

Signed: Glenn Ewing
Mayor

Kathy Fuchs
Clerk of the Legislative Authority

CERTIFICATION OF CODIFIED ORDINANCES

We, Glenn Ewing, Mayor, and Kathy Fuchs, Clerk of the Legislative Authority, of the Municipality of Village of New Richmond, Ohio, pursuant to Ohio Revised Code §§ 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, 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 Municipality of Village of New Richmond, Ohio.

Glenn Ewing
Mayor

Kathy Fuchs
Clerk of the Legislative Authority