

BRUNSWICK CITY COMMITTEE-OF-THE-WHOLE

Agenda

SEPTEMBER 11, 2017

6:30 PM Or immediately following Parks & Rec Committee Meeting

1. Discussion Items
2. Motion Items
 - (a) A motion to go out to bid for janitorial services for the Brunswick Community Recreation and Fitness Center and the Police Department/City Hall.
3. Review Legislation
 - (a) **ORD. NO. 79-17** - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised codified ordinances; and to repeal ordinances in conflict therewith - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Barb Ortiz*)
4. General Discussion
5. Executive Session
 - (a) Motion to go into an Executive Session to discuss the employment, appointment and compensation of public employees.
6. Adjournment

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 09/11/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Barb Ortiz

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 79-17** - An emergency ordinance to approve the editing and inclusion of certain ordinances as components of the Codified Ordinances; to provide for the adoption of new legislation in the updated revised codified ordinances; and to repeal ordinances in conflict therewith - **1st Reading** (To be brought from Committee-of-the-Whole, *Administration/Barb Ortiz*)

BACKGROUND: This Is the annual codification updates.

PURPOSE AND EXPLANATION: To approve the editing and inclusion of ordinances as components of the codified ordinances; to provide for the adoption of new legislation in the updated revised codified ordinances; and to repeal ordinances in conflict therewith.

IMPLEMENTATION

SCHEDULE: To adopt as an emergency with suspension of the rules on September 11, 2017 to allow for the updates to be effective immediately.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?

Recommended to adopt as emergency with suspension of rules so they may be effective immediately.

**ADDITIONAL
INFORMATION:**

ORDINANCE NUMBER _____

By Committee of the Whole

AN EMERGENCY ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS COMPONENTS OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW LEGISLATION IN THE UPDATED REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS: Section 3.18b. of the City Charter provides for the general codification of all City ordinances and resolutions having the force and effect of law and requires that such codification be kept current; and

WHEREAS: The Walter H. Drane Co. has completed its updating and revision of the Codified Ordinances of the City; and

WHEREAS: Various ordinances of a general and permanent nature that have been enacted by Council since the date of the last updating and revision of the Codified Ordinances need to be include in the Codified Ordinances of the City; and

WHEREAS: Certain changes made in the Codified Ordinances to bring City law into conformity with State law.

THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the editing, arrangement and numbering or renumbering of the ordinances and parts of ordinances attached hereto as "Exhibit "A" as though fully herein written, are hereby approved as parts of the various component codes of the Codified Ordinances of the City of Brunswick, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances.

SECTION 2: That the sections of the Traffic and General Offenses Codes, as amended and attached hereto as Exhibit "B" as though fully herein written, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly.

SECTION 3: That all ordinances and resolutions and parts thereof that are in conflict with any of the provisions of the new matter approved, adopted and listed on Exhibit "A" and in Section 1 are hereby repealed, except as follows:

- (a) The enactment of such matter shall not be construed to affect a right of liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or any 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 August 1, 2017.

SECTION 4: That a copy of this ordinance shall be posted in the five public places set forth in Section 222.01 of the Codified Ordinances, together with notice as to where copies of the 2017 Replacement Pages for the Codified Ordinances of the City, hereby approved, adopted and enacted, may be viewed and inspected by the public. A copy shall also be furnished to City Officers, Medina County Law Library and the Brunswick Public Library.

SECTION 5: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare and for the additional reason that it is immediately necessary to have an up-to-date codification of the laws of the City, pursuant to Section 3.18b. of the City Charter, that is in conformity with State Law, where such conformity is required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the City and to preserve law and order of the City. Therefore, this Ordinance and the August 2016 Replacement Pages for the Codified Ordinances, hereby approved, adopted and enacted, shall be in full force and effect from and after its passage by the required number of votes, as set forth in Section 3.16 of the City Charter.

PASSED: _____

Rules Suspended: AYES_____NAYS_____

ADOPTED: _____ AYES_____NAYS_____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz, CMC

EXHIBIT "A"

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
57-16	9-12-16	August 2016 Replacement Pages
58-16	9-12-16	880.07(b)
65-16	10-10-16	624.121
85-16	11-28-16	880.01
100-16	1-23-17	618.29
3-17	2-13-17	257.03
5-17	3-17-17	P. & Z. Appendix
8-17	6-12-17	880.005, 880.01, 880.04
10-17	2-27-17	618.24
23-17	4-10-17	1234.01 to 1234.15, 1234.99
24-17	4-10-17	1236.01 to 1236.18, 1236.99
32-17	6-12-17	1440.27
Res.		
40-17	5-22-17	234.06

EXHIBIT "B"

Traffic Code

402.04	Bicycle; Motorized Bicycle; Moped. (Amended)
402.19	Motorcycle. (Amended)
402.04	Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
404.081	Impounding Vehicles on Private Residential Property. (Amended)
404.082	Tow Away Zones. (Amended)
414.09	Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
432.03	Overtaking, Passing to Left; Driver's Duties. (Amended)
432.21	Right of Way of Public Safety or Coroner's Vehicle. (Amended)
432.211	Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Added)
434.01	Driving Under the Influence. (Amended)
436.09	Display of License Plates. (Amended)
436.111	Registration Within Thirty Days of Residency. (Added)
452.07	Unattended Vehicles: Duties. (Amended)
474.02	Riding Upon Seats; Handlebars; Helmets and Glasses. (Amended)

General Offenses Code

606.01	General Definitions. (Amended)
606.06	Limitation of Criminal Prosecution. (Amended)
618.051	Cruelty to Companion Animals. (Amended)
624.02	Gift of Marihuana. (Amended)
624.03	Drug Abuse; Controlled Substance Possession or Use. (Amended)
624.04	Possessing Drug Abuse Instruments. (Amended)
624.05	Permitting Drug Abuse. (Amended)
624.07	Possessing or Using Harmful Intoxicants. (Amended)
624.08	Illegally Dispensing Drug Samples. (Amended)
624.11	Possessing Nitrous Oxide in Motor Vehicle. (Amended)
624.12	Drug Paraphernalia. (Amended)
624.13	Counterfeit Controlled Substances. (Amended)
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)
636.075	Criminal Child Enticement. (Amended)
636.12	Contributing to Child Delinquency. (Amended)
642.09	Arson. (Amended)
642.11	Criminal Mischief. (Amended)
642.10	Vehicular Vandalism. (Amended)
672.01	Weapons Definitions. (Amended)
672.02	Carrying Concealed Weapons. (Amended)
672.04	Improperly Handling a Firearm in a Motor Vehicle. (Amended)

CITY OF BRUNSWICK
ORDINANCE NUMBER 79-17

By Committee of the Whole

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