

IN THE COUNCIL OF THE VILLAGE OF NEW CONCORD, OHIO

**ORDINANCE 2024 – 3 – 5**

AN ORDINANCE TO APPROVE THE DECEMBER 2023 REPLACEMENT PAGES  
OF THE NEW CONCORD CODIFIED ORDINANCES  
AND DECLARING AN EMERGENCY.

WHEREAS, certain provisions within the Village of New Concord Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution, and

WHEREAS, various ordinances of a general and permanent nature have been passed by New Concord Village Council which should be included in the Codified Ordinances, and

WHEREAS, other ordinances are not of a general and permanent nature, including but not limited to matters of contracts, appropriations, funding and salaries, and

WHEREAS, the Village has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revisions, which are presently before Council;

NOW, THEREFORE, be it resolved by the Council of the Village of New Concord, State of Ohio, that:

Section 1. That the following ordinances of the Village of New Concord, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the December 2023 Replacement Pages of the Codified Ordinances are hereby approved and adopted:

<u>Ord. No</u>	<u>Date</u>	<u>C.O. Section</u>
2023-73	2-13-23	December 2022 Replacement Pages
2023-89	Approved by voters 11-7-23	182.012

Section 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

303.081	Impounding Vehicles on Private Residential or Agricultural Property. (Amended)
303.082	Private Tow-Away Zones. (Amended)
303.083	Impounding Vehicles on Public Property. (Amended)
303.09	Leaving Junk and Other Vehicles on Private or Public Property Without Permission or Notification. (Amended)

### Traffic Code (Cont.)

- 303.10 Leaving Junk Vehicles on Private Property With Permission of Owner. (Amended)
- 303.991 Committing an Offense While Distracted Penalty. (Amended)
- 331.35 Occupying Travel Trailer, Fifth Wheel Vehicle or Manufactured or Mobile Home While in Motion. (Amended)
- 333.01 OVI; Willful Misconduct; Speed. (Amended)
- 333.03 Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
- 333.11 Electronic Wireless Communication Device Use Prohibited While Driving. (Amended)
- 335.07 Driving Under Suspension or License Restriction. (Amended)
- 335.071 Driving Under OVI Suspension. (Amended)
- 335.072 Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension. (Amended)
- 335.073 Driving Without Complying With License Reinstatement Requirements. (Amended)
- 335.074 Driving Under License Forfeiture or Child Support Suspension. (Amended)
- 337.22 Windshield and Windshield Wiper; Sign or Poster Thereon. (Amended)
- 341.01 Commercial Drivers Definitions. (Amended)
- 351.04 Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages. (Amended)

### General Offenses Code

- 501.01 General Provisions and Penalty Definitions. (Amended)
- 501.99 Penalties for Misdemeanors. (Amended)
- 505.071 Cruelty to Companion Animals. (Amended)
- 505.12 Coloring Rabbits or Baby Poultry; Sale or Display of Poultry. (Amended)
- 509.04 Disturbing a Lawful Meeting. (Amended)
- 509.11 Impeding Public Passage of an Emergency Service Responder. (Added)
- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 513.04 Possessing Drug Abuse Instruments. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.121 Marihuana Drug Paraphernalia. (Amended)
- 517.08 Raffles. (Amended)
- 521.10 Nonsmoking Areas in Places of Public Assembly. (Amended)
- 521.15 Spreading Contagion. (Added)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 525.15 Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
- 529.02 Sales to and Use By Underage Persons; Securing Public Accommodations. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 533.01 Obscenity and Sex Offenses Definitions. (Amended)
- 533.06 Voyeurism. (Amended)
- 533.08 Procuring; Engagement in Sexual Activity for Hire. (Amended)

General Offenses Code (Cont.)

- 537.03 Assault. (Amended)
- 537.06 Menacing. (Amended)
- 537.07 Endangering Children. (Amended)
- 537.15 Temporary Protection Order. (Amended)
- 545.05 Misdemeanor Theft. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)

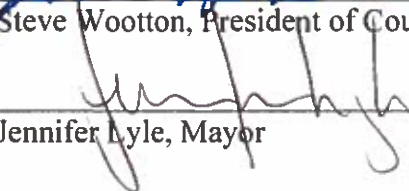
Section 3. That the complete text of the sections listed above are set forth in full in the December 2023 Replacement Pages to the Codified Ordinances. Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety and for the further reason that there exists an imperative necessity for the earliest publication and distribution of the December 2023 Codified Ordinances to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: March 11, 2024

  
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Steve Wootton, President of Council

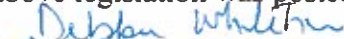
APPROVED: March 11, 2024

  
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Jennifer Lyle, Mayor

ATTEST:

  
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Debra Whitehair, Fiscal Officer

I hereby certify that the above legislation was posted per Ordinance No. L-1-84-1.

  
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Debra Whitehair, Fiscal Officer