

ORDINANCE 17-03

An Ordinance Approving, Adopting and Enacting
The 2017 Edition of the Model Ohio Municipal Code
As Revised Through Nov. 1, 2016 Published By American
Legal Publishing for the Village of South Point Repealing
Ordinances in Conflict Therewith; Publishing The Enactment
Of New Matter; and Declaring an Emergency

Whereas, American Legal Publishing Corp. has prepared and published a Model Ohio Municipal Code, including Administrative Code, Traffic Code and General Offenses Code as revised through Nov. 1, 2016 which components are based upon and consistent with State law through Nov. 1, 2016; and

Whereas, the Village is in need of a codification of such legislation, with which to administer the affairs of the Village, ensure law and order and avoid practical and legal entanglements; and

Whereas, Article XVIII, Section 3, of the Ohio Constitution requires that Village law be in conformity with State law in those area specified therein;

Now, Therefore, Be It Ordained by the South Point Village council;

Section 1. The 2017 Edition of the Model Ohio Municipal Code, Administration Code, General Offenses Code and Traffic Code as published by American Legal Publishing Corp. is hereby approved, adopted and enacted by and for the Village.

Section 2. One book-form copy of the 2017 Edition of this Model Ohio Municipal code shall be attached to this ordinance as a part hereof and filled with the permanent ordinance records of the Village.

Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the 2017 Edition of the Model Ohio Municipal Code, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows: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 2017 Edition of the Model Ohio Municipal Code 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 affect;

1. The grant or creation of a franchise, license, right, easement or privilege;
2. The purchase, sale lease or transfer or 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.

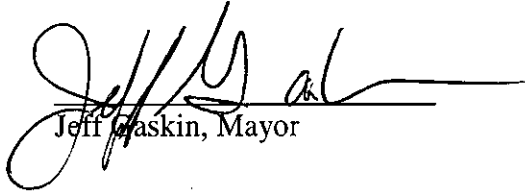
Section 4. Pursuant to Ohio R.C. 731.21, 731.22 and 731.23, the Clerk shall cause to be published a notice of the enactment of this ordinance, containing the title of the ordinance and a summary of the new matters covered by it, which summary is attached hereto and marked "Exhibit A - Administration Code , Exhibit B - Traffic Code & Exhibit C - General Offenses Code"


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Section 5. Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic and traffic-control signs, to a section as it existed in a former edition of the Model Ohio Municipal Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.

Section 6. This ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public peace, health and safety, such reason of the necessity of providing a Municipal Code that is consistent with the latest State law, as required by the Ohio Constitution, and this ordinance, including the 2017 Edition of the Model Ohio Municipal Code adopted hereby, shall take effect and be in force immediately upon its passage by at least two thirds of all members elected to Council, otherwise from and after the earliest period allowed by law.

Adopted This 7th Day of February, 2017


Jeff Gaskin, Mayor

Attest: 
Scott Thomas, Clerk