

ORDINANCE NO. 35-2020 (AS)

By Council Member Seren

An Ordinance to approve current replacement pages to the Cleveland Heights Codified Ordinances; and declaring an emergency.

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

WHEREAS, certain provisions of Part Three, Traffic Code, and Part Five, General Offenses Code should be amended to conform to changes to comparable State statutes; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The following ordinances of the City of Cleveland Heights, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2020 Replacement Pages to the Codified Ordinances, are hereby approved and adopted:

<u>Ordinance Number</u>	<u>Date</u>	<u>Codified Ordinance Section</u>
Res.		
132-2018	11-19-18	351.09
3-2019	2-4-19	1341.15
4-2019	2-4-19	749.01, 749.03, 749.07, 749.12, 749.15
8-2019	2-4-19	Repeals Part Seventeen Health Code; renumbers 1715.10 to 737.06, Ch. 1753 to Ch. 763, Ch. 1779 to Ch. 555; amends 553.01(a)(3)
11-2019	3-4-19	143.01 to 143.14, 143.16, 143.99
29-2019	5-6-19	943.01 to 943.33, 943.99
33-2019	5-6-19	1334.01 to 1334.15, 1334.99
34-2019	5-6-19	1335.01 to 1335.20, 1335.99

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<u>Ordinance Number</u>	<u>Date</u>	<u>Codified Ordinance Section</u>
35-2019	5-6-19	1336.01 to 1336.11, 1336.99
89-2019	10-7-19	171.15
94-2019	11-4-19	Repealing and replacing 505.01 to 505.20, 505.99
105-2019	12-2-19	505.12 to 505.14, 545.03, 549.01, 549.02, 549.04, 549.06, 549.08, 549.11, 549.13, 713.06
113-2019	12-2-19	351.09

SECTION 2. The following sections and chapters of the Codified Ordinances shall be, and hereby are added, amended or repealed as respectively indicated in order to conform with changes in State Law. The complete text of the sections of the Codified Ordinances listed below are set forth in full in the current 2020 Replacement Pages to the Codified Ordinances. A summary of the amendments is set forth in Exhibit A which is attached to this Ordinance.

Traffic Code

333.03	Maximum Speed Limits. (Amended)
337.27	Drivers and Passengers Required to Wear Seat Belts. (Amended)
341.03	Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)

General Offenses Code

513.01	Drug Abuse Control Definitions. (Amended)
513.03	Drug Abuse; Controlled Substance Use. (Amended)
529.07	Open Container Prohibited. (Amended)
533.04	Sexual Imposition. (Amended)
533.07	Public Indecency. (Amended)
533.15	Dissemination of Private Sexual Images. (Added)

SECTION 3. The aforementioned amendments to the Codified Ordinances, as revised, recodified and consolidated into component codes, titles, chapters and sections within the 2020 Replacement Pages to the Codified Ordinances, are hereby approved and adopted.

SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to distribute current replacement pages to the Codified Ordinances. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in

force from and after the earliest time allowed by law.

JASON S. STEIN, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED: April 6, 2020

EXHIBIT A

333.03 Maximum Speed Limits. (Revised speed limit designations on controlled access highways, freeways and expressways in subsection (b).)

337.27 Drivers and Passengers Required to Wear Seat Belts. (Revised subsection (c) pertaining to persons exempt from the seat belt requirements.)

341.03 Prerequisites to Operation of a Commercial Motor Vehicle. (Amends subsection (b)(2) to add "Ohio Fire Marshal" to exceptions.)

513.01 Drug Abuse Control Definitions. (Revises definitions in subsections (h), (n), (s) and (v).)

513.03 Drug Abuse; Control Substance Possession or Use. (Revises subsection (b)(1)D.)

529.07 Open Container Prohibited. (Adds classes of permit holders under subsection (c)(7)A. and adds new subsection (c)(7)C.)

533.04 Sexual Imposition. (Revises language in subsection (c) pertaining to multiple violations.)

533.07 Public Indecency. (Adds new subsection (d).)

533.15 Dissemination of Private Sexual Images. (Adds new section on dissemination of private sexual images.)