

Legislative

CITY OF BROOK PARK, OHIO

P/C 4-16-24  
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3rd R \_\_\_\_\_  
E.C. \_\_\_\_\_

ORDINANCE NO. 11406-2024

INTRODUCED BY Council As A Whole

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; PUBLISHING THE ENACTMENT OF SUCH NEW MATTER; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing has completed its annual updating and revision of the Codified Ordinances of the City; and

WHEREAS, various ordinances and a resolution of a general and permanent nature that have been passed by Council since the date of the last updating and revision of the Codified Ordinances (December 31, 2022) have been included in the Codified Ordinances of the City; and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOK PARK, STATE OF OHIO, that:

Section 1. The editing, arrangement and numbering or renumbering of the following ordinances or resolutions are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
11343-2023	8-22-23	1121.37
11359-2023	10-17-23	509.03
11361-2023	11-21-23	1122.01 to 1122.06, 1122.99
11364-2023	10-17-23	123.01
11373-2023	12-19-23	719.01 to 719.19, 719.99
11374-2023	12-5-23	1127.01 to 1127.08, 1127.99
11375-2023	12-12-23	1801.01, 1801.04, 1803.02, 1803.03, 1803.13, 1803.19, 1803.22, 1803.26, 1803.285, 1803.30, 1803.38, 1803.385, 1803.48, 1804.01, 1804.02, 1805.01, 1805.02, 1806.01 to 1806.04, 1807.01, 1808.03, 1808.04, 1809.01 to 1809.06, 1810.01, 1813.02, 1813.03, 1814.01, 1815.01, 1816.01, 1818.01, 1819.01, 1822.01, 1823.01, 1824.01, Repeals 1803.23, 1806.06



Section 2. The following sections are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

101.02, 301.067, 301.35, 303.99, 331.35, 333.01, 333.03, 335.071, 335.09, 337.16, 337.22, 337.26, 339.01, 341.01, 341.03, 341.05, 351.04, 351.16, 351.19, 501.01, 501.06, 501.99, 505.29, 509.04, 509.06, 509.16, 513.01, 513.03, 513.04, 513.12, 517.092, 525.01, 525.05, 525.15, 525.19, 529.02, 529.07, 533.06, 533.08, 533.12, 537.03, 537.051, 537.06, 537.07, 537.16, 545.05, 549.02, 549.04, 549.14, 549.15

Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance, except as follows:

- (a) The enactment of the 2024 Replacement Pages for the Codified Ordinances 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 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 any legislation enacted subsequent to December 31, 2023.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including R.C. § 121.22.

Section 5. Pursuant to R.C. § 731.23 and 731.25 and Section 123.01 of the Codified Ordinances, the Clerk of Council shall post a notice of the enactment of this ordinance, containing the title of this ordinance, together with a summary of the new matter contained in the 2024 Replacement Pages hereby approved, adopted and enacted, a copy of which Summary is attached hereto as Exhibit A, for a period of not less than fifteen days in the places provided in Section 123.01.

Section 6. This ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City, and for the further reason that it is immediately necessary to have an up-to-date codification of the laws of the City, one which is consistent with current State law, where and as required by Article XVIII, Section 3, of the Ohio Constitution, with which to administer the affairs of the City, ensure law and order and avoid practical and legal entanglements; therefore this ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: April 11, 2024

[Signature] (Pro-Ten)  
PRESIDENT OF COUNCIL

ATTEST:  
[Signature]  
CLERK OF COUNCIL

APPROVED:  
[Signature]  
MAYOR

DATE: 4-11-24

CERTIFICATE  
Carol Johnson, Clerk of Council, of the City of Brook  
Park, Ohio, do hereby certify that the foregoing is a  
true and accurate copy of Ordinance/Resolution  
No. 11406-2024  
passed on the 11 day of April  
20 24 by said council.

[Signature]  
Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McCorkle	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dufour	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I HEREBY APPROVE THE WITHIN  
INSTRUMENT AS TO LEGAL FORM  
AND CORRECTNESS.

[Signature]  
DIRECTOR OF LAW