

CITY OF BROOK PARK, OHIO

P/C 8/18/24 Legislative
CA Prior 9/1/24
1st R 9/1/24
2nd R
3rd R
B/C

ORDINANCE NO. 11549-2024

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

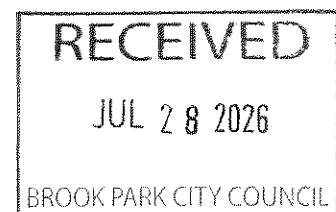
WHEREAS, various ordinances and a resolution of a general and permanent nature that have been passed by Council since the date of the last updating and revision of the Codified Ordinances (December 31, 2024) have been included in the Codified Ordinances of the City; and

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>
11413-2024	3-18-25	351.99
11450-2024	1-21-25	351.03
11464-2025	5-20-25	141.08
11465-2025	5-20-25	143.08
11466-2025	5-6-25	339.02
11468-2025	5-20-25	141.07
11469-2025	5-20-25	143.07
11475-2025	6-17-25	339.01
11478-2025	8-21-25	1128.01 to 1128.12
11487-2025	9-16-25	373.01 to 373.23
11494-2025	9-16-25	1313.03
11497-2025	10-21-25	351.13



<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
Res.		
29-2025	12-16-25	153.29
11525-2026	3-3-26	101.08

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

301.02, 301.031, 301.032, 301.033, 301.034, 301.035, 301.036, 301.037, 301.038, 301.04, 301.061, 301.063, 301.09, 301.101, 301.106, 301.13, 301.135, 301.165, 301.167, 301.169, 301.17, 301.175, 301.183, 301.187, 301.189, 301.22, 301.26, 301.28, 301.29, 301.33, 301.333, 301.35, 301.376, 301.377, 301.378, 301.379, 301.42, 301.45, 301.46, 301.47, 301.481, 301.495, 301.51, 313.02, 313.03, 313.04, 313.09, 313.10, 313.13, 313.12, 331.205, 331.33, 331.35, 331.39, 331.40, 333.03, 333.035, 333.10, 335.04, 335.071, 335.074, 335.09, 337.24, 337.26, 337.28, 341.01, 371.01, 371.03, 371.11, 501.06, 505.29, 505.315, 513.01, 513.02, 513.03, 513.04, 513.05, 513.07, 513.08, 513.12, 513.14, 517.01, 525.02, 525.05, 525.15, 529.08, 533.01, 533.04, 533.26, 537.02, 537.14, 537.16, 537.19, 545.01, 545.05, 545.21, 549.15, 1519.02, 1519.03, 1519.04

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 2026 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 March 3, 2026.

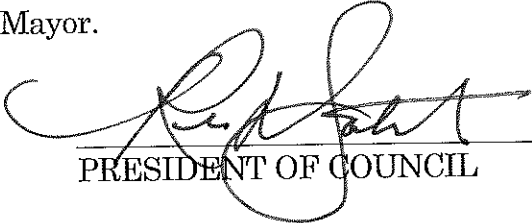
Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in 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 2026 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:

September 1, 2026


 PRESIDENT OF COUNCIL

ATTEST:


 CLERK OF COUNCIL

APPROVED:


 MAYOR

DATE:

9/1/26

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. 11549-2026

passed on the 1 day of September
 20 26 by said council.


 Clerk of Council

	Yea	Nay
Gonzalez	☒	☐
Mencini	☒	☐
Roberts	☒	☐
Scott	☒	☐
McCorkle	☒	☐
Poindexter	☒	☐
Dufour	☒	☐

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

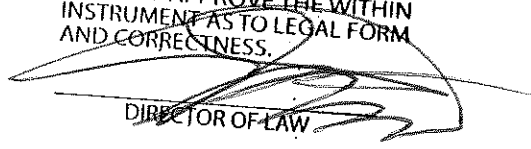

 DIRECTOR OF LAW

EXHIBIT A

SUMMARY OF NEW MATTER CONTAINED IN THE 2026 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF BROOK PARK, OHIO

New matter in the Codified Ordinances of Brook Park, Ohio, as contained in the 2026 Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
301.02	Agricultural tractor and traction engine; multi-wheel agricultural tractor definition.
301.031	Arterial street or highway definition.
301.032	Autocycle definition.
301.033	Beacon definition.
301.034	Bicycle; motorized bicycle or moped definition.
301.035	Bicycle box definition.
301.036	Bicycle lane definition.
301.037	Bicycle signal face definition.
301.038	Bicycle signal sign definition.
301.04	Bikeway definition.
301.061	Busway definition.
301.063	Cab-enclosed motorcycle definition.
301.09	Crosswalk definition.
301.101	Driveway definition.
301.106	Electronic definition.
301.13	Expressway definition.
301.135	Farm machinery definition.
301.165	Highway traffic signal definition.
301.167	Hybrid beacon definition.
301.169	In-road warning light definition.
301.17	Intersection definition.
301.175	Lane-use control signal definition.
301.183	Limited driving privileges definition.
301.187	Median definition.
301.189	Motor-driven cycle or motor scooter definition.
301.22	Pedestrian definition.
301.257	Private road open to public travel definition. (Repealed)
301.26	Private road or driveway definition. (Repealed)
301.26	Private road definition.
301.28	Railroad definition.
301.29	Railroad sign or signal definition.
301.30	Railroad train definition. (Repealed)
301.33	Roadway definition.
301.333	Roundabout definition.
301.35	School bus definition.
301.376	Shoulder definition.
301.377	Sidewalk definition.

301.378 Site roadway open to public travel definition.
301.379 State definition.
301.42 Street or highway; arterial street definition.
301.45 Traffic definition.
301.46 Traffic control device definition.
301.47 Traffic control signal definition.
301.481 Train definition.
301.495 Two-stage bicycle turn box definition.
301.51 Vehicle definition.
313.02 Through streets; stop and yield right-of-way signs.
313.03 Traffic control signal terms and lights.
313.04 Lane-use control signals over individual lanes.
313.09 Driver's duties upon approaching ambiguous or non-working traffic signal.
313.10 Unlawful purchase, possession or sale.
313.12 Signal preemption devices; prohibitions.
313.13 Bicycle symbol signal indications.
331.205 Stop signs on private roads.
331.33 Obstructing intersection, crosswalk or grade crossing.
331.35 Occupying a moving trailer, fifth wheel vehicle, or manufactured mobile home.
331.39 Driving across grade crossing.
331.40 Stopping at grade crossings.
333.03 Maximum speed limits; assured clear distance ahead.
333.035 Speed limits on private roads.
333.10 Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles.
335.04 Certain acts prohibited.
335.071 Driving under suspension or in violation of license restriction.
335.074 Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension.
335.09 Display of license plates; expired or unlawful plates.
337.24 Motor vehicle stop lights.
337.26 Child restraint system usage.
337.28 Use of sunscreening, nontransparent and reflectorized materials.
341.01 Drivers of commercial vehicles definitions.
371.01 Right-of-way in crosswalk.
371.03 Crossing roadway outside crosswalk; diagonal crossings at intersections.
371.11 Persons operating motorized wheelchairs. (Repealed)
371.11 Operation of electric personal assistive mobility devices.
501.06 Limitation on criminal prosecution.
505.29 Dogs with blind, deaf or hearing impaired, or mobility impaired persons.
505.315 Dogs required to wear tags.
513.01 Drug abuse control definitions.
513.02 Adult use cannabis control.
513.03 Drug possession offenses.
513.04 Possession of drug abuse instruments.
513.05 Permitting drug abuse.
513.07 Abusing harmful intoxicants.
513.08 Illegally dispensing drug samples.
513.12 Drug paraphernalia.
513.14 Pseudoephedrine sales.
517.01 Gambling definitions.

525.02	Falsification.
525.05	Failure to report a crime, injury or knowledge of death.
525.15	Assaulting police dog or horse or assistance dog.
529.08	Hours of sale or consumption.
533.01	Obscenity and sex offenses definitions.
533.04	Sexual imposition.
533.26	Nonconsensual dissemination of private sexual images. (Repealed)
533.26	Grooming.
537.02	Vehicular homicide; vehicular manslaughter; vehicular assault.
537.14	Domestic violence.
537.16	Illegal distribution of cigarettes, other tobacco products, or alternative nicotine products; transaction scans.
537.19	Illegal use of a tracking device or application.
545.01	Theft and fraud definitions.
545.05	Petty theft.
545.21	Medicaid fraud.
549.15	Concealed handgun licenses: possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession.
1519.02	Manufacturing.
1519.03	Wholesaling.
1519.04	Purchasing and transporting.