

ORDINANCE NO. 2010- 64**AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY OF KENT CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.**

WHEREAS, certain provisions within the 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 Council which should be included in the Codified Ordinances; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That the ordinances of the City of Kent, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2010 Replacement Pages to the City of Kent Codified Ordinances are hereby approved and adopted.

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 That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law: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

301.04	Definition of a Bicycle. (Amended)
301.19	Definition of Motorcycle. (Amended)
301.321	Definition of a Road Service Vehicle. (Added)
301.51	Vehicle Defined. (Amended)
313.13	Portable Signal Preemption Devices Prohibited. (Added)
331.01	Driving Upon Right Side of Roadway; Exceptions. (Amended)
331.07	Hazardous or No Passing Zones. (Amended)
331.14	Signals Before Changing Course, Turning or Stopping. (Amended)
331.38	Stopping for School Bus. (Amended)
331.40	Stopping at Grade Crossings. (Amended)
333.01	Driving or Physical Control While Under the Influence. (Amended)
333.03	Maximum Speed Limits. (Amended)
333.031	Approaching a Public Safety, Emergency or Road Service Vehicle. (Amended)
335.01	Driver's License or Commercial Driver's License Required. (Amended)
335.02	Permitting Operation Without a Valid License. (Amended)
335.031	Driving With Probationary License; Curfew. (Amended)
335.05	Wrongful Entrustment of a Motor Vehicle. (Amended)
335.07	Driving Under License Suspension or Restriction. (Amended)
335.072	Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)
335.10	Expired or Unlawful License Plates. (Amended)
337.02	Lighted Lights Required. (Amended)
337.03	Headlights on Motor Vehicles and Motorcycles. (Amended)
337.04	Tail Light; Illumination of Rear License Plate. (Amended)
337.05	Rear Red Reflectors. (Amended)
337.06	Safety Lighting on Commercial Vehicles. (Amended)
337.08	Red Light or Red Flag on Extended Load. (Amended)
337.10	Lights on Slow Moving Vehicles. (Amended)
337.11	Spotlight and Auxiliary Lights. (Amended)
337.12	Cowl, Fender and Back-Up Lights. (Amended)
337.13	Display of Lighted Lights. (Amended)
337.14	Use of Headlight Beams. (Amended)
337.15	Lights of Less Intensity on Slow-Moving Vehicles. (Amended)
337.16	Number of Lights. (Amended)

Traffic Code (Cont.)

- 337.17 Focus and Aim of Headlights. (Amended)
- 337.18 Motor Vehicle and Motorcycle Brakes. (Amended)
- 337.19 Horn, Siren and Theft Alarm Signal. (Amended)
- 337.20 Muffler; Excessive Smoke, Gas or Noise. (Amended)
- 337.21 Rear-View Mirror; Clear View to All Sides. (Amended)
- 337.22 Windshield and Windshield Wiper. (Amended)
- 337.24 Motor Vehicle Stop Lights. (Amended)
- 337.26 Child Restraint System Usage. (Amended)
- 337.27 Drivers and Passengers Required to Wear Seat Belts. (Amended)
- 337.28 Use of Sunscreening, Nontransparent and Reflectorized Materials. (Amended)
- 337.29 Bumper Heights. (Amended)
- 339.03 Maximum Width, Height and Length. (Amended)
- 339.05 Wheel Protectors. (Amended)
- 339.11 Use of Studded Tires and Chains.
- 341.01 Commercial Drivers Definitions. (Amended)
- 341.02 Exemptions. (Amended)
- 341.03 Prerequisites to Operation of a Commercial Vehicle. (Amended)
- 341.05 Criminal Offenses. (Amended)
- 351.05 Parking Near Curb; Angle Parking. (Amended)
- 373.02 Riding Upon Seats; Handle Bars; Helmets and Glasses. (Amended)
- 373.06 Lights and Reflector on Bicycle; Brakes. (Amended)
- 373.07 Riding Bicycle on Right Side of Roadway; Obedience to Traffic Rules; Passing. (Amended)
- 375.01 All-Purpose Vehicle Definitions. (Amended)
- 375.05 Licensing Requirements of Operator. (Amended)

General Offenses Code

- 501.01 Definitions. (Amended)
- 501.04 Rules of Construction. (Amended)
- 501.05 Criminal Law Jurisdiction. (Amended)
- 501.06 Limitation of Criminal Prosecution. (Amended)
- 501.99 Penalties for Misdemeanors. (Amended)
- 509.06 Inducing Panic. (Amended)
- 513.01 Definitions. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 513.04 Possessing Drug Abuse Instruments. (Amended)
- 513.08 Illegally Dispensing Drug Samples. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.14 Offender May Be Required to Pay Costs For Controlled Substance Tests. (Added)
- 517.01 Gambling Definitions. (Amended)
- 517.08 Raffles. (Added)
- 517.09 Charitable Instant Bingo Organizations. (Added)
- 517.14 Instant Bingo Conduct By a Veteran's or Fraternal Organization. (Added)
- 517.15 Skill-Based Amusement Machines. (Added)
- 525.02 Falsification. (Amended)
- 525.03 Impersonation of Peace Officer. (Amended)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 525.08 Obstructing Justice. (Amended)
- 525.10 Having an Unlawful Interest in a Public Contract. (Amended)
- 529.02 Sales to and Use by Underage Persons. (Amended)
- 529.05 Permit Required. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 533.01 Sexual Offenses Definitions. (Amended)
- 533.06 Voyeurism. (Amended)
- 537.02 Vehicular Homicide and Manslaughter. (Amended)
- 537.03 Assault. (Amended)
- 537.051 Menacing by Stalking. (Amended)

General Offenses Code (Cont.)

- 537.08 Unlawful Restraint. (Amended)
- 537.14 Domestic Violence. (Amended)
- 537.15 Temporary Protection Order. (Amended)
- 537.16 Illegal Distribution of Cigarettes. (Amended)
- 541.04 Criminal Mischief. (Amended)
- 541.05 Criminal Trespass. (Amended)
- 545.01 Theft and Fraud Definitions. (Amended)
- 545.05 Petty Theft. (Amended)
- 545.09 Passing Bad Checks. (Amended)
- 545.21 Identity Fraud. (Repealed)
- 549.01 Weapons and Explosives Definitions. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
- 549.08 Underage Purchase of a Firearm. (Amended)
- 549.24 Defacing Identification Marks of a Firearm; Possessing a Defaced Firearm. (Added)

SECTION 3. The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as "Exhibit A". 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 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 action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: 7/21/2010
DATE

MAYOR AND PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

I hereby certify that Ordinance No. 2010 - 64 was duly enacted this 21 day of July, 2010, by the Council of the City of Kent, Ohio.

CLERK OF COUNCIL