

# COUNCIL CHAMBER

City of Berea, Ohio

Ordinance No. 2021-36

By Jim Maxwell Sponsored By Mayor Cyril M. Kleem

## AN ORDINANCE

### REVISING THE CODIFIED ORDINANCES OF THE CITY OF BERA BY ADOPTING CURRENT REPLACEMENT PAGES, 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 adopted by Council which should be included in the Codified Ordinances; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Berea, County of Cuyahoga, State of Ohio:

**SECTION 1.** That the Ordinances of the City of Berea, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2021 Replacement Pages to the 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**SECTION 2.** That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law: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

701.183	Low-Speed Micromobility Device.	(Added)
701.22	Pedestrian.	(Amended)
701.51	Vehicle.	(Amended)
731.37	Driving Upon Sidewalks, Street Lawns or Curbs.	(Amended)
731.43	Wearing Earplugs or Earphones Prohibited.	(Amended)
735.04	Certain Acts Prohibited.	(Amended)
735.09	Display of License Plates or Validation Stickers; Temporary License Placard.	(Amended)
735.091	Operating Without Dealer or Manufacturer License Plates.	(Added)
771.13	Operation of Personal Delivery Device on Sidewalks Sidewalks and Crosswalks.	(Added)
771.14	Low-Speed Micromobility Devices.	(Added)
773.10	Motorized Bicycle Operation.	(Amended)
773.12	Electric Bicycles.	(Added)

#### General Offenses Code

901.99	Penalties for Misdemeanors.	(Amended)
909.07	Making False Alarms.	(Amended)
913.01	Drug Abuse Control Definitions.	(Amended)
925.13	Interfering with Civil Rights.	(Amended)
929.01	Liquor Control Definitions.	(Amended)
929.07	Open Container Prohibited.	(Amended)
933.04	Sexual Imposition.	(Amended)
933.08	Procuring; Engagement in Sexual Activity for Hire.	(Amended)
933.09	Soliciting.	(Amended)
933.091	Loitering to Engage in Solicitation.	(Amended)
933.10	Prostitution.	(Amended)
937.02	Vehicular Homicide and Manslaughter.	(Amended)

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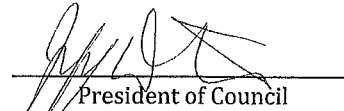
937.17	Reserved. (Previously "Criminal Child Enticement")	
941.04	Criminal Mischief.	(Amended)
941.05	Criminal Trespass.	(Amended)
941.051	Aggravated Trespass.	(Amended)
949.02	Carrying Concealed Weapons.	(Amended)
949.06	Unlawful Transactions in Weapons.	(Amended)
953.04	Railroad Vandalism.	(Amended)

**SECTION 3.** That the complete text of the 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". Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

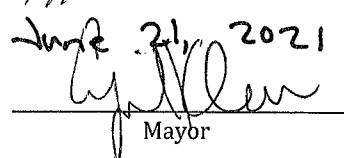
**SECTION 4.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 5.** That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that there exists an imperative necessity for the earliest publication and distribution of current replacement pages to the officials and residents of the City, so as to facilitate administration, daily operation and to avoid practical and legal entanglements. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

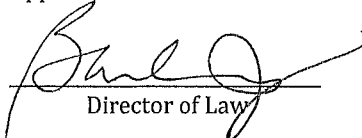
PASSED: June 21, 2021

  
President of Council

ATTEST:   
Clerk of Council

APPROVED: June 21, 2021  
  
Mayor

Approved as to Form:

  
Director of Law