

ORDINANCE NO. OR34-23

**AN ORDINANCE BY THE TROTWOOD CITY COUNCIL
APPROVING THE CURRENT REPLACEMENT PAGES TO
THE CITY OF TROTWOOD CODES OF ORDINANCES.**

WHEREAS, certain provisions within the City of Trotwood Codes of Ordinances (“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 that have been passed by the Trotwood City Council 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 revisions.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF TROTWOOD, STATE OF OHIO:**

SECTION I: The ordinances of the City of Trotwood, Ohio, of a general and permanent nature, as revised, recodified, rearranged, and consolidated into component codes, titles, chapters, and sections within the 2023 Replacement Pages to the City of Trotwood Codes of Ordinances are hereby approved and adopted.

SECTION II: The chapters and sections attached hereto and incorporated herein as Exhibit “A” are hereby added, amended, or repealed as respectively indicated in order to comply with current state law regarding the codification of local ordinances.

SECTION III: The complete text of the sections of the Codified Ordinances referenced in Exhibit “A”, which is attached hereto and incorporated herein, is set forth in full in the current replacement pages to the Codified Ordinances. 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.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

SECTION IV:

It is hereby 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 any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including but not limited to, Section 121.22 of the Ohio Revised Code.

SECTION V:

This Ordinance shall take effect at the earliest time allowed by law.

Passed this 6th day of November, 2023.

ATTEST:

APPROVED:


KARA B. LANDIS
CLERK OF COUNCIL


MARY A. MCDONALD
MAYOR


YVETTE F. PAGE
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Ordinance No. OR34-23 adopted by the Trotwood City Council at a regular scheduled meeting held on the 6th day of November, 2023, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL

TRAFFIC CODE

<u>Section</u>	<u>Title</u>	<u>Status</u>
303.081	Impounding Vehicles on Private Residential or Agricultural Property <i>(Amends "Chief of Police" to more general "chief of a law enforcement agency")</i>	Amended
303.082	Private Tow-Away Zones <i>(Amends "Chief of Police" to more general "chief of a law enforcement agency")</i>	Amended
303.083	Impounding Vehicles on Public Property <i>(Amends "Chief of Police" to more general "chief of a law enforcement agency")</i>	Amended
303.991	(a)(1)A. Committing an Offense While Distracted Penalty <i>(Amends definition of "distracted")</i>	Amended
331.35	Occupying Travel Trailer, Fifth Wheel Vehicle or Manufactured or Mobile Home While in Motion <i>(Expands regulations to include fifth wheel vehicles)</i>	Amended
333.01	OVI; Willful Misconduct; Speed <i>(Amends restrictions for driving under the influence)</i>	Amended
333.03	Maximum Speed Limits; Assured Clear Distance Ahead..... <i>(Adds exception to subsection (j)(2))</i>	Amended
333.10	Electronic Wireless communication Device Use Prohibited While Driving <i>(Add new State regulations from SB 288)</i>	Amended
335.07	(i) Driving Under Suspension or License Restriction..... <i>(Adds affirmative defense for emergencies)</i>	Amended
335.071	(i) Driving Under OVI Suspension <i>(Adds affirmative defense for emergencies)</i>	Amended
335.072	(f) Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension..... <i>(Adds affirmative defense for emergencies)</i>	Amended
335.073	(d) Driving Without Complying With License Reinstatement Requirements <i>(Adds affirmative defense for emergencies)</i>	Amended
335.074	(d) Driving Under License Forfeiture or Child Support Suspension <i>(Adds affirmative defense for emergencies)</i>	Amended
337.22	Windshield and Windshield Wiper; Sign or Poster Thereon..... <i>(Adds "vehicle safety technology" to electronic device exceptions for windshields)</i>	Amended

TRAFFIC CODE CONT'D

<u>Section</u>	<u>Title</u>	<u>Status</u>
341.01	Commercial Drivers Definitions <i>(Adds "harmful intoxicant" to definition of "drug of abuse")</i>	Amended
351.04	Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages..... <i>(Expands regulations for accessible parking)</i>	Amended

GENERAL OFFENSES CODE

<u>Section</u>	<u>Title</u>	<u>Status</u>
501.01	General Provisions and Penalty Definitions <i>(Adds ORC references to subsection (i) and amends ORC reference in subsection (k)(6))</i>	Amended
501.99	(a) Penalties for Misdemeanors..... <i>(Amends regulations for victim restitution)</i>	Amended
505.071	Cruelty to Companion Animals <i>(Amends definition and treatment of companion animals)</i>	Amended
505.12	Coloring Rabbits or Baby Poultry; Sale or Display of Poultry..... <i>(Amends the number of poultry)</i>	Amended
509.04	Disturbing a Lawful Meeting..... <i>(Expands violations; adds virtual meeting regulations and definitions)</i>	Amended
509.10	Impeding Public Passage of an Emergency Service Responder <i>(Adds prohibition for obstructing emergency service responder)</i>	Added
513.01	(mm) Drug Abuse Control Definitions <i>(Defines "person with a drug dependency")</i>	Amended
513.01	(uu)(18) Drug Abuse control Definitions..... <i>(Amends definition to include "independent school psychologist")</i>	Amended
513.03	Drug Abuse; Controlled Substance Possession or Use <i>(Amends provisions for illegal use or possession of marijuana paraphernalia)</i>	Amended
513.04	Possessing Drug Abuse Instruments <i>(Expands the Good Samaritan provision immunity from prosecution for providing medical assistance)</i>	Amended

GENERAL OFFENSES CODE CONT'D

<u>Section</u>	<u>Title</u>	<u>Status</u>
513.12	Drug Paraphernalia..... <i>(Decriminalizes the use/possession of fentanyl test strips; expands the Good Samaritan provision)</i>	Amended
513.121	Marihuana Drug Paraphernalia <i>(Decriminalizes the use/possession of fentanyl test strips; expands the Good Samaritan provision)</i>	Added
517.08	Raffles <i>(Amends exemptions for charitable raffle drawings)</i>	Amended
521.11	Spreading Contagion..... <i>(Adds restrictions on spreading contagion)</i>	Added
525.05	Failure to Report a Crime, Injury or Knowledge of Death <i>(Amends reference to "persons with drug dependencies")</i>	Amended
525.15	Assaulting Police Dog or Horse or an Assistance Dog..... <i>(Amends the application/definition of a "person who is blind, deaf or hearing impaired" or "a person with a mobility impairment")</i>	Amended
529.02	Sales to and Use by Underage Persons; Securing Public Accommodations <i>(Amends subsection (i) to reflect new M3 penalty for violations of ORC 4301.69(E)(1) which is our subsection (e))</i>	Amended
529.07	Open Container Prohibited..... <i>(Adds 2 permit designations: D-9 and A-2f)</i>	Amended
533.01	Obscenity and Sex Offenses Definitions..... <i>(Adds two definitions)</i>	Amended
533.06	Voyeurism..... <i>(Amends to include place where person has a reasonable expectation of privacy)</i>	Amended
533.08	Procuring; Engagement in Sexual Activity for Hire <i>(Expands regulations for engagement in sexual activity for hire)</i>	Amended
537.03	(c)(10) Unlawful Restraint <i>(Amends ORC reference)</i>	Amended
537.03	(c)(11) Unlawful Restraint <i>(Adds prosecution for violation provisions)</i>	Amended

GENERAL OFFENSES CODE CONT'D

<u>Section</u>	<u>Title</u>	<u>Status</u>
537.03	(d) Unlawful Restraint..... <i>(Adds definitions (21) to (26))</i>	Amended
537.06	Menacing..... <i>(Adds additional restrictions on menacing; adds emergency service responders)</i>	Amended
537.07	Endangering Children..... <i>(Changes reference to a "child with a mental or physical disability")</i>	Amended
537.15	Temporary Protection Order <i>(Removes provision for payment of indigent electronic monitoring device from state fund)</i>	Amended
545.05	Petty Theft <i>(Changes "petty theft" to "misdemeanor theft")</i>	Amended