

CENTERVILLE
MUNICIPAL
CODE

CERTIFICATION

We, C. Mark Kingseed, Mayor, and Debra A. James, Clerk of Council, of Centerville, Ohio, pursuant to Ohio R.C. 731.23 and 731.42, hereby certify that the general and permanent legislation of the City of Centerville, Ohio, as revised, arranged, compiled, numbered, codified and printed herewith in component codes, is correctly set forth and constitutes the Codified Ordinances of the City of Centerville, Ohio, 1994, complete to August 1, 2015.

/s/ C. Mark Kingseed
Mayor

/s/ Debra A. James
Clerk of Council

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CITY OF CENTERVILLE
DIRECTORY OF OFFICIALS
(2015)

COUNCIL

Mayor	C. Mark Kingseed
Deputy-Mayor	Brooks A. Compton
Councilmember	John J. Beals
Councilmember	Paul M. Gresham
Councilmember	Belinda H. Kenley
Councilmember	John E. Palcher
Councilmember	JoAnne C. Rau
Clerk of Council	Debra A. James

OFFICIALS

City Manager	Gregory B. Horn
Public Works Director	K. Douglas Spitler
Director of Finance	Steven A. Hinshaw
Chief of Police	Bruce P. Robertson
Sugarcreek Township Fire Chief	Randall J. Pavlak
Washington Township Fire Chief	William Gaul, III
Judge of Kettering Municipal Court	Frederick W. Dressel
Judge of Kettering Municipal Court	James F. Long

AMERICAN LEGAL PUBLISHING
expresses its appreciation
to

HON. C. MARK KINGSEED
Mayor

DEBRA A. JAMES, CMC
Clerk of Council

SCOTT A. LIBERMAN, ESQ.
Municipal Attorney

GREGORY B. HORN
Manager

and all other officers and employees
who assisted in the preparation
of these Codified Ordinances
and annual Replacement Pages.

ORDINANCE NO. 8-94

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER SALLY BEALS

THE 4TH DAY OF APRIL 1994

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE CENTERVILLE MUNICIPAL CODE (1994); TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND TO PUBLISH THE ENACTMENT OF NEW MATTER.

WHEREAS, Council has had the matter of codification and general revision of the legislation of the City before it for some time, and

WHEREAS, it has heretofore entered into a contract with The Justinian Publishing Company to prepare and publish such codification, and

WHEREAS, the codification of such legislation, together with the new matter to be adopted, the matters to be amended and those to be repealed, is now before the Council.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1. That the ordinances and resolutions of the City of Centerville, Ohio, of a general and permanent nature, as revised, codified, arranged and consolidated into component codes, titles, chapters and sections, are hereby approved, adopted and enacted as the Centerville Municipal Code (1994).

One book-form copy of the 1994 Centerville Municipal Code shall be certified as correct by the Mayor and the Clerk of Council, attached to this ordinance as a part hereof, and filed with the permanent ordinance records of the City of Centerville, Ohio.

SECTION 2. That all ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the 1994 Centerville Municipal Code are hereby repealed as of the effective date of this ordinance, except as follows:

(a) The enactment of the 1994 Centerville Municipal Code 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 such 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:
- (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure of money or promise or guarantee of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;
 - (9) The annexation or detachment of territory;
 - (10) Any legislation enacted subsequent to February 1, 1994.

SECTION 3. That pursuant to Sections 5.03 and 5.09(b) of the City Charter, Ohio R.C. 731.23 and Section 224.01 of the Centerville Municipal Code, the Clerk of Council shall cause this ordinance to be published, together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council, by posting the same in the five public places set forth in Section 224.01 of the Centerville Municipal Code. A public hearing shall follow said publication by at least seven days, after which, provided that this ordinance is adopted by Council, and within ten days after such adoption, the Clerk of Council shall cause this ordinance to be published again, together with a notice of its adoption, as aforesaid, and together with the Summary of New Matter referred to in Section 4 of this ordinance.

SECTION 4. That all sections and subsections in the Centerville Municipal Code without an ordinance or resolution history, or with the words "Adopting Ordinance" at the end thereof, are or contain new matter in the Centerville Municipal Code, said new matter having been found to be necessary, in the course of preparing the said Centerville Municipal Code, to render the legislation of the City internally consistent, consistent with the City Charter, and consistent with State law, where and as required by Article XVIII, Section 3, of the Ohio Constitution, as well as to adopt the latest editions of technical codes adopted by the City by reference, and said new matter is hereby approved, adopted and enacted. A summary of such new matter is attached to this ordinance as Exhibit A and the same shall be published, together with notice of the adoption of this ordinance, as aforesaid, pursuant to Ohio R.C. 731.23.

SECTION 5. That this ordinance, and the 1994 Centerville Municipal Code hereby approved, adopted and enacted, shall take effect and be in force at the expiration of thirty days after final adoption of this ordinance, as provided in Section 5.04 of the City Charter.

6A

PASSED this 4th day of April, 1994.

/s/ Shirley F. Heintz

Mayor of the City of Centerville,
Ohio

ATTEST:

/s/ Marilyn J. McLaughlin
Clerk of the Council of the
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a correct and true copy of Ordinance Number 8-94, passed by the Council of the City of Centerville, Ohio, on the 4th day of April, 1994.

/s/ Marilyn J. McLaughlin

Clerk of Council

Approved as to form, consistency with
the Charter and Constitutional Provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney

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EDITOR'S NOTE

The numbering system used in these Codified Ordinances is similar to that used in the Ohio Revised Code and is consistent with general practice. Each section is self-identifying as to code, chapter and section number. For example, 238.02 indicates that the code number is 2, the chapter number is 238 (or the 38th chapter within code 2), and the section number is .02. The code and chapter numbers appear left of the decimal, with the code number preceding the first two digits left of the decimal, and the chapter number being the first two digits left of the decimal. The section number appears to the right of the decimal. As another example, 408.01 indicates that the code number is 4, the chapter number is 408 (or the 8th chapter within code 4), and the section number is .01.

With this numbering system, the Codified Ordinances may be expanded almost endlessly. Codes, titles and chapters are initially even-numbered, thus reserving the use of odd numbers for future legislation. Sections within chapters are consecutively numbered, except that penalty provisions are usually assigned the number .99, as in the Revised Code. Exceptions are the Traffic and General Offenses Codes, where the penalties are either grouped in one chapter in each Code or are included as part of the sections. Newly created sections subsequent to the original codification may be indicated by three digits right of the decimal in the event the law properly belongs between two consecutively numbered sections. For example, newly created 660.061, 660.062 and 660.063 follow 660.06 and precede 660.07 to be placed in their logical position.

Section histories enable a user to trace the origin of the law contained in the section. The history indicates the derivation by reference to either its passage date and the ordinance number originally assigned to it at that time, or to its inclusion in any prior code. Sections and subsections without histories or with the words "Adopting Ordinance" at the end thereof are or contain new matter ordained by the Adopting Ordinance that enacts these Codified Ordinances.

The Comparative Section Table is included to show the disposition of every ordinance and resolution included in these Codified Ordinances. It indicates whether a given ordinance or resolution was consolidated with another into one section or split into two or more sections. Cross references direct the user to subject matter reasonably related to material contained within a given chapter.