ORDINANCE NO. 7978

AN ORDINANCE OF THE COUNCIL OF THE CITY OF RITTMAN, OHIO, TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; TO PROVIDE FOR THE PUBLICATION OF SUCH NEW MATTER; TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has completed its annual updating and revision of the Codified Ordinances of the City, and

WHEREAS, various ordinances of a general and permanent nature that have been passed by Council, but not heretofore included in the Codified Ordinances of the City, have now been made a part thereof, 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 Rittman, Counties of Wayne and Medina and State of Ohio, three-fourths of all members elected and appointed thereto concurring:

SECTION ONE.

That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances 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:

Ord. No.	Date	C.O. Section
7902	10-26-15	193.01 to 193.21, 193.97 to 193.99
7905	11-9-15	981.04, 981.08, 981.09
7909	12-7-15	521.10
Res. 7913	1-25-16	109.01 to 109.12, Ch. 109, Appendix A
7922	2-22-16	971.01
7923	2-22-16	941.05
7944	5-23-16	991.01
7945	5-23-16	975.04
7951	4-25-16	941.05
7955	6-13-16	351.03

SECTION TWO.

That the following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

331.20, 333.01, 335.14, 501.06, 501.99, 513.01, 525.18, 529.01, 529.07, 537.051, 537.10

SECTION THREE.

That pursuant to Section 3.03(c) of the City Charter, Section 123.01 of the Codified Ordinances and Ohio R.C. 731.23, the Clerk of Council shall cause notice of the enactment of this Approval Ordinance, containing the title of the ordinance, together with a summary of the new matter covered by it, to be published in one newspaper of general circulation in the City once a week for two consecutive weeks. A copy of such summary is attached hereto as Exhibit A.

SECTION FOUR.

That all ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in SECTION TWO of this ordinance are hereby repealed as of the effective date of this ordinance except as follows:

(a) The enactment of such sections 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 recodification.

(b) The repeal provided above shall not affect any legislation enacted subsequent to June 13, 2016.

SECTION FIVE.

That because of the immediate need to have an up-to-date codification of the legislation of the City, consistent with the City Charter and with State law, with which to administer the affairs of the City, enforce law and order and avoid practical and legal entanglements, this ordinance is hereby declared to be an emergency measure necessary for the public peace, health and safety and shall go into immediate force and effect upon its passage.

EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2016 REPLACEMENT PAGES
FOR THE
CODIFIED ORDINANCES OF RITTMAN, OHIO

New matter in the Codified Ordinances of Rittman, Ohio, as contained in the 2016 Replacement Pages therefor, includes legislation regarding:

Section	New or amended matter regarding:
331.20	Right-of-way of public safety or coroner's vehicle.
333.01	Driving or physical control of vehicle while under the influence of alcohol or drugs.
335.14	Removal of vehicles after accidents.
501.06	Limitation on criminal prosecutions.
501.99	Penalties for misdemeanors.
513.01	Definitions relating to drug abuse control.
525.18	Disposition of unclaimed or forfeited property held by Police Department.
529.01	Definitions relating to liquor control.
529.07	Open container prohibited.
537.051	Menacing by stalking.
537.10	Telecommunication harassment.

Passed: October 10, 2016.

Mayor

Attest:

Clerk of Council

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Ordinance No. 7979 Passed October 10, 20 16

ORDINANCE NO. 7979

AN ORDINANCE OF THE COUNCIL OF THE CITY OF RITTMAN, WAYNE AND MEDINA COUNTIES AND STATE OF OHIO, AMENDING SECTION 123.01, PUBLICATION, OF THE CODIFIED ORDINANCES OF THE CITY OF RITTMAN, AND DECLARING AN EMERGENCY.

WHEREAS, the publication of ordinances, resolutions, statements, orders, proclamations, notices and reports in a newspaper of general circulation in the City has become cost prohibitive; and

WHEREAS, the City desires to effectively utilize tax payer dollars; and

WHEREAS, the City has established a website on the internet.

NOW THEREFORE, be it ordained by the Council of the City of Rittman, Counties of Wayne and Medina, State of Ohio, three-fourths of all members elected or appointed thereto concurring:

SECTION ONE.

That the Codified Ordinances of the City of Rittman, Section 123.01, Publication be amended as follows:

All Municipal ordinances, resolutions, statements, orders, proclamations, notices and reports which are required by law or ordinance to be published, shall be posted on the Municipal website as follows:

(a) Ordinances, resolutions and proclamations of elections shall be posted for a period of not less than two consecutive weeks, however, such ordinances and resolutions shall be posted by title only unless Council, by motion, requires otherwise;

(b) Notices and all other matters shall be posted for not less than two nor more than four weeks;

(c) In addition to posting such matters on the internet Council may, by motion, require publication in a newspaper once a week for two consecutive weeks for all ordinances, resolutions and proclamations of elections by title only and all notices and other matters once a week for not less than two nor more than four weeks.

RECORD OF ORDINANCES

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Ordinance No. 7979 Passed October 10, 20 16

SECTION TWO.

That because of the immediate need for such changes, this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health and safety and shall go into immediate force and effect upon its passage.

Passed: October 10, 2016

William J. Johnson
Mayor

Attest:

Joan Challinor
Clerk of Council

RECORD OF ORDINANCES

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Ordinance No. 7983 Passed October 10, 20 16

RESOLUTION NO. 7983

A RESOLUTION OF THE COUNCIL OF THE CITY OF RITTMAN, WAYNE AND MEDINA COUNTIES AND STATE OF OHIO, AUTHORIZING THE MUNICIPAL MANAGER TO ACCEPT DONATIONS AND/OR GIFTS MADE TO THE CITY.

WHEREAS, the City has received various donations and/or gifts to be used for various municipal purposes and

WHEREAS, in order to perfect such contributions the City must formally accept them

NOW, THEREFORE, be it resolved by the Council of the City of Rittman, Counties of Wayne and Medina and State of Ohio, three fourths of all members elected and appointed thereto concurring:

SECTION ONE.

The City accepts and greatly appreciates the donations and/or gifts made to it from the entities set forth in Exhibit A which is attached and incorporated herein.

SECTION TWO.

This Resolution is hereby declared to be an emergency measure necessary for the public peace, health and safety and shall go into immediate force and effect upon its passage.

Passed: October 10, 20 16.

William J. Robbins
Mayor

Attest:

Joan Challina
Clerk of Council

Donor	Donation	Approximate Value
Bryan Carpenter	Donation for Smith Machine	$1,000
Mary Ann Meadows	Donation for Cemetery	$200

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Ordinance No. 7984 Passed October 10, 20 16

RESOLUTION NO. 7984

A RESOLUTION OF THE COUNCIL OF THE CITY OF RITTMAN, WAYNE AND MEDINA COUNTIES AND STATE OF OHIO, DECLARING IT NECESSARY TO PROCEED WITH THE OHIO DEPARTMENT OF TRANSPORTATION'S LONG RANGE PLAN, ACCESS OHIO 2040, BY APPROVING STATE BIKE ROUTE 60 (SBR 60) AND DECLARING AN EMERGENCY.

WHEREAS, bicycle tourism is a growing industry in North America, contributing $133 billion a year to the economies of communities that provide facilities for such tourists; and

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has designated a west-east corridor crossing northeast Ohio to be developed as State Bike Route 60 (SBR 60); and

WHEREAS, the Ohio Department of Transportation (ODOT) has designated a west-east corridor crossing northeast Ohio to connect the State Bicycle Routes and communities as State Bike Route 60 (SBR 60); and

WHEREAS, the Ohio Department of Transportation (ODOT) has designated a series of corridors crossing Ohio to be developed as various State Bicycle Routes; and

WHEREAS, the Ohio Department of Transportation is supportive of AASHTO designated bicycle routes through Ohio, subject to ongoing collaboration with affected jurisdictions to inventory, analyze, and designate specific facilities the routes will traverse; and

WHEREAS, the City of Rittman and the Adventure Cycling Association, with the cooperation of the Ohio Department of Transportation and other stakeholders, have proposed a specific route to be designated as SBR 60, a map of which is herein incorporated into this resolution by reference; and

WHEREAS, we have investigated the proposed route and found it to be a suitable route, and desire that the route be designated so that it can be mapped and signed, thereby promoting bicycle tourism in our area; and

WHEREAS, we acknowledge the route may change over time because new facilities are

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Ordinance No. 7984 Passed October 10, 20 16

being constructed that are more suitable for bicyclists.

THEREFORE BE IT RESOLVED that the City of Rittman hereby expresses its approval and support for the development of SBR 60, and requests that the appropriate officials see to it that the route is officially designated by AASHTO and the Ohio Department of Transportation and authorizes the Municipal Manager to apply for grant funding, if necessary, and to execute all required agreements on behalf of the City in order to implement this project. Once the Route is approved, there may be efforts to publicize the route via internet maps, incorporating the Route on local maps, etc. Tourism agencies may be involved in these efforts.

NOW THEREFORE, be it resolved by the Council of the City of Rittman, Wayne and Medina Counties, Ohio, three-fourths of all members elected or appointed thereto concurring:

SECTION ONE.

That it is declared necessary to proceed with the Ohio Department of Transportation's long range plan, Access Ohio 2040, by approving State Bike Route 60.

SECTION TWO.

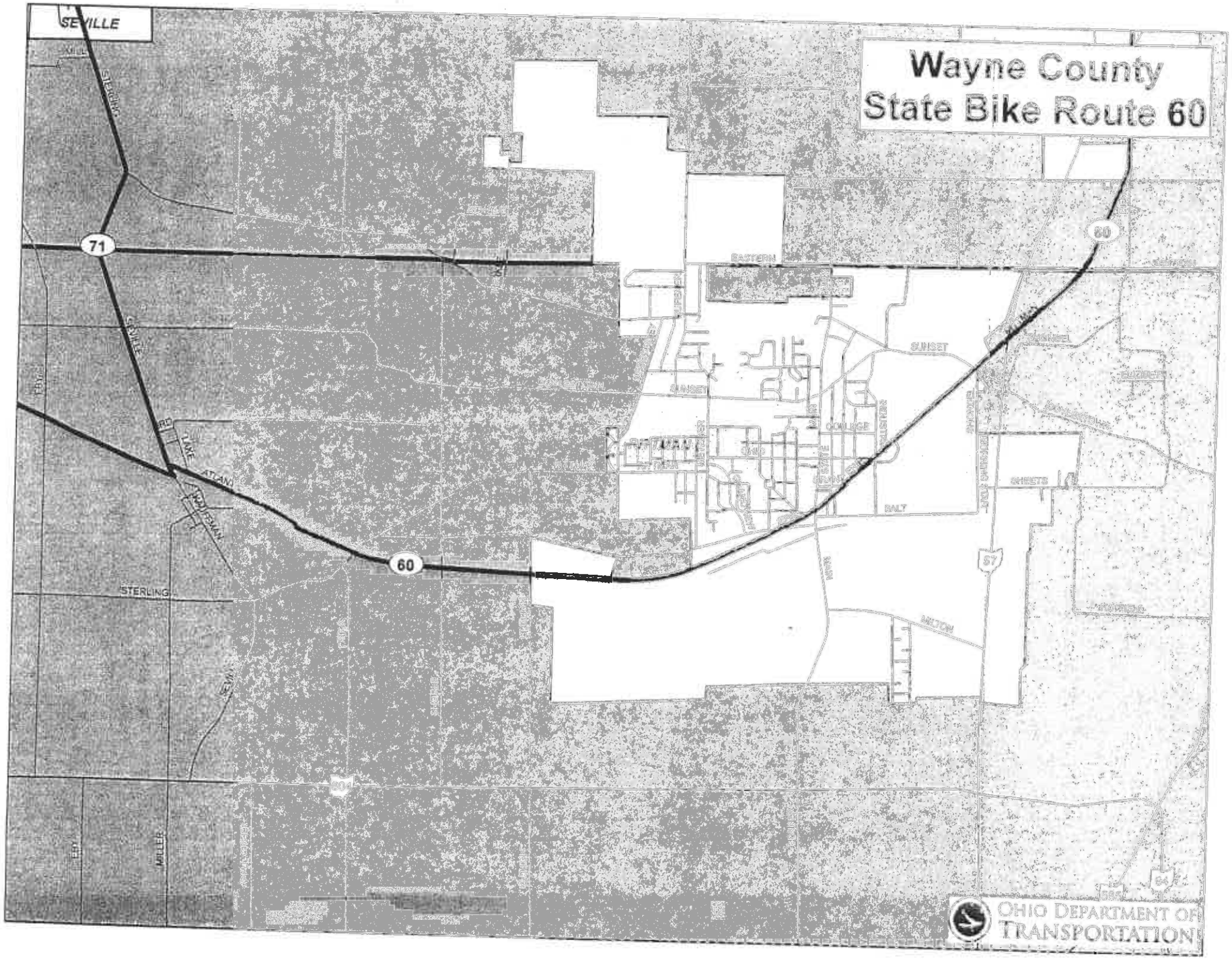
That this Resolution is declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety in said City and shall be in full force and effect immediately upon its adoption.

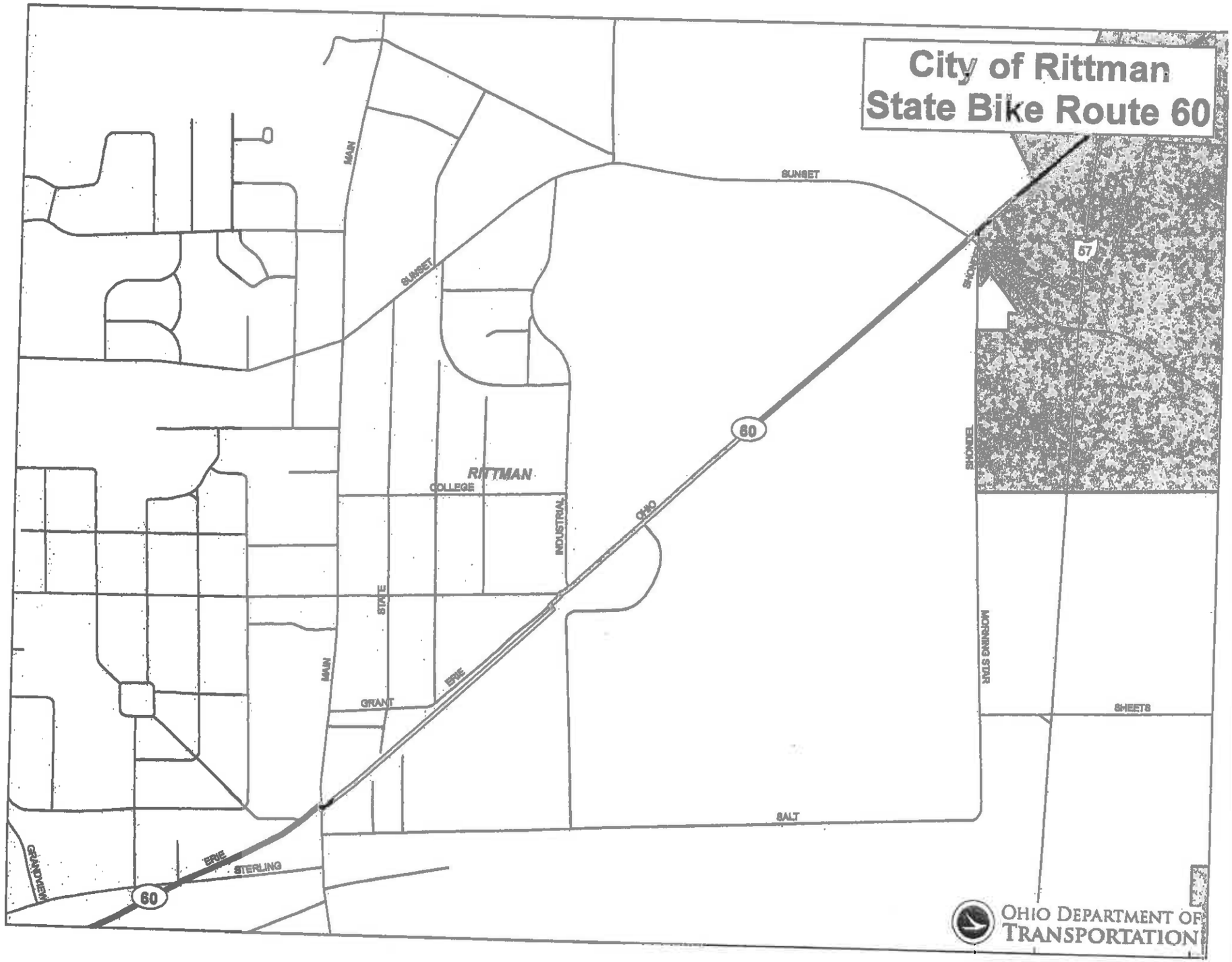
Passed: October 10, 2016

William J. Robertson
Mayor

Attest:

Joan Challinor
Clerk of Council


Wayne County
State Bike Route 60
SEVILLE
71
60
EASTERN
SUNSET
COLLEGE
SHEETS
BALT
MILTON
STERLING
OHIO DEPARTMENT OF TRANSPORTATION


City of Rittman
State Bike Route 60
SUNSET
MAIN
SUNSET
RITTMAN
COLLEGE
INDUSTRIAL
OHIO
60
STATE
MAIN
GRANT
ERIE
SHOUDEL
MORNING STAR
SHEETS
SALT
57
GRANDVIEW
ERIE
STERLING
60
OHIO DEPARTMENT OF TRANSPORTATION

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Ordinance No. 7985 Passed October 10, 20 16

RESOLUTION NO. 7985

A RESOLUTION OF THE COUNCIL OF THE CITY OF RITTMAN, WAYNE AND MEDINA COUNTIES AND STATE OF OHIO, IMPOSING A MORATORIUM FOR A PERIOD NOT TO EXCEED ONE HUNDRED EIGHTY (180) DAYS FROM THE EFFECTIVE DATE OF THIS RESOLUTION ON THE ISSUANCE AND PROCESSING OF ANY PERMITS ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF RITTMAM, STATE OF OHIO AND DECLARING AN EMERGENCY.

WHEREAS, Substitute House Bill 523, which is the Bill legalizing the cultivating, processing, and dispensing of medical marijuana in the State of Ohio, became effective September 8, 2016; and

WHEREAS, for the purposes of this resolution, the definitions of "cultivators", "processors", and "retail dispensaries" are given the same definitions as those found in Substitute House Bill 523 and Chapter 3796 of the Ohio Revised Code, which Chapter was effective September 8, 2016; and

WHEREAS, Substitute House Bill 523, among other things, permits patients in Ohio to use medical marijuana on the recommendation of physicians; creates state regulatory oversight of the cultivation, processing, retail sale, use and physician recommendation of medical marijuana; and prohibits a cultivator, processor, retail dispensary or laboratory from being located or relocating within 500 feet of a school, church, public library, public playground or public park;

WHEREAS, Ohio Revised Code Section 3796.29 authorizes a municipality to limit the number of, or entirely prohibit, cultivators, processors, or retail dispensaries licensed under Ohio Revised Code Section 3796.29 in the City of Rittman; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the public peace,

health, safety and welfare of the citizens of the municipality including restricting areas used for businesses and trades; and

WHEREAS, City Council seeks time to undertake a review of all applicable state and local codes to formulate a response including whether to limit or entirely prohibit the cultivation, processing and/or retail dispensing of medical marijuana; or, alternatively, to develop and implement regulations regarding the possible location and operation of medical marijuana-related businesses within the City of Rittman, including medical marijuana-related businesses for retail dispensaries, cultivators, and processors; and

WHEREAS, municipal staff will require additional time to review and make recommendations on zoning, prohibition, and/or limitations of medical marijuana so that any necessary regulations conform to goals of the City of Rittman and help ensure the public peace, health, safety and welfare of its citizens; and

WHEREAS, a moratorium of not more than one hundred eighty (180) days on the processing or granting of permits for medical marijuana-related businesses in the City of Rittman will allow City Council time to accomplish the City's goals and help ensure the public peace, health, safety, and welfare of its citizens.

NOW THEREFORE, be it resolved by the Council of the City of Rittman, Wayne and Medina Counties, Ohio, three-fourths of all members elected or appointed thereto concurring:

SECTION ONE.

City Council hereby imposes a moratorium not to exceed one hundred eighty (180) days from the effective date of this Resolution on the issuance and processing of permits for cultivators, processors, and retail dispensaries of medical marijuana. The purpose of this moratorium is so that City Council, Mayor, and municipal staff may study the new law, applicable state codes and the related issues, and determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries in the City of Rittman and to prepare any necessary related regulations.

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Ordinance No. 7985 Passed October 10, 20 16

SECTION TWO.

City Council seeks to limit the duration of the moratorium to immediately undertake a review of the new law and related issues; Council will then consider new regulations regarding the cultivation, processing, and retail dispensing of medical marijuana.

SECTION THREE.

That during the period of the moratorium, no zoning permit, building permit, certificate of occupancy, or any other permit shall be granted to a business for opening, using any land, or devoting any floor area of the business for the purposes of the cultivation, processing, or retail sale of medical marijuana. During the period of the moratorium, no existing business in the City may establish cultivation, processing, or retail sale of medical marijuana.

SECTION FOUR.

That for the purpose of this Resolution, "medical marijuana" shall have the same meaning as that term is defined in Section 3796.01(A)(2) of the Ohio Revised Code, effective September 8, 2016.

SECTION FIVE.

That this Resolution is hereby declared to be an emergency measure, the emergency being the need to institute the moratorium at the earliest possible date because Chapter 3796 of the Revised Code became effective on September 8, 2016, thus for the public peace, health, safety and welfare of the public swift action is necessary. Therefore, this Resolution shall go into immediate force and effect from and after its passage.

Passed: October 10, 2016

William J. Robertson
Mayor

Attest:

Joan Challinor
Clerk of Council