

**ORDINANCE NO. 058-13**

**AN ORDINANCE TO APPROVE CURRENT AUGUST 2013  
REPLACEMENT PAGES TO THE NAPOLEON CODIFIED  
ORDINANCES**

**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

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

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That, the ordinances of the City of Napoleon, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the August 2013 Replacement Pages to the Codified Ordinances are hereby approved and adopted; such having been certified as correct by the Clerk of Council and the Mayor.

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 That, the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.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

301.031.01	Beacon; Hybrid Beacon. (Added)
301.161	Highway Traffic Signal. (Amended)
301.17	Intersection. (Amended)
301.181	Median (Added)
301.26(b)	Private Road or Driveway. (Added)
301.361	Shared Use Path. (Added)
301.45	Traffic. (Amended)
301.46	Traffic Control Device. (Amended)
301.47	Traffic Control Signal. (Amended)
333.09	Texting While Driving Prohibited. (Added)
335.032	Electronic Wireless Communication Device Prohibited. (Added).
341.01	Commercial Vehicles Definitions. (Amended)
341.03	Prerequisites to Operation of Commercial Motor Vehicle (Amended)
351.04	Parking Near Curb; Handicapped Parking. (Amended)
373.02	Riding Upon Seats; Handle Bars; Helmets and Glasses. (Amended)

General Offenses Code

501.01 Definitions. (Amended)  
501.11 Organizational Criminal Liability. (Amended)

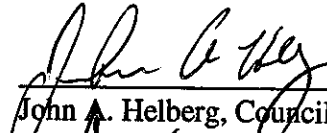
Section 3. That, the complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Any summary publication of this ordinance shall include a complete listing of these sections. Notice 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 City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.


Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 6. That, upon passage, this Ordinance shall take effect at the earliest time permitted by law.

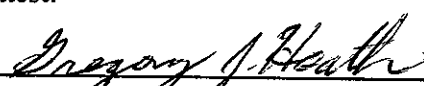
Passed: November 18, 2013

  
\_\_\_\_\_  
John A. Helberg, Council President

Approved: November 18, 2013

  
\_\_\_\_\_  
Ronald A. Behm, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:  
  
\_\_\_\_\_  
Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 058-13 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 12<sup>th</sup> day of December, 2013; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

  
\_\_\_\_\_  
Gregory J. Heath, Clerk/Finance Director

# PROOF OF PUBLICATION

State of Ohio, Henry County, ss.

Christopher Cullis, being first duly sworn, deposes and says that he is the Publisher of the Northwest Signal, a daily newspaper published in Napoleon, in said Henry County, Ohio, and of general circulation therein; that the annexed advertisement and notice was printed and published in said newspaper for ..... days/weeks, the first insertion being on the ..12... day of December 2013 and for .....0..... consecutive days/weeks thereafter.

*Christopher Cullis*  
.....  
Christopher Cullis

Subscribed to in my presence and sworn before me this 24 day of December 2013.

x. *Peggy S. Woods*  
.....  
Peggy S. Woods, Notary Public  
My Commission expires: September 4, 2016

Notary Fees ..... \$ 1.00  
Printer's Fees ..... \$ 193.80

**SUMMARY OF ORDINANCE NO(S) 058-13, 059-13, 061-13 AND RESOLUTION NO(S) 064-13**

(PURSUANT TO ARTICLE II, SECTION 2-15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

**NOTICE**

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West River View Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions or any item mentioned in this notice may be obtained from the City Finance Director upon the payment of a reasonable fee therefor.

**Ordinance 058-13**

**AN ORDINANCE TO APPROVE CURRENT AUGUST 2013 REPLACEMENT PAGES TO THE NAPOLEON CODIFIED ORDINANCES**

In this legislation, the City of Napoleon approved the August 2013 Replacement pages to the Napoleon Codified Ordinances.

**Ordinance 059-13**

**AN ORDINANCE AMENDING CHAPTER 197 OF THE CITY OF NAPOLEON'S PERSONNEL CODE REGARDING VACATION COMPUTATION UPON RETIRE/REHIRE**

In this legislation, the City of Napoleon amended the Personnel Code for the way vacation computation is figured upon retire/rehire.

**Resolution 061-13**

**A RESOLUTION PLACING AN ISSUE FOR ADVISORY ELECTION ON THE BALLOT AT THE MAY 6TH 2014 GENERAL ELECTION SEEKING THE AUTHORIZATION OF THE VOTERS OF THE CITY OF NAPOLEON TO CEASE OPERATING ITS POLICE, FIRE AND EMS DISPATCH AS IT CURRENTLY OPERATES AND OUTSOURCE SAID OPERATIONS TO THE HENRY COUNTY SHERIFF**

In this legislation, the City of Napoleon will be placing on the May 6, 2014 ballot whether to cease operating police, fire and EMS dispatch and outsource to Henry County Sheriff's Office.

**Resolution 064-13**

**TO APPROVE THE EXECUTION OF AN EFFICIENCY SMART SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC.**

In this legislation, the City of Napoleon executed an efficiency smart schedule with AMP, Inc.

All of the above summaries are approved as to form and correctness by Trevor M. Hayberger, City Law Director.