

Record of Ordinances

Ordinance No.: 2023-25

Passed: May 22, 2023

AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, BEGINNING IN 2023 AND AS AMENDED IN PERPETUITY, AS THE CODE OF ORDINANCES FOR THE VILLAGE OF WEST LAFAYETTE, OHIO; REPEALING ORDINANCES IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs; and

WHEREAS, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance takes effect at an early date.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL of the Village of West Lafayette, Coshocton County, Ohio that:

Section 1: American Legal Publishing's Ohio Basic Code, 2023 Editions reviewed and approved by legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2023 Edition

Section 2: One copy of American Legal Publishing's Ohio Basic Code, 2023 Edition, certified as correct by the Mayor and Fiscal Officer of the Village, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Fiscal Officer of the Village and retained as a permanent ordinance record of the Village. The Fiscal Officer of the Village is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A."

Section 3. All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2023 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this Ordinance, except as follows:

- (A) The enactment of the Ohio Basic Code, 2023 Edition, 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, therefore.

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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 the adoption of this Ordinance;
- (11)** **2006-03** ORDINANCE TO REGULATE NOISE
- (12)** **2008-03** ORDINANCE TO REGULATE ADULT ENTERTAINMENT
- (13)** **2008-05** ORDINANCE TO PROHIBIT HIRING OF RELATED EMPLOYEES
- (14)** **2011-18** AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO CREATE AND UTILIZE AN UNCLAIMED FUNDS TRUST FUND (910) IN ACCORDANCE WITH THE PROVISIONS OF SECTION 9.39 OF THE OHIO REVISED CODE
- (15)** **2017-15** AN ORDINANCE FOR THE VILLAGE OF WEST LAFAYETTE, COSHOCTON COUNTY, STATE OF OHIO TO ADOPT THE REGIONAL INCOME TAX AGENCY'S (RITA'S) RULES AND REGULATIONS
- (16)** **2017-38** AN ORDINANCE TO PERMIT APICULTURE IN THE VILLAGE OF WEST LAFAYETTE, STATE OF OHIO
- (17)** **2018-18** AN ORDINANCE RELATING TO THE TRIMMING OF NOXIOUS WEEDS, GRASS, BRUSH AND OTHER WEEDS

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(18) 2019-60 ORDINANCE REGULATING THE OPERATION OF ALL-PURPOSE VEHICLES ON THE STREETS, HIGHWAYS, AND OTHER PUBLIC PROPERTY UNDER THE JURISDICTION OF THE VILLAGE OF WEST LAFAYETTE

(19) 2019-61 ORDINANCE REGULATING THE OPERATION OF UNDER-SPEED VEHICLES (GOLF CARTS), UTILITY VEHICLES, AND MINI-TRUCKS ON THE STREETS AND HIGHWAYS UNDER THE JURISDICTION OF THE VILLAGE OF WEST LAFAYETTE

(20) 2020-64 AN ORDINANCE TO REGULATE TREES AND ESTABLISH OFFENSES RELATED TO TREES

(21) 2020-69 AN ORDINANCE ESTABLISHING A PERMIT TO SOLICIT BUSINESS INSIDE THE VILLAGE OF WEST LAFAYETTE

(22) 2021-37 AN ORDINANCE AUTHORIZING THE MAYOR TO ESTABLISH AND/OR RE-ESTABLISH AN AUXILIARY POLICE UNIT AND AUTHORIZING ALL SUCH POWERS NECESSARY TO ACCOMPLISH THE SAME, REPEALING ALL PRIOR ORDERS OF THIS NATURE, AND DECLARING AN EMERGENCY

(23) 2021-47 AN ORDINANCE TO ESTABLISH THE VILLAGE OF WEST LAFAYETTE POLICY FOR THE BURIAL OF UNCLAIMED OR INDIGENT BODIES AT THE EXPENSE OF THE VILLAGE, AND DECLARING AN EMERGENCY

(24) 2021-57 AN ORDINANCE WAIVING THE RESIDENCY REQUIREMENT FOR THE VILLAGE ADMINISTRATOR, THE FISCAL OFFICER, AND THE POLICE CHIEF INDEFINITELY, AND DECLARING AN EMERGENCY

(25) 2022-07 AN ORDINANCE AMENDING SECTION 76.04 OF THE OHIO BASIC CODE TITLED "PARKING PROHIBITIONS", AND SECTION 76.05 OF THE OHIO BASIC CODE TITLED "PARKING NEAR CURB; PRIVILEGES FOR PERSONS WITH DISABILITIES" AND ESTABLISHING PENALTIES

(26) 2022-40 AN ORDINANCE PROHIBITING THE DISCHARGE, IGNITING, OR EXPLODING OF FIREWORKS WITHIN THE VILLAGE OF WEST LAFAYETTE, AND DECLARING AN EMERGENCY

(27) 2022-70 AN ORDINANCE REQUIRING KNOX BOXES AT ALL COMMERCIAL BUILDINGS AND FACTORIES HAVING A FIRE SUPPRESSION SYSTEM OR FIRE ALARM SYSTEM

(28) 2023-05 AN ORDINANCE AMENDING PERMITTING AND REGULATING THE RECEIPT AND DISCHARGE OF APPROVED HAULED DOMESTIC AND/OR INDUSTRIAL/COMMERCIAL SEPTAGE AND/OR WASTEWATER AT THE VILLAGE OF WEST LAFAYETTE WASTEWATER TREATMENT PLANT, AND DECLARING AN EMERGENCY

(29) 2023-22 AN ORDINANCE REGULATING JUNK MOTOR VEHICLES INCLUDING BOATS, AND MOTOR HOMES WITHIN THE VILLAGE OF WEST LAFAYETTE

(30) 2023-23 AN ORDINANCE AMENDING ORDINANCE 2022-47, THE VILLAGE OF WEST LAFAYETTE BUILDING AND ZONING CODES AND DECLARING AN EMERGENCY

(31) 2023-24 AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE CONSTRUCTION OF POOL FENCING AND MAINTENANCE OF RESIDENTIAL SWIMMING POOLS WITHIN THE VILLAGE OF WEST LAFAYETTE AND DECLARING AN EMERGENCY

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(32) 2023-26 AN ORDINANCE AMENDING ORDINANCE 2022-18 TO PROVIDE FOR MAINTENANCE OF ANY DILAPIDATED STRUCTURE OR ANY UNSANITARY PREMISES OR NOXIOUS REAL ESTATE, PROVIDING FOR ERADICATION OF NUISANCES, PROVIDING DEFINITIONS, PENALTIES, AND PROVIDING FOR ABATEMENT

(33) 2023-27 AN ORDINANCE PROHIBITING FREESTANDING OUTDOOR FURNACES

(34) 2023-28 AN ORDINANCE TO AMEND ORDINANCE 2010-48 REGARDING CURFEWS IN THE VILLAGE OF WEST LAFAYETTE AND DECLARING AN EMERGENCY

(35) 2023-29 AN ORDINANCE TO ADOPT RULES AND REGULATIONS FOR ANIMALS IN THE VILLAGE OF WEST LAFAYETTE, OHIO AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH

(36) 2023-32 AN ORDINANCE REGARDING SEXUALLY ORIENTED BUSINESSES IN THE VILLAGE OF WEST LAFAYETTE, OHIO, REPEALING ORDINANCES IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY

(37) 06-98 AN ORDINANCE ADOPTING STANDARDS FOR CONSTRUCTION DETAILS AND SPECIFICATIONS FOR WEST LAFAYETTE, OHIO AND DECLARING AN EMERGENCY

(38) Any legislation enacted prior to the adoption of this Ordinance and said legislation was enacted to supersede prior ordinances adopted by the Council of the Village, including a provision contained in prior versions of the Ohio Basic Code.

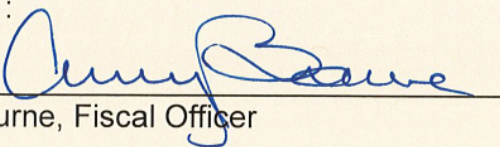
Section 4. Whenever reference is made in any documents, publications, or signs of the Village, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, re-codified, or renumbered.

Section 5. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health safety and general welfare of the people of the Village and shall take effect at the earliest date provided by law.

PASSED IN COUNCIL THIS 22 day of May, 2023


Stephen R. Bordenkircher, Mayor

ATTEST:


Amy Bourne, Fiscal Officer