

ORDINANCE NO. 57-2011

An Ordinance to Revise the Codified Ordinances by
Adopting Current Replacement Pages.

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 Walter H. Drane Company has prepared a supplement to the Codified Ordinances containing such new material;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, Franklin County, State of Ohio:

SECTION 1. That the ordinances of the City of Worthington, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2011 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

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 That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law: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

- 333.01 Driving or Physical Control While Under the Influence. (Amended)
- 335.01 Driver's License or Commercial Driver's License Required. (Amended)
- 335.02 Permitting Operation Without a Valid License. (Amended)
- 335.05 Wrongful Entrustment of a Motor Vehicle. (Amended)
- 335.06 Display of License. (Amended)
- 335.07 Driving Under License Suspension or Restriction. (Amended)
- 335.071 Driving Under OVI Suspension. (Amended)
- 335.072 Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)
- 335.073 Driving Without Complying With License Reinstatement. (Amended)
- 335.074 Driving Under License Forfeiture or Child Support Suspension. (Added)
- 335.12 Stopping After Accident Upon Streets. (Amended)
- 335.13 Stopping After Accident Upon Property Other Than Street. (Amended)
- 335.14 Vehicle Accident Resulting in Damage to Realty. (Amended)
- 337.22 Windshield and Windshield Wipers. (Amended)
- 351.04 Parking Near Curb; Handicapped Parking. (Amended)

ORDINANCE NO. 57-2011

General Offenses Code

- 501.01 Definitions. (Amended)
- 501.02 Classification of Offenses. (Amended)
- 501.13 Conspiracy. (Added)
- 501.99 Penalties for Misdemeanors. (Amended)
- 509.06 Inducing Panic. (Amended)
- 509.07 Making False Alarms. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession. (Amended)
- 517.05 Cheating. (Amended)
- 525.01 Law Enforcement and Public Office Definitions. (Amended)
- 525.02 Falsification. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 537.10 Telecommunication Harassment. (Amended)
- 537.12 Misuse of 9-1-1 System. (Amended)
- 541.02 Arson. (Amended)
- 545.02 Determining Property Value in Theft Offense. (Amended)
- 545.04 Detention of Shoplifters. (Amended)
- 545.05 Petty Theft. (Amended)
- 545.08 Unauthorized Use of Property. (Amended)
- 545.09 Passing Bad Checks. (Amended)
- 545.10 Misuse of Credit Cards. (Amended)
- 545.13 Criminal Simulation. (Amended)
- 545.14 Tampering With Records. (Amended)
- 545.15 Securing Writings by Deception. (Amended)
- 545.17 Defrauding Creditors. (Amended)
- 545.18 Receiving Stolen Property. (Amended)
- 549.04 Improperly Handling Firearms in a Motor Vehicle. (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. A summary of the amendments to such sections is hereby attached to this ordinance as Appendix A.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed December 12, 2011

[Signature on File]
President of Council

Attest

[Signature on File]
Temporary Clerk of Council

Introduced December 5, 2011
P.H. December 12, 2011
Effective January 4, 2012

APPENDIX A

Traffic Code

333.01 Driving or Physical Control While Under the Influence. (Requires offenders to provide proof of financial responsibility in subsections (h)(6) and (i)(4).)

335.01 Driver's License or Commercial Driver's License Required. (Adds new subsection (b) allowing introduction into evidence of a report or record of the Registrar showing that the alleged offender did not have a license at the time of the violation.)

335.02 Permitting Operation Without Valid License. (Adds provision that failure of an offender to complete a term of community service may be punished as indirect criminal contempt.)

335.05 Wrongful Entrustment of a Motor Vehicle. (Changes the penalty for a violation of this section to an unclassified misdemeanor.)

335.06 Display of License. (Changes the penalty for a violation of this section to an unclassified misdemeanor.)

335.07 Driving Under Suspension or License Restriction. (Authorizes court to order immobilization or forfeiture of a vehicle and requires offender to provide proof of financial responsibility.)

335.071 Driving Under OVI Suspension. (Requires offender to provide proof of financial responsibility.)

335.072 Driving Under Financial Responsibility Law Suspension or Cancellation. (Requires offender to provide proof of financial responsibility and permits introduction into evidence of report from Registrar showing offender was under financial responsibility law suspension at time of offense.)

335.073 Driving Without Complying With License Reinstatement Requirements. (Changes penalty to an unclassified misdemeanor and permits introduction into evidence of a report of the Registrar showing that the offender's license had not been reinstated at the time of the violation.)

335.074 Driving Under License Forfeiture or Child Support Suspension. (Adds new offense of driving under license forfeiture or child support suspension.)

335.12 Stopping After Accident Upon Streets. (Requires offender to provide proof of financial responsibility.)

335.13 Stopping After Accident Upon Property Other Than Streets. (Requires offender to provide proof of financial responsibility.)

335.14 Vehicle Accident Resulting in Damage to Realty. (Requires offender to provide proof of financial responsibility.)

337.22 Windshield and Windshield Wipers. (Exempts certain vehicles that have an electronic device in the front windshield from requirement that front windshield must be unobstructed in subsection (b).)

Traffic Code (Cont.)

351.04 Parking Near Curb; Handicapped Parking. (Permits motorcycles to be backed into angled parking spaces so they are facing other than the direction of travel in subsection (c).)

General Offenses Code

501.01 Definitions. (Adds Ohio R.C. reference to subsection (i)(1); adds new subsections (n) and (o) and renumbers subsequent subsections.)

501.02 Classification of Offenses. (Changes “effective date of this amendment” to “January 1, 2004” in subsection (d).)

501.13 Conspiracy. (Adds new section establishing the offense of conspiracy to commit a crime.)

501.99 Penalty. (Amends subsection (a)(1) to add prohibition of introducing an award of restitution under this section into a civil action.)

509.06 Inducing Panic. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

509.07 Making False Alarms. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

513.03 Drug Abuse; Controlled Substance Possession or Use. (Adds possession of “spice” as a minor misdemeanor offense in subsection (c)(4).)

517.05 Cheating. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

525.01 Definitions. (Exempts public officials and servants of nonprofit corporations formed under Ohio R.C. 187.01 in subsections (a) and (b).)

525.02 Falsification. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

529.07 Open Container Prohibited. (Changes definition of “outdoor performing arts center” to a location of not less than 150 acres in subsection (c)(3)B.2.)

537.10 Telecommunications Harassment. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

537.12 Misuse of 9-1-1 System. (Adds new subsections (c) to (e) prohibiting any person from using a 9-1-1 system for a purpose other than obtaining emergency service or from disclosing any improper information.)

541.02 Arson. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

545.02 Determining Property Value in Theft Offense. (Adds sentence to subsection (b)(3) clarifying the prosecution of a single offense.)

General Offenses Code (Cont.)

545.04 Detention of Shoplifters. (Offers an offender the opportunity to complete a pretrial diversion program under subsection (c)(4).)

545.05 Petty Theft. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

545.08 Unauthorized Use of Property. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

545.09 Passing Bad Checks. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

545.10 Misuse of Credit Cards. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

545.13 Criminal Simulation. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

545.14 Tampering With Records. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

545.15 Securing Writings by Deception. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

545.17 Defrauding Creditors. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

545.18 Receiving Stolen Property. (Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.)

549.04 Improperly Handling Firearms in a Motor Vehicle. (Deletes former subsection (a) which is now a felonious violation and renumbers subsections.)