

**ORDINANCE NO. 2019-69  
INTRODUCED BY ADMINISTRATION**

**AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING  
CURRENT REPLACEMENT PAGES AND DECLARING AN EMERGENCY**

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare replacement pages to the Codified Ordinances which are before Council; Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNTHURST, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

SECTION 1: The ordinances of the City of Lyndhurst, Ohio, of a general and permanent nature, as revised, recodified, rearranged, and consolidated into component codes, titles, chapters and sections within the 2019 replacement pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2: The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

402.05	Bicycle, Motorized Bicycle, Moped, Electric Bicycle. (Amended)
402.20	Motor Vehicle. (Amended)
402.275	Predicate Motor Vehicle Offense. (Amended)
402.381	Shared-Use Path. (Amended)
402.53	Vehicle. (Amended)
402.54	Waste Collection Vehicle. (Added)
404.991	Committing an Offense While Distracted Penalty. (Added)
412.05	Freeway Use Restricted. (Amended)
414.01	Obedience to Traffic Control Devices. (Amended)
414.12	Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
416.01	Right of Way in Crosswalk. (Amended)
416.02	Right of Way of Blind Person. (Amended)
416.09	Right of Way on Sidewalk. (Amended)
432.01	Driving Upon Right Side of Roadway; Exceptions. (Amended)
432.02	Passing to Right When Proceeding in Opposite Directions. (Amended)
432.03	Overtaking, Passing to Left; Driver's Duties. (Amended)
432.04	Overtaking and Passing Upon Right. (Amended)
432.05	Overtaking, Passing to Left of Center. (Amended)
432.06	Additional Restrictions on Driving upon Left Side of Roadway. (Amended)
432.07	Hazardous or No Passing Zones. (Amended)
432.08	Driving in Marked Lanes or Continuous Lines of Traffic. (Amended)
432.09	Following Too Closely. (Amended)
432.10	Turning at Intersections. (Amended)
432.11	"U" Turns Restricted. (Amended)
432.12	Starting and Backing Vehicles. (Amended)
432.13	Signals Before Changing Course, Turning or Stopping. (Amended)
432.14	Hand and Arm Signals. (Amended)
432.15	Right of Way at Intersections. (Amended)
432.16	Right of Way When Turning Left. (Amended)
432.17	Operation of Vehicle at Yield Signs. (Amended)
432.18	Emergency or Public Safety Vehicles at Stop Signals or Signs. (Amended)
432.195	Approaching a Public Safety Vehicle. (Amended)
432.205	Driving Onto Roadway From Place Other Than Roadway: Stopping at Sidewalk. (Amended)
432.21	Right of Way of Funeral Procession. (Amended)
432.22	Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
432.24	Driving Upon Street Posted as Closed for Repair. (Amended)
432.25	Following and Parking Near Emergency or Safety Vehicles. (Amended)
432.26	Driving Over Fire Hose. (Amended)
432.27	Driving Through Safety Zone. (Amended)
432.28	One-Way Streets and Rotary Traffic Islands. (Amended)
432.29	Driving Upon Divided Roadways. (Amended)

Traffic Code (Cont.)

432.32	Stopping at Grade Crossing. (Amended)
432.34	Obstructing Intersection, Crosswalk or Grade Crossing. (Amended)
432.39	Paths Exclusively for Bicycles. (Amended)
434.03	Maximum Speed Limits. (Amended)
434.04	Stopping Vehicle. (Amended)
434.05	Speed Limitations Over Bridges. (Amended)
438.16	Number of Lights. (Amended)
438.29	Drivers and Passengers Required to Wear Seat Belts. (Amended)
474.13	Motorized Bicycle Operation. (Amended)
474.14	Electric Bicycles. (Added)

General Offenses Code

612.07	Open Container Prohibited. (Amended)
624.01	Drug Abuse Control Definitions. (Amended)
624.03	Drug Abuse; Controlled Substance Use. (Amended)
624.05	Permitting Drug Abuse. (Amended)
642.15	Misuse of Credit Cards. (Amended)
648.04	Disorderly Conduct. (Amended)
666.03	Sexual Imposition. (Amended)
666.06	Public Indecency. (Amended)
666.24	Dissemination of Private Sexual Images. (Added)
672.01	Weapons Definitions. (Amended)
672.04	Improperly Handling a Firearm in a Motor Vehicle. (Amended)
672.07	Unlawful Transactions in Weapons. (Amended)

**SECTION 3:** The complete text of the sections listed above is set forth in full in the current replacement pages to the Codified Ordinances. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

**SECTION 4:** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the Municipality and its inhabitants for the reason that there exists an imperative necessity for the earliest publication and distribution of the current replacement pages to the Codified Ordinances to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements. Therefore this Ordinance shall take effect immediately upon the affirmative vote of not less than five members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: September 3, 2019

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**VICE MAYOR**

ATTEST: \_\_\_\_\_  
**Clerk of Council**

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City on September 12, 2019 and September 19, 2019.

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**Clerk of Council**

First Reading: September 3, 2019

Second Reading: Suspended

Third Reading: Suspended