

ORDINANCE NO. 23-26

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH AND DECLARING AN EMERGENCY

WHEREAS, American Legal Publishing Corporation, with the cooperation of the Law Department and the Clerk of Council, has completed its annual updating and revision of the Codified Ordinances of the City, and

WHEREAS, various ordinances and resolutions of a general and permanent nature have been passed by Council since the date of the last updating and revision of the Codified Ordinances and have been included in the Codified Ordinances of the City, and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law, where and as required;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 – That the editing, arrangement and numbering or renumbering of the following ordinances and resolutions 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:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
Res.		
R-02-25	1-27-25	881.01, 881.03, 881.04, 881.06
6-25	2-24-25	1262.08
34-25	4-28-25	210.01
57-25	6-23-25	277.02
75-25	10-14-25	1222.02, 1270.03, 1274.03, 1280.05, 1280.06
93-25	10-27-25	1050.01 to 1050.20, 1050.99, 1050.991
94-25	10-27-25	1052.01 to 1052.13, 1052.99, 1052.991
95-25	10-27-25	1053.01 to 1053.10, 1053.99
117-25	12-8-25	210.01

Section 2 – That the following sections and subsections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted:

402.02, 402.04, 402.041, 402.05, 402.051, 402.052, 402.053, 402.055, 402.071, 402.072, 402.10, 402.111, 402.116, 402.14, 402.145, 402.175, 402.177, 402.178, 402.18, 402.185, 402.192, 402.197, 402.198, 402.24, 402.277, 402.28,

402.30, 402.31, 402.32, 402.35, 402.351, 402.37, 402.386, 402.39, 402.392, 402.394, 402.44, 402.47, 402.48, 402.49, 402.501, 402.512, 402.53, 414.03, 414.04, 414.09, 414.10, 414.11, 416.01, 416.03, 416.11, 432.155, 432.30, 432.31, 432.32, 432.33, 432.34, 434.01, 434.03, 434.035, 434.08, 434.09, 436.04, 436.071, 436.074, 436.09, 438.235, 438.25, 438.28, 440.08, 442.01, 606.06, 606.10, 606.12, 606.24, 612.08, 612.09, 624.01, 624.03, 624.04, 624.05, 624.07, 624.08, 624.16, 624.17, 630.01, 636.17, 636.21, 636.25, 642.02, 642.32, 666.01, 666.03, 666.21, 672.16, 698.03

Section 3 – That all ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance, except as follows:

- (a) The enactment of such sections and subsections 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 January 31, 2026.

Section 4 – That pursuant to Article IV, Section 12, of the City Charter, R.C. § 731.23 and Section 222.01 of the Codified Ordinances, the Clerk of Council shall post a copy of this ordinance, or a notice of the enactment of this ordinance, containing the title of this ordinance, and a summary of the new matter covered by it, which summary is attached hereto as Exhibit A, in the five public places set forth in Section 222.01 of the Codified Ordinances, for a period of not less than fifteen days.

Section 5 – That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all requirements, including Section 121.22 of the Ohio Revised Code.

Section 6 – That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of citizens of the City of Avon, the immediate emergency being the necessity to have an up-to-date codification of the laws of the City, one which is consistent with the latest State law, where such consistency is required by the Ohio Constitution, with which to administer the affairs of the City and ensure law and order, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency ordinance and shall take effect and be in force immediately after passage and approval by the Mayor.

PASSED: March 23, 2026 DATE SIGNED: March 23, 2026

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR March 24, 2026

BKJ
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Barbara J. Brooks, Clerk of Council

POSTED: March 24, 2026
Electronically and at City Hall as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 23-26, passed by the Council of said City on March 23, 2026.

IN WITNESS WHEREOF, I have on this 24th day of March 2026, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

PREPARED BY:

I, Barbara Brooks, Clerk of Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 23-26, passed by the Council of said City on March 23 2026.

IN WITNESS WHEREOF, I have on this 24th day of March, 2026 affixed my signature and official seal.

Barbara J. Brooks
Clerk of the Council
of the City of Avon, Ohio

EXHIBIT A TO ORDINANCE NO. 23-26

EXHIBIT A

SUMMARY OF NEW MATTER CONTAINED IN THE 2026 REPLACEMENT PAGES FOR THE CODIFIED ORDINANCES OF AVON, OHIO

New matter in the 2026 Replacement Pages for the Codified Ordinances of Avon, Ohio, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
402.02	Agricultural tractor and traction engine; multi-wheel agricultural tractor definition
402.04	Arterial street or highway definition
402.041	Autocycle definition added
402.05	Bicycle definition
402.051	Bicycle box definition added
402.052	Bicycle lane definition added
402.053	Bicycle signal face added
402.055	Bicycle signal sign added
402.071	Busway definition
402.072	Cab-enclosed motorcycle definition added
402.10	Crosswalk definition
402.111	Driveway definition added
402.116	Electronic definition added
402.14	Expressway definition
402.145	Farm machinery definition added
402.175	Highway traffic signal definition
402.177	Hybrid beacon definition
402.178	In-road warning light definition added
402.18	Intersection definition
402.185	Lane-use control signal definition added
402.192	Limited driving privileges definition added
402.197	Median definition
402.198	Motor-driven cycle or motor scooter definition added
402.24	Pedestrian definition added
402.277	Private road definition
402.28	Private road or driveway definition repealed
402.30	Railroad definition
402.31	Railroad sign or signal definition
402.32	Railroad train definition repealed
402.35	Roadway definition
402.351	Roundabout definition added
402.37	School bus definition
402.386	Shoulder definition added
402.39	Sidewalk definition

402.392	Site roadway open to public travel definition added
402.394	State definition added
402.44	Street or highway definition
402.47	Traffic definition added
402.48	Traffic control device definition
402.49	Traffic control signal definition
402.501	Train definition added
402.512	Two-stage bicycle turn box definition added
402.53	Vehicle definition
414.03	Traffic control signal terms and lights
414.04	Signal to control lane direction of travel
414.09	Unauthorized possession or sale of devices
414.10	Signal preemption devices; prohibitions
414.11	Bicycle symbol signal indications
416.01	Duties of pedestrians and drivers at crosswalks
416.03	Right-of-way yielded by pedestrian; crossing roadways
416.11	Motorized wheelchair operators repealed
416.11	Operation of electric personal assistive mobility devices renumbered and amended
432.155	Intersections at which traffic control signals fail or malfunction
432.30	Stopping for school bus; actuating visual signals; discharging children
432.31	Driving across grade crossings
432.32	Stopping at grade crossings
432.33	Slow-moving vehicles or equipment at grade crossings
432.34	Obstructing intersections, crosswalks or grade crossings
434.01	Driving or physical control of vehicle while under the influence of alcohol or drugs
434.03	Maximum speed limits; assured clear distance ahead
434.035	Speed limits on private roads
434.08	Vehicular homicide; vehicular manslaughter; vehicular assault
434.09	Operation restricted for mini-trucks and low-speed, under-speed, or utility vehicles
436.04	Certain acts prohibited
436.071	Driving under suspension or in violation of license restriction
436.074	Driving under financial responsibility law suspension or cancellation; driving under a nonpayment of judgment suspension
436.09	Display of license plates; registration; obstructions
438.235	Tinted glass; materials on glass
438.25	Motor vehicle stop lights
438.28	Use of child restraints
440.08	Occupying travel trailer, fifth wheel vehicle, or manufactured or mobile home while in motion
442.01	Drivers of commercial vehicles definitions
606.06	Limitation on criminal prosecutions
606.10	Falsification
606.12	Failure to report a crime or death
606.24	Disposition of unclaimed or forfeited property held by Police Division
612.08	Hours of sale or consumption
612.09	Illegal conveyance of weapons, drugs or other prohibited items onto grounds of detention facility or institution

Ordinance No. 23-26 (Con't)

624.01	Drugs definitions
624.03	Drug possession offenses
624.04	Possession of drug abuse instruments
624.05	Permitting drug abuse
624.07	Abusing harmful intoxicants
624.08	Illegal dispensing of drug samples
624.16	Sale of pseudoephedrine
624.17	Sale of pure caffeine product
630.01	Gambling definitions
636.17	Domestic violence
636.21	Illegal distribution of cigarettes, other tobacco products, or alternative nicotine products; transaction scans
636.25	Illegal use of a tracking device or application
642.02	Theft
642.32	Medicaid fraud
666.01	Sex related offenses definitions
666.03	Sexual imposition
666.21	Nonconsensual dissemination of private sexual images repealed
666.21	Grooming added
672.16	Concealed handgun licenses; possession of a revoked or suspended license; additional restrictions; posting of signs prohibiting possession
698.03	Imposing sentence for misdemeanor