

**CODIFIED
ORDINANCES
OF
BETHESDA
OHIO**

Complete to August 15, 2016

CERTIFICATION

We, Martin W. Lucas, Mayor and Ricky Burkhead Jr., Village Clerk, of Bethesda, Ohio, pursuant to Ohio Revised Code 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Village of Bethesda, Ohio, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes are correctly set forth and constitute the Codified Ordinances of Bethesda, Ohio, 2015, as amended to August 15, 2016.

/s/ Martin W. Lucas
Mayor

/s/ Ricky Burkhead, Jr.
Village Clerk

Codified, edited and prepared for
publication by
THE WALTER H. DRANE COMPANY
Cleveland, Ohio

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VILLAGE OF BETHESDA

ROSTER OF OFFICIALS

(2016)

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Ricky Burkhead, Jr.
Dirk Davis
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Mayor
Village Clerk
Village Administrator
Village Solicitor

The publisher
expresses its appreciation
to

DIRK DAVIS
Village Administrator

and

TERRY L. SCHULTZ, JR.
Village Solicitor

and to all other officials and employees
who gave their time and counsel to
this 2015 codification

ORDINANCE NO. 1345

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Bethesda, Ohio, has had the matter of codification and general revision of the ordinances before it for some time, and

WHEREAS, it has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such codification, and

WHEREAS, the codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed, are before the Council,

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Bethesda.

SECTION 1. That the ordinances of the Village of Bethesda, Ohio, of a general and permanent nature, as revised, codified, rearranged and consolidated into component codes, titles, chapters and sections are hereby approved, adopted and enacted as the Codified Ordinances of the Village of Bethesda, Ohio, 2015.

One book-form copy of the Codified Ordinances shall be certified as correct by the Mayor and the Clerk of Council, attached to this Ordinance as a part hereof, and filed with the permanent records of the Village of Bethesda, Ohio.

SECTION 2. That the provisions of this Ordinance, including all provisions of the Codified Ordinances, shall be in full force and effect as provided by law. All ordinances and resolutions or parts thereof enacted prior to which are inconsistent with any provision of the Codified Ordinances, are hereby repealed as of the effective date of this Ordinance except as follows:

- (a) The enactment of the Codified Ordinances shall not be construed to affect a right or liability accrued or incurred under any legislative provisions prior to the effective date of such enactment, or any 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 provisions, 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 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 September 21, 2015.

SECTION 3. That the Clerk of Council, pursuant to Ohio Revised Code Section 731.21 shall publish a succinct summary of this Ordinance which shall contain notice that the complete text of this Ordinance may be obtained or viewed, and the Codified Ordinances viewed, at the office of the Clerk of Council and may be viewed at any other location designated by Council. The Solicitor shall review the summary prior to forwarding it to the Clerk of Council for publication to ensure that the summary is legally accurate and sufficient.

SECTION 4. That each section of the Codified Ordinances without an ordinance or resolution history at the end thereof indicates that the section contains new material which is hereby enacted by this adopting ordinance.

SECTION 5. That through authentication and approval of this Ordinance, the Mayor and Clerk of Council shall certify that the permanent and general ordinances of the Municipality as codified therein are correctly set forth and constitute the Codified Ordinances of Bethesda, Ohio, 2015.

SECTION 6. That Council further agrees to enter into an Agreement for Annual Codification Supplement with the Walter H. Drane Company, and hereby authorizes the Village Administrator to sign the agreement and return said Agreement to the Walter H. Drane Company.

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety for the reason that there exists an imperative necessity for the earliest publication and distribution of the Codified Ordinances to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid legal entanglements, including conflict with general State law.

/s/ Martin W. Lucas
Martin W. Lucas, Mayor

CLERK'S CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing Ordinance was adopted by Bethesda Village Council at a regular meeting on the 29th day of October, 2015.

/s/ Ricky Burkhead
Ricky Burkhead, Clerk of Council

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EDITOR'S NOTE

The arrangement and numbering of the Codified Ordinances into component codes, titles, chapters and sections are based on an adaptation of the decimal numbering system which is similar to that used in the Ohio Revised Code, and in accord with the best accepted practice in instituting a codification. Each section is self-identifying as to code, chapter and section number. For example, 305.06 indicates that the code number is 3, the chapter number is 305 (or the 5th chapter within code 3), and the section number is .06. The code and chapter numbers appear left of the decimal, with the code number preceding the first two digits left of the decimal, and the chapter number being all digits left of the decimal. The section number appears right of the decimal. As another example, 113.10 indicates the code number is 1, the chapter number is 113 (or the 13th chapter within code 1), and the section number is .10.

This numbering system has the advantage of inherent flexibility in allowing for an almost endless amount of expansion. Codes, titles and chapters initially are odd-numbered, thus reserving the use of even numbers for future legislation. Sections within chapters are consecutively numbered, except that penalty provisions are usually assigned the number .99 as used in the Revised Code. Newly created sections subsequent to the original codification may be indicated by three digits right of the decimal in the event the law properly belongs between two consecutively numbered sections. For example, newly created 575.061, 575.062 and 575.063 follow 575.06 and precede 575.07 to be placed in their logical position.

Section histories enable a user to trace the origin of the law contained in the section. The history indicates the derivation by reference to either its passage date and the ordinance number originally assigned to it at that time, or to its inclusion in any prior code. Sections without histories indicate that the section contains new matter which was ordained by the Adopting Ordinance which enacts the Codified Ordinances.

The Comparative Section Table is included to show the disposition of every ordinance included in the Codified Ordinances. It indicates whether a given ordinance was consolidated with another into one section or split into two or more sections. Cross references direct the user to subject matter reasonably related to material contained within a given chapter.

GENERAL INDEX

EDITOR'S NOTE: References are to individual code sections. As additional aids for locating material, users are directed to:

- (a) The comparative Section Table which indicates in the Codified Ordinances the disposition of the ordinances or resolutions integrated therein.
- (b) The table of contents preceding each component code, and the sectional analysis preceding each chapter.
- (c) The cross references to related material following each chapter analysis.

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