

NEW LEGISLATION

March 11, 2013

Temp. No.	Introduced	Committee	Description
B-14	3/11/13	PA	An ordinance amending various sections of the Codified Ordinances to conform to state law, approving the 2012 replacement pages to the codified ordinances of the City of Cuyahoga Falls, and declaring an emergency.
B-15	3/11/13	PA	An ordinance enacting new Section 123.031 of Title Five, Part One of the Codified Ordinances, relating to the disposition and recycling of electronic waste, and declaring an emergency.

CALENDAR

March 11, 2013

The following legislation will be up for passage at the Council Meeting on March 11, 2013.

Temp. No.	Introduced	Committee	Description
B-12	2/25/13	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the repair, resurfacing and/or reconstruction of various streets in the City of Cuyahoga Falls and declaring an emergency.
B-13	2/25/13	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of an 8" water main in Maitland Avenue between State Road and 26 th Street, and declaring an emergency.

PENDING LEGISLATION

March 11, 2013

Temp. No.	Introduced	Committee	Description
A-99 Sub	9/24/12	PA	An ordinance authorizing the Director of Public Service to issue an encroachment permit to Cole CK Portfolio I, LLC for the purpose of installing and operating a private sanitary force main sewer in Portage Trail Extension, and declaring an emergency.
A-113	11/12/12	Fin	An ordinance authorizing an amendment to the amended and restated contract for sale of land for private redevelopment with Portage Crossing, LLC (Contract No. 6779), and declaring an emergency.
A-117	11/26/12	Fin	An ordinance authorizing the Director of Finance to make salary supplement payments to eligible full-time employees of the City in Fiscal Year 2013, and declaring an emergency.
A-118	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6613 with the International Association of Firefighters, Local 494, and declaring an emergency.
A-119	11/26/12	Fin	An ordinance authorizing the Mayor to enter into an amendment of Contract No. 6709 with the American Federation of State, County and Municipal Employees, Local 2662 (AFSCME), and declaring an emergency.
A-120	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6640 with the Fraternal Order of Police, Ohio Labor Council, Inc., and declaring an emergency.
A-121	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6619 with the Ohio Patrolmen's Benevolent Association, and declaring an emergency.

A-122	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6616 with the Ohio Patrolmen's Benevolent Association, and declaring an emergency.
B-12	2/25/13	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the repair, resurfacing and/or reconstruction of various streets in the City of Cuyahoga Falls and declaring an emergency.
B-13	2/25/13	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the construction of an 8" water main in Maitland Avenue between State Road and 26 th Street, and declaring an emergency.

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. -2013

6
7 AN ORDINANCE AMENDING VARIOUS SECTIONS OF
8 THE CODIFIED ORDINANCES TO CONFORM TO STATE
9 LAW, APPROVING THE 2012 REPLACEMENT PAGES TO
10 THE CODIFIED ORDINANCES OF THE CITY OF
11 CUYAHOGA FALLS, AND DECLARING AN EMERGENCY.
12

13 WHEREAS, Article XVIII, Section 3 of the Ohio Constitution provides that
14 municipalities shall have the authority to enforce local police, sanitary and other similar
15 regulations as are not in conflict with general laws, and
16

17 WHEREAS, certain provisions within the Codified Ordinances of the City of
18 Cuyahoga Falls should be amended to conform to current State laws that have been
19 amended, so as to avoid conflict in matters that are not subject to the City’s powers of
20 local self-government; and
21

22 WHEREAS, various ordinances and ordinance amendments of a general and
23 permanent nature have been passed by this Council which should be included in the
24 published Codified Ordinances; and
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26 WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane
27 Company to prepare and publish such revisions as are approved by this Council,
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29 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
30 County of Summit and State of Ohio, that:
31

32 Section 1. The Ordinances of the City of Cuyahoga Falls, Ohio, of a general and
33 permanent nature, as revised, recodified, rearranged and consolidated into component
34 codes, titles, chapters and sections within the 2012 Replacement Pages to the Codified
35 Ordinances, are hereby approved and adopted.
36

37 Section 2. That the following sections and chapters are hereby added, amended or
38 repealed as respectively indicated in order to comply with current State law.
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40 Traffic Code

- 41
- 42 301.031 Beacon; Hybrid Beacon. (Added)
- 43 301.161 Highway Traffic Signal. (Added)
- 44 301.17 Intersection. (Amended)
- 45 301.181 Median. (Added)
- 46 301.26(b) Private Road or Driveway. (Added)
- 47 301.361 Shared-Use Path. (Added)
- 48 301.45 Traffic (Amended).
- 49 301.46 Traffic Control Device. (Amended)
- 50 301.47 Traffic Control Signal. (Amended)
- 51 303.03 Emergency, Public Safety and Coroner’s Vehicles Exempt.
52 (Amended)
- 53 303.99 General Traffic Code Penalty. (Amended)
- 54 313.03 Traffic Signal Indications. (Amended)

55 313.04 Lane-Use Control Signal Indications. (Amended)
56 313.05 Special Pedestrian Control Signals. (Amended)
57 313.06 Flashing Traffic Signals. (Repealed)
58 331.12 U-Turns Restricted. (Amended)
59 333.11 Texting While Driving Prohibited. (Added)
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61

62 Traffic Code (Cont.)
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64 335.032 Electronic Wireless Communication Device Prohibited. (Added)
65 335.07 Driving Under License Suspension or Restriction. (Amended)
66 335.072 Driving Under Financial Responsibility Law Suspension or
67 Cancellation. (Amended)
68 335.074 Driving Under License Forfeiture or Child Support Suspension.
69 (Amended)
70 337.01 Driving Unsafe Vehicles. (Amended)
71 337.09 Lights on Parked or Stopped Vehicles. (Amended)
72 337.18 Motor Vehicle and Motorcycle Brakes. (Amended)
73 337.23 Limited Load Extension on Left Side of Passenger Vehicle.
74 (Amended)
75 337.29 Bumper Heights. (Amended)
76 339.01 Oversize or Overweight Vehicle on State Routes. (Amended)
77 339.03 Maximum Width, Height and Length. (Amended)
78 339.06 Vehicles Transporting Explosives. (Amended)
79 339.07 Towing Requirements. (Amended)
80 339.08 Loads Dropping or Leaking. (Amended)
81 341.05 Commercial Drivers' Criminal Offenses. (Amended)
82 351.04 Parking Near Curb; Handicapped Parking. (Amended)
83
84

85 General Offenses Code
86

87 513.12 Drug Paraphernalia. (Amended)
88 513.121 Marihuana Drug Paraphernalia. (Added)
89 517.01 Gambling Definitions. (Amended)
90 517.02 Gambling. (Amended)
91 517.05 Cheating. (Amended)
92 517.06 Methods of Conducting a Bingo Game. (Amended)
93 517.07 Instant Bingo Conduct. (Amended)
94 517.08 Raffles. (Amended)
95 517.09 Charitable Instant Bingo Organizations. (Amended)
96 517.10 Location of Instant Bingo. (Amended)
97 517.11 Bingo or Game of Chance Records. (Amended)
98 517.13 Bingo Exceptions. (Amended)
99 517.15 Skill-Based Amusement Machines. (Amended)
100 529.021 Purchase by Minors. (Amended)
101 529.04 Liquor Consumption in Motor Vehicle. (Amended)
102 529.07 Open Container Prohibited. (Amended)
103 533.08 Procuring. (Amended)
104 533.09 Soliciting. (Amended)
105 537.12 Misuse of 9-1-1 System. (Amended)
106 549.16 Possessing Replica Firearms in School. (Amended)
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3 CITY OF CUYAHOGA FALLS, OHIO

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5 ORDINANCE NO. - 2013

6
7 AN ORDINANCE ENACTING NEW SECTION 123.031
8 OF TITLE FIVE, PART ONE OF THE CODIFIED
9 ORDINANCES, RELATING TO THE DISPOSITION
10 AND RECYCLING OF ELECTRONIC WASTE, AND
11 DECLARING AN EMERGENCY.

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13 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of
14 Summit, and State of Ohio, that:

15
16 Section 1. New Section 123.031 of Title Five, Part One of the Codified
17 Ordinances of the City of Cuyahoga Falls is hereby enacted to read in full as
18 follows:

19
20 123.031 ELECTRONIC WASTE

21 The Director of Information Technology Services is authorized to
22 determine the obsolescence of the various digital and electronic devices owned
23 and used by the City, to declare obsolete digital and electronic devices no longer
24 needed for any municipal purpose, and to dispose of or recycle such devices in
25 a secure, responsible manner without first offering them for sale. Not later than
26 fourteen (14) days prior to such disposal or recycling, the Director of
27 Information Technology Services shall provide a list of all property to be
28 disposed of or recycled under this Section to the Clerk of Council. The
29 Director of Finance is authorized to enter into contract as necessary to provide
30 for the periodic disposal or recycling of electronic waste generated by City
31 operations.

32
33 Section 2. Any ordinances or resolutions or portions of ordinances and
34 resolutions inconsistent herewith are hereby repealed, but any ordinances and
35 resolutions not inconsistent herewith and which have not previously been
36 repealed are hereby ratified and confirmed.

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38 Section 3. It is found and determined that all formal actions of this Council
39 concerning and relating to the passage of this ordinance were taken in an open
40 meeting of this Council and that all deliberations of this Council and of any
41 committees that resulted in those formal actions were in meetings open to the
42 public, in compliance with all requirements including Chapter 107 of the
43 Codified Ordinances.

44
45 Section 4. This ordinance is hereby declared to be an emergency measure
46 necessary for the preservation of the public peace, health, safety, convenience
47 and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and
48 provided it receives the affirmative vote of two-thirds of the members elected or
49 appointed to Council, it shall take effect and be in force immediately upon its

50 passage and approval by the Mayor; otherwise it shall take effect and be in force
51 at the earliest period allowed by law.

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54 Passed:_____

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61 Approved_____

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64 3/11/13

65 O:\2013ords\enact-123.031-electronic waste