

**CODIFIED
ORDINANCES
OF THE
CITY OF
FAIRVIEW PARK
OHIO**

Complete to March 2, 2009

CERTIFICATION

We, Eileen Ann Patton, Mayor, and Traci L. Waldron, Clerk, of the City of Fairview Park, Ohio, pursuant to Ohio Revised Code 731.23 and 731.42, hereby certify that the general and permanent ordinances of the City of Fairview Park, Ohio, as revised, rearranged, compiled, renumbered as to sections, codified and printed herein in component codes are correctly set forth and constitute the Codified Ordinances of the City of Fairview Park, Ohio, 1978, as amended to March 2, 2009.

/s/ Eileen Ann Patton
Mayor

/s/ Traci L. Waldron
Clerk

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CITY OF FAIRVIEW PARK, OHIO

ROSTER OF OFFICIALS

(2009)

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Richard R. Mackay	City Engineer
Jeffrey A. Grusenmeyer	Architect

The publisher
expresses his appreciation
to

TRACI L. WALDRON
Clerk

and all other City officials who gave
their time and counsel to this codification
and supplements

CITY OF FAIRVIEW PARK

ORDINANCE NO. 96-82

REQUESTED BY: LOCAL GOVERNMENT & COMMUNITY SERVICES COMMITTEE

SPONSORED BY: COUNCILMAN McCAFFERTY

ORDINANCE NO. 96-82

BY:

AN ORDINANCE APPROVING AND ADOPTING THE CODIFIED ORDINANCES OF FAIRVIEW PARK, OHIO, 1996, REPEALING CERTAIN ORDINANCES IN CONFLICT THEREWITH, PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE AND THE CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FAIRVIEW PARK, STATE OF OHIO:

SECTION 1. That pursuant to Ohio R.C. 731.23, the ordinances of the City of Fairview Park, Ohio, of a general and permanent nature, as compiled, revised, rearranged, renumbered and codified, are hereby approved, adopted and enacted as the Codified Ordinances of Fairview Park, Ohio, 1996, which are attached hereto and made a part hereof as "Exhibit A".

SECTION 2. That all of the provisions of the Codified Ordinances of Fairview Park, Ohio, 1996, shall be in full force and effect upon passage and approval of this ordinance. The Codified Ordinances of Fairview Park, Ohio, 1978, excepting such sections as are recodified in the Codified Ordinances of Fairview Park, Ohio, 1996, and all other ordinances in conflict with the Codified Ordinances of Fairview Park, Ohio 1996, are hereby repealed from and after the effective date of this ordinance, except as hereinafter specifically provided.

SECTION 3. That the repeal provided for in Section 2 of this ordinance shall not affect:

- (1) Any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing before the effective date of this ordinance.
- (2) Any ordinance or resolution promising or guaranteeing the payment of money by or to the City, or authorizing the issuance of any bonds of the City, or by any evidence of the City's indebtedness, or any contract or obligation assumed by the City.
- (3) The administrative ordinances or resolutions of Council not in conflict or inconsistent with the provisions of the Codified Ordinances.
- (4) Any right, license or franchise conferred by any ordinance or resolution of Council on any person or corporation.
- (5) Any ordinance establishing, naming, relocating or vacating any street or public way.
- (6) Any ordinance or part thereof providing for salaries or compensation.
- (7) Any prosecution, suit or other proceeding pending, or any judgment rendered on or prior to the effective date of this ordinance.
- (8) Any ordinance levying or imposing taxes or assessments.
- (9) Any ordinance establishing or changing the boundaries of the City.
- (10) Any ordinance or resolution adopted by Council after September 4, 1996.

SECTION 4. That the ordinances and material included in the Codified Ordinances of Fairview Park, Ohio, 1996, have all heretofore been duly published as required by Section 11 of Article IV of the City Charter, except the following material, of which notice of inclusion in the Codified Ordinances is hereby given as required by Sections 731.23 and 731.231 of the Ohio Revised Code, which is listed by section number in the Comparative Section Table in the Preliminary Unit. Any section without a previous ordinance history indicates the substantive matter is new and ordained by this adopting ordinance.

SECTION 5. That a copy of this ordinance and a copy of the Codified Ordinances of Fairview Park, Ohio, 1996, shall be posted in City Hall as provided in Section 11 of Article IV of the City Charter.

SECTION 6. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that there exists an imperative necessity for the earliest publication and distribution of the Codified Ordinances to the officials and citizens of the City, so as to facilitate administration, daily operation and avoid practical and legal entanglements; and provided it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor.

PASSED: October 21, 1996

APPROVED: October 22, 1996

/s/ William F. Minek
President of Council

/s/ Karl Kubb
Mayor

Attested:

/s/ Beverly J. Munro
Clerk of Council

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EDITOR'S NOTE

The arrangement and numbering of the City Code 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 City Code.

The Comparative Section Table is included to show the disposition of every ordinance included in the City Code. 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.
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EDITOR'S NOTE: Source material for the Codified Ordinances of Fairview Park was either ordinances or resolutions enacted by Council, or new matter ordained by the Adopting Ordinance. Sections of the Codified Ordinances without any history indicate that such sections contain new matter ordained by the Adopting Ordinance. In the following table, the disposition of all source material in the Fairview Park Codified Ordinances is indicated.

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