**ORDINANCE NO.: 2023-02**

**AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2023 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF DEGRAFF, OHIO, AND DECLARING AN EMERGENCY**

**WHEREAS,** the present general and permanent Ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety, and general welfare of the municipality and for the proper conduct of affairs.

**WHEREAS,** American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

**WHEREAS,** it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety, and general welfare of the municipality that this Ordinance take effect at an early date.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF DEGRAFF, OHIO:**

**Section 1.** American Legal Publishing's Ohio Basic Code, 2023 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code, which may have been previously adopted by the municipality, is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2023 Edition.

**Section 2.** One copy of the American Legal Publishing's Ohio Basic Code, 2023 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Clerk of the Municipality and retained as a permanent Ordinance record of the Municipality. The Clerk of the Municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23.

**Section 3.** All Ordinances and Resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2023 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this Ordinance, except as follows:

(A) The enactment of the Ohio Basic Code, 2023 Edition, 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, not to affect an indictment or prosecution thereof. 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 of 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 the adoption of this Ordinance;
(11) Any legislation specifically superseding the provision of the Ohio Basic Code.

**Section 4.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Mayor

President of Council

I, Kassandra Staley, Clerk of the Village of DeGraff, Ohio do hereby certify that the foregoing is a true and correct copy of Ordinance 2023-02 Passed by Council of said Village on the 3 day of January, 2023.

Kassandra Staley
Clerk