

Village of Carrollton

Resolution No. 2024-23

**A RESOLUTION AMENDING THE ORIGINAL APPROPRIATIONS ORDINANCE FOR 2024 AND DECLARING IT AN EMERGENCY. WHEREAS,** the Clerk-Treasurer has notified the Council of the Village of Carrollton that it is necessary to amend the appropriations within certain funds to anticipate necessary expenditures approved by council.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF CARROLLTON, OHIO** that the Clerk-Treasurer of the Village of Carrollton be authorized to make the following amendments and or/additions to the appropriations for 2024 as follows:

101-1172-5-2360	Insurance & Bonding	(\$6,000.00)
101-1172-5-2340	Professional Services	\$6,000.00
101-0080-4-1870	P.D. Donations	(\$300.00)
101-1111-5-2500	P.D. Capital Outlay	\$300.00
104-0090-4-1910	Refunds & Reimbursements	(\$4,192.56)
101-1111-5-2110	Salaries/Wages P.D.	\$4,192.56
101-1182-5-2710	Transfer Out	(\$20,449.52)
404-0090-4-1910	Capital Outlay Sidewalk	\$20,449.52
219-0080-4-1840	Opioid Settlement Fund	(\$566.18)
219-2170-5-2500	Capital Outlay Opioid	\$566.18
501-5158-5-2500	Water Treatment Plant Capital	(\$50,000)
501-5156-5-2500	Capital Outlay	\$50,000
501-5156-5-2500	Capital Outlay	(\$20,000)
501-5156-5-2430	Repair & Maintenance	\$20,000
208-0080-4-1840	Misc. F.D.	(\$1400.00)
208-2812-5-2500	F.D. Capital Outlay	\$1400.00

This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of the Village of Carrollton and the reason for the necessity being there exists an imperative need to add and/or amend the current appropriations between accounts to cover necessary expenses approved by council.

Passed this 22nd day of July 2024.

/s/ Darla Tipton

Darla Tipton, Clerk/Treasurer

Published on the Village of Carrollton website

/s/ William J. Stoneman

William J. Stoneman, Mayor

Village of Carrollton

ORDINANCE 2024-24

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CARROLLTON, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of Carrollton, Ohio;

WHEREAS, there have been numerous amendments to State law which need to be reflected in the Traffic, General Offenses and Fire Prevention Codes;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Carrollton, Ohio:

SECTION 1: The editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Carrollton, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances, to-wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
<del>2023-24</del>	5-22-23	379.01 to 379.04, 379.99
2023-25	6-12-23	379.02(c)
2023-34	9-11-23	2023 Replacement Pages
2023-37	9-25-23	379.04(a), (b); Repeals 379.04(d)
2023-43	11-13-23	183.062(F), (G), 183.091(A), (G), 183.10(C), 183.96
2024-07	3-11-24	921.10

SECTION 2: That the following sections of the Traffic and General Offenses Codes, as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly:

Traffic Code

- 301.35 School Bus. (Amended)
- 303.991 Committing an Offense While Distracted Penalty. (Amended)
- 331.38 Stopping for School Bus; Discharging Children. (Amended)
- 331.45 Restrictions on the Operation of School Buses. (Added)
- 333.03 Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
- 333.11 Electronic Wireless Communication Device Use Prohibited While Driving.  
(Amended)

### Traffic Code (Cont.)

- 337.16 Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)
- 337.26 Child Restraint System Usage. (Amended)
- 337.31 Lights and Sign on Transportation for Preschool Children. (Added)
- 341.01 Commercial Drivers Definitions. (Amended)
- 341.04 Commercial Drivers Prohibitions. (Amended)
- 341.05 Criminal Offenses. (Amended)
- 351.04 Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages. (Amended)

### General Offenses Code

- 501.01 General Provisions and Penalty Definitions. (Amended)
- 505.18 Rights of Blind, Deaf or Hearing Impaired, or Mobility Impaired Person, or Trainer with Assistance Dog. (Added)
- 509.06 Inducing Panic. (Amended)
- 509.10 Impeding Public Passage of an Emergency Service Responder. (Added)
- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.17 Adult Use Cannabis Control; Limitations on Conduct by Individuals. (Added)
- 529.07 Open Container Prohibited. (Amended)
- 533.08 Procuring; Engagement in Sexual Activity for Hire. (Amended)
- 537.03 Assault. (Amended)
- 537.12 Misuse of 9-1-1 System. (Amended)
- 537.16 Illegal Distribution of Cigarettes, Other Tobacco Products, or Alternative Nicotine Products; Transaction Scans. (Amended)
- 549.12 Possessing Replica Firearm in School. (Amended)
- 549.14 Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (Added)

SECTION 3: A copy of such ordinances or parts of ordinances as edited, arranged and numbered or renumbered as parts of the Codified Ordinances is attached to this ordinance in the form of 2024 Replacement Pages to the Codified Ordinances.

SECTION 4: This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5: This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village, the reason for the necessity being that there exists an imperative need for the earliest publication and distribution of the 2024 Replacement Pages to the Codified Ordinances to the officials and residents of the Village, so as to facilitate administration, daily operation and avoid practical and legal entanglements.

/s/ William J. Stoneman  
Mayor

Passed 07/22/2024

Attest:

/s/ Darla Tipton  
Clerk-Treasurer

Published on the Village of Carrollton website

VILLAGE OF CARROLLTON, OHIO  
RESOLUTION NUMBER 2024-25

**A RESOLUTION AUTHORIZING SETTLEMENT OF A MORAL OBLIGATION FOR A  
SEWER LATERAL COLLAPSE**

WHEREAS, owners of the property located at 505 South High Street in the Village of Carrollton have presented a claim to the Village of Carrollton alleging a sewer lateral collapse resulting in a sewer backup on the property;

WHEREAS, the Village investigated the sewer lateral collapse and concluded that additional aggregate placed above the buried lateral in an effort to temporarily support a storm drain to be replaced by a delayed engineered project involving a railroad right of way issue likely contributed to the sewer lateral collapse;

WHEREAS, the Village Solicitor has reviewed with the Village Administration the claim and has concluded that the action taken by the Village to temporarily support the storm drain was not legally enforceable against the Village because of sovereign immunity;

WHEREAS, the Village Solicitor has advised Council that it may recognize a moral obligation that would otherwise be legally unenforceable because of sovereign immunity or when the legally unenforceable obligation is binding upon the conscience of the municipality and the dictates of natural justice; and

WHEREAS, Council desires to recognize the moral obligation.

NOW, THEREFORE, Be It Resolved by Council of the Village of Carrollton, Ohio that:

1. Payment of a moral obligation in an amount not to exceed \$854.71 to Susan J. Pallaye and David L. Pallaye, wife and husband, and Karen M. Ledford and Randall L. Ledford, wife and husband, is hereby authorized, conditioned upon the execution a Release of Claims by all four said property owners fully releasing the Village of Carrollton from all claims arising from the sewer lateral collapse and sewer backup, as set forth in attached Exhibit A.

Passed the 22<sup>nd</sup> day of July, 2024

ATTEST:

/s/ Darla Tipton  
Darla Tipton, Clerk-Treasurer  
Village of Carrollton, Ohio

/s/ William J. Stoneman  
William J. Stoneman, Mayor  
Village of Carrollton, Ohio

This Instrument Prepared by:  
Clark Battista, Solicitor  
Village of Carrollton, Ohio

Published on the Village of Carrollton website