

ORDINANCE NO.: 43-2024
INTRODUCED BY: Mayor Thomas and All of Council

AN ORDINANCE AMENDING SECTION 509.03(e) OF CHAPTER 509, DISORDERLY CONDUCT AND PEACE DISTURBANCE, OF THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS TO INCREASE THE PENALTY FOR DISORDERLY CONDUCT AND DECLARING AN EMERGENCY.

WHEREAS, in order to provide a stronger deterrent to the rise in disorderly conduct in the City, upon the advice of the City Prosecutor and Chief of Police, this Council desires to increase the penalty for any and all types of disorderly conduct to a misdemeanor of the fourth degree, rather than a minor misdemeanor;

NOW, THEREFORE, BE IT ORDAINED by the Council of Richmond Heights, State of Ohio, that:

Section 1: Section 509.03(e) only of Chapter 509, Disorderly Conduct and Peace Disturbance, of the General Offenses Code of the Codified Ordinances of the City of Richmond Heights is hereby amended to hereinafter provide as follows:

(e) (1) Whoever violates this section is guilty of disorderly conduct.

(2) ~~Except as otherwise provided in subsections (e)(3) and (e)(4), d~~Disorderly conduct is a ~~minor misdemeanor~~ **of the fourth degree.**

~~— (3) Disorderly conduct is a misdemeanor of the fourth degree if any of the following applies:~~

~~— A. The offender persists in disorderly conduct after reasonable warning or request to desist.~~

~~— B. The offense is committed in the vicinity of a school or in a school safety zone.~~

~~— C. The offense is committed in the presence of any law enforcement officer, firefighter, rescuer, medical person, emergency medical services person, or other authorized person who is engaged in the person's duties at the scene of a fire, accident, disaster, riot or emergency of any kind.~~

~~— D. The offense is committed in the presence of any emergency facility person who is engaged in the person's duties in an emergency facility.~~

~~— (4) If an offender previously has been convicted of or pleaded guilty to three or more violations of subsection (b) of this section, a violation of subsection (b) of this section is a misdemeanor of the fourth degree.~~

Section 2: Current Section 509.03(e) only of Chapter 509, Disorderly Conduct and Peace Disturbance, of the General Offenses Code of the Codified Ordinances of the City of Richmond Heights is hereby repealed.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and

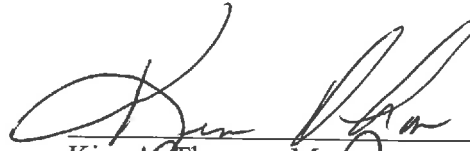
that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation for the public peace, health and safety of the City and the inhabitants thereof for the reason that this legislation is necessary to enable the City to effectively enforce and reduce instances of disorderly conduct that are a threat to the health, safety and general welfare of persons and to do so at the earliest possible time, and provided it receives approval of two-thirds of the members of Council, shall be in full force and effect from and after its approval by the Mayor, or otherwise take effect and be in force from and after the earliest period provided by law.

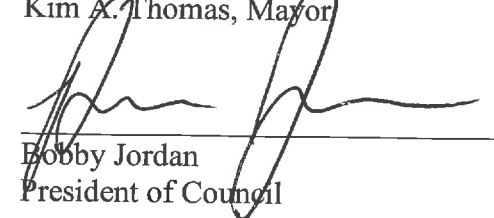
PASSED: March 26, 2024

APPROVED: March 26, 2024

ATTEST: Tracey Blair
Tracey Blair
Clerk of Council



Kim A. Thomas, Mayor



Bobby Jordan
President of Council