

CHAPTER 642
Offenses Relating to Property

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642.01 DEFINITIONS.

As used in this chapter:

(a) “Deception” means knowingly deceiving another or causing another to be deceived, by any false or misleading representation, by withholding information, by prevention another from acquiring information, or by any other conduct, act or omission which creates, confirms or perpetuates a false impression as to law, value, state of mind or other objective or subject fact.

(b) “Defraud” means to knowingly obtain, by deception, some benefit for oneself or another, or to knowingly cause, by deception, some detriment to another.

(c) “Deprive” means to:

- (1) Withhold property of another permanently, or for such period as to appropriate a substantial portion of its value or use, or with purpose to restore it only upon payment of a reward or other consideration;
- (2) Dispose of property so as to make it unlikely that the owner will recover it;
- (3) Accept, use or appropriate money, property or services, with the purpose not to give proper consideration in return therefor, and without reasonable justification or excuse for not giving proper consideration.

(d) “Owner” means any person, other than the actor, who is the owner of, or who has possession or control of, or any license or interest in property or services, even though such ownership, possession, control, license or interest is unlawful.

(e) “Services” include labor, personal services, professional services, public utility services, common carrier services, food, drink, transportation and entertainment.

(f) “Writing” means any computer program, document, letter, memorandum, note, paper, plate, data, film or other thing having in or upon it any written, typewritten or printed matter, and also means any token, stamp, seal, credit card, badge, trademark, label or other symbol of value, right, privilege, license or identification.

(g) “Forge” means to fabricate or create, in whole or in part and by any means, any purious writing, or to make, execute, alter, complete, reproduce, or otherwise purport to authenticate any writing, when such writing in fact is not authenticated thereby.

(h) “Utter” means to issue, publish, transfer, use, put or send into circulation, deliver or display.

(i) “Coin machine” means any mechanical or electronic device designed to do both of the following:

- (1) Receive a coin or bill or token made for that purpose;

- (2) In return for the insertion or deposit of a coin, bill or token, automatically dispense property, provide a service or grant a license.

(j) “Slug” means an object which, by virtue of its size, shape, composition or other quality is capable of being inserted or deposited in a coin machine as an improper substitute for a genuine coin, bill or token made for that purpose.

- (k) “Theft offense” means any of the following:
- (1) A violation of ORC 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2911.31, 2913.03(B), 2913.31, 2913.32, 2915.06 or 2921.41, or a felony offense under ORC 2911.32, 2913.02, 2913.03(A), 2913.11, 2913.21, 2913.41, 2913.42, 2913.43, 2913.51, or 2915.05 or Section 624.05, 642.02, 642.04, 642.05, 642.13, 642.14, 642.15, 642.16, 642.17, 642.18, 642.19, 642.20, 642.21 or 642.22 of this General Offenses Code;
 - (2) A violation of an existing or former ordinance of this or any other municipality or law of this or any other state or the United States substantially equivalent to any section listed in Subparagraph (1) hereof;
 - (3) An offense under an existing or former ordinance of this or any other municipality or law of this or any other state or the United States involving robbery, burglary, breaking and entering, theft, embezzlement, wrongful conversion, forgery, counterfeiting, deceit or fraud;
 - (4) A conspiracy or attempt to commit, or complicity in committing, any offense under Subparagraph (1), (2) or (3) hereof.

(l) “Computer services” includes, but is not limited to, the use of a computer system, computer network, computer program, data that is prepared for computer use or data that is contained within a computer system or network.

(m) “Computer” means an electronic device that performs logical, arithmetic and memory functions by the manipulation of electronic or magnetic impulses. “Computer” includes, but is not limited to, all input, output, processing, storage, computer program or communication facilities that are connected or related in a computer system or network to such an electronic device.

(n) “Computer system” means a set of related computers, whether connected or unconnected, and the equipment that is necessary to operate the computers.

(o) “Computer network” means a set of related and remotely connected computers and communication facilities that includes more than one computer system that has the capability to transmit among the connected computers and communication facilities through the use of computer facilities.

(p) “Computer program” means an ordered set of data representing coded instructions or statements that, when executed by a computer, cause the computer to process data.

(q) “Data” means a representation of information, knowledge, facts, concepts or instructions that are prepared in a formalized manner and that are intended for use in a computer system or network. (ORC 2913.01) (Ord. No. 3049-83. Effective 2-22-83.)

642.02 THEFT.

(a) No person, with purpose to deprive the owner of property or services, shall knowingly obtain or exert control over either the property or services in any of the following ways:

- (1) Without the consent of the owner or person authorized to give consent;
- (2) Beyond the scope of the express or implied consent of the owner or person authorized to give consent;
- (3) By deception;
- (4) By threat.

(b) Whoever violates this section is guilty of petty theft, a misdemeanor of the first degree, provided the value of the property or services stolen is less than three hundred dollars (\$300) and provided the property stolen is not any of the property listed in Section 642.03 and provided the offender has not previously been convicted of a theft offense and provided the property stolen is not a motor vehicle as defined in ORC 4501.01. Punishment shall be as provided in Section 698.01 (ORC 2913.02) (Ord. No. 3049-83. Effective 2-22-83.)

642.03 DEGREE OF OFFENSE WHEN CERTAIN PROPERTY INVOLVED.

Regardless of the value of the property involved, and regardless of whether the offender has previously been convicted of a theft offense, a violation of Section 642.02 or 642.20 is not a misdemeanor if the property involved is any of the following:

- (a) A credit card;
- (b) A printed form for a check or other negotiable instrument, which on its face identifies the drawer or maker for whose use it is designed or identifies the account on which it is to be drawn, and which has not been executed by the drawer or maker or on which the amount is blank;
- (c) A firearm or dangerous ordnance, as defined in Section 672.01;
- (d) A motor vehicle, as defined in ORC 4501.01;
- (e) A motor vehicle identification license plate as prescribed by ORC 4503.22 or as prescribed by the applicable law of another state or the United States;
- (f) A blank form for a certificate of title or a manufacturer’s or importer’s certificate to a motor vehicle, as prescribed by ORC 4505.07;
- (g) A blank form for any license listed in ORC 4507.01 (ORC 2913.71)

642.04 UNAUTHORIZED USE OF A VEHICLE.

(a) No person shall knowingly use or operate an aircraft, motor vehicle, motorcycle, motorboat or other motor-propelled vehicle without the consent of the owner or person authorized to give consent.

(b) The following are affirmative defenses to a charge under this section:

- (1) At the time of the alleged offense, the actor, though mistaken, reasonably believed that he was authorized to use or operate the property.
- (2) At the time of the alleged offense, the actor reasonably believed that the owner or person empowered to give consent would authorize the actor to use or operate the property.

(c) Whoever violates this section is guilty of unauthorized use of a vehicle, a misdemeanor of the first degree, provided the offender has not previously been convicted of a violation of this section or of any other theft offense. Punishment shall be as provided in Section 698.02. (ORC 2913.03)

642.05 UNAUTHORIZED USE OF PROPERTY.

(a) No person shall knowingly use or operate the property of another without the consent of the owner or person authorized to give consent.

(b) The affirmative defenses contained in Section 642.04(b) are affirmative defenses to a charge under this section.

(c) Whoever violates this section is guilty of unauthorized use of property, a misdemeanor of the fourth degree. Punishment shall be as provided in Section 698.02. (ORC 2913.04)

642.06 INJURING VINES, BUSHES, TREES OR CROPS.

(a) No person, without privilege to do so, shall recklessly cut down, destroy, girdle or otherwise injure a vine, bush, shrub, sapling, tree or crop standing or growing on the land of another or upon public land.

In addition to the penalty provided in Subsection (b) hereof, whoever violates this section is liable in treble damages for the injury caused. (ORC 901.51)

(b) Whoever violates this section is guilty of a minor misdemeanor. Punishment shall be as provided in Section 698.02. (ORC 901.99).

642.07 ARSON.

(a) No person, by means of fire or explosion, shall knowingly cause or create a substantial risk of physical harm to any property of another without his consent.

(b) Whoever violates this section is guilty of arson, a misdemeanor of the first degree, provided the value of the property or the amount of physical harm involved is less

than three hundred dollars (\$300.00) and provided the offender's purpose is not to defraud and provided the property involved is not a courthouse, school building or other structure owned or controlled by the State or any of its political subdivisions, or any department, agency or instrumentality of either, and used for public purposes. Punishment shall be as provided in Section 698.02. (Ord. No. 3049-83. Effective 2-22-83.)

642.08 CRIMINAL DAMAGING OR ENDANGERING.

- (a) No person shall cause or create a substantial risk of physical harm to any property of another without his consent:
- (1) Knowingly, by any means;
 - (2) Recklessly, by means of fire, explosion, flood, poison gas, poison, radio-active material, caustic or corrosive material or other inherently dangerous agency or substance.
- (b) Whoever violates this section is guilty of criminal damaging or endangering, a misdemeanor of the second degree. If violation of this section creates a risk of physical harm to any person, criminal damaging or endangering is a misdemeanor of the first degree. Punishment shall be as provided in Section 698.02. (ORC 2909.06)

642.09 CRIMINAL MISCHIEF.

- (a) No person shall:
- (1) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with the property of another.
 - (2) With purpose to interfere with the use or enjoyment of property of another, employ a tear gas device, stink bomb, smoke generator or other device releasing a substance which is harmful or offensive to persons exposed, or which tends to cause public alarm;
 - (3) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with a bench mark, triangulation, station, boundary marker or other survey station, monument or marker;
 - (4) Without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with any safety device, the property of another, or the property of the offender when required or placed for the safety of others, so as to destroy or diminish its effectiveness or availability for its intended purpose.
- (b) As used in this section, "safety device" means any fire extinguisher, fire hose or fire axe, or any fire escape, emergency exit or emergency escape equipment, or any life line, life-saving ring, life preserver or life boat or raft, or any alarm, light, flare, signal, sign or notice intended to warn of danger or emergency, or intended for other safety purposes, or any guard railing or safety barricade, or any traffic sign or signal, or any railroad grade crossing sign, signal or gate, or any first aid or survival equipment, or

any other device, apparatus or equipment intended for protecting or preserving the safety of persons or property.

(c) Whoever violates this section is guilty of criminal mischief, a misdemeanor of the third degree. If violation of this section creates a risk of physical harm to any person, criminal mischief is a misdemeanor of the first degree. Punishment shall be as provided in Section 698.02. (ORC 2909.07)

642.10 CRIMINAL TRESPASS.

- (a) No person without privilege to do so, shall do any of the following:
- (1) Knowingly enter or remain on the land or premises of another;
 - (2) Knowingly enter or remain on the land or premises of another, the use of which is lawfully restricted to certain persons, purposes, modes or hours, when the offender knows he is in violation of such restrictions or is reckless in that regard;
 - (3) Recklessly enter or remain on the land or premises of another, as to which notice against unauthorized access or presence is given by actual communication to the offender, or in a manner prescribed by law or by posting in a manner reasonably calculated to come to the attention of potential intruders, or by fencing or other enclosure manifestly designed to restrict access;
 - (4) Being on the land or premises of another, negligently fail or refuse to leave upon being notified to do so by the owner or occupant or the agent or servant of either.
 - (5) Go upon any private premises and ring the doorbell, rap, or knock upon any door, or create any sound, or give any signal in any other manner calculated to attract the attention of any occupant of such residence or place of business to engage in peddling or soliciting, when the card, decal or sign described below in this section is displayed. (Ord. No. 4228-14, passed 5-13-14)

(b) A police officer is authorized to close any public grounds owned or under the control of the City of Kettering, Kettering City School District or other municipal corporations from further public access after 11:00 p.m. or where the public safety requires.

No person shall knowingly enter or remain on closed public grounds in violation of this section. (Ord. No. 2712-76, passed 9-14-76)

(c) It is no defense to a charge under this section that the land or premises involved was owned, controlled or in custody of a public agency.

(d) It is no defense to a charge under this section that the offender was authorized to enter or remain on the land or premises involved, when such authorization was secured by deception.

- (e) As used in this section, the following definitions shall apply:
- (1) "Land or Premises" includes any land, building, structure, or place belonging to, controlled by, or in the custody of, another, and any separate enclosures, or room, or portion thereof.
 - (2) "Peddler" means any person, as principal or agent, who enters upon private property for the purpose of offering for sale any goods, wares, foods, merchandise, services, magazines, periodicals or other articles of publication, or otherwise obtains orders or commitments for the sale of any goods, wares, foods, merchandise, services, magazines, periodicals or other articles of publication.
 - (3) "Peddling" means the unsolicited selling, obtaining of orders or commitments, or presentation for sale of goods, wares, foods, merchandise, services, magazines, periodicals or other articles of publication.
 - (4) "Solicitor" means any person who obtains or seeks to obtain funds for any commercial purpose by going onto private property without invitation.
 - (5) "Soliciting" means obtaining or seeking funds for any commercial purpose by means of going onto private property without invitation.

(Ord. 4228-14, passed 5-13-14)

(f) The owners or occupants of any residence or place of business may evidence a determination to refuse to receive any uninvited peddler or solicitor by displaying a weather-proof card, decal, or sign not less than three inches by four inches in size, nor more than one square foot in total surface area on or near the main entrance door to the residence or place of business, containing the words "no peddlers," or "no solicitors," or other similar language conveying the same message, printed in letters at least one-third inch in height. Any such weather-proof card, decal, or sign which complies with the requirements of this section shall be exempt from any additional or different requirements of the provisions contained in the zoning code. (Ord. 4228-14, passed 5-13-14)

(g) Whoever violates this section, except for 642.10(a)(5), is guilty of criminal trespass, a misdemeanor of the fourth degree. Whoever violates 642.10(a)(5) is guilty of peddling, an unclassified misdemeanor with a maximum fine of \$1,000.00. (Ord. 4228-14, passed 5-13-14)

642.11 TAMPERING WITH COIN MACHINES.

(a) No person, with purpose to commit theft or to defraud, shall knowingly enter, force an entrance into, tamper with or insert any part of an instrument into any coin machine.

(b) Whoever violates this is guilty of tampering with coin machines, a misdemeanor of the first degree, provided the offender has not previously been convicted of a violation of this section or of any theft offense. Punishment shall be as provided in Section 698.02. (ORC 2911.32)

642.12 PASSING BAD CHECKS.

(a) No person, with purpose to defraud, shall issue or transfer or cause to be issued or transferred a check of other negotiable instrument, knowing that it will be dishonored.

(b) No person shall recklessly issue or transfer or cause to be issued or transferred a check or other negotiable instrument, knowing that it will be dishonored.

(c) For purposes of this section, a person who issues or transfers a check or negotiable instrument is presumed to know that it will be dishonored if either of the following occurs:

- (1) The drawer had no account with the drawee at the time of issue or the stated date, whichever is later.
- (2) The check or instrument was properly refused payment for insufficient funds upon presentment within thirty days after issue or the stated date, whichever is later, and the liability of the drawer, endorser or any party who may be liable thereon is not discharged by payment or satisfaction within ten days after receiving notice of dishonor.

(d) Whoever violates Paragraph (a) of this section is guilty of passing bad checks, a misdemeanor of the first degree, provided the check or other negotiable instrument is for payment of less than three hundred dollars (\$300) and provided the offender has not previously been convicted of a theft offense. Punishment shall be as provided in Section 698.02.

Whoever violates Paragraph (b) of this section is guilty of passing bad checks, a misdemeanor of the fourth degree, provided the check or other negotiable instrument is for payment of less than three hundred dollars (\$300) and provided the offender has not previously been convicted of a theft offense. Punishment shall be as provided in Section 698.02. (Ord. No. 3163-85. Passed 5-28-85)

642.13 MISUSE OF CREDIT CARDS.

(a) No person shall do any of the following:

- (1) Practice deception for the purpose of procuring the issuance of a credit card, when a credit card is issued in actual reliance thereon;
- (2) Knowingly buy or sell a credit card from or to a person other than the issuer.

(b) No person, with purpose to defraud, shall do any of the following:

- (1) Obtain control over a credit card as security for a debt;

- (2) Obtain property or services by the use of a credit card, in one or more transactions, knowing or having reasonable cause to believe that such card has expired or been revoked, or was obtained, is retained, or is being used in violation of law;
- (3) Furnish property or services upon presentation of a credit card, knowing that such card is being used in violation of law;
- (4) Represent or cause to be represented to the issuer of a credit card that property or services have been furnished, knowing that such representation is false.

(c) No person, with purpose to violate this section, shall receive, possess, control or dispose of a credit card.

(d) Whoever violates any of the provisions of this section is guilty of misuse of credit cards, a misdemeanor of the first degree, provided the cumulative retail value of the property and services involved in one or more violations of paragraphs (b)(2), (3) or (4) hereof, which violations involve one or more credit card accounts and occur within a period of ninety consecutive days commencing on the date of the first violation, is less than three hundred dollars (\$300.00) and provided the offender has not previously been convicted of a theft offense. Punishment shall be as provided in Section 698.02 (Ord. No. 3049-83. Effective 2-22-83.)

(ORC 2913.21)

624.14 MAKING OR USING SLUGS.

- (a) No person shall do any of the following:
 - (1) Insert or deposit a slug in a coin machine, with purpose to defraud;
 - (2) Make, possess or dispose of a slug, with purpose of enabling another to defraud by inserting or depositing it in a coin machine.

(b) Whoever violates this section is guilty of making or using slugs, a misdemeanor of the second degree. Punishment shall be as provided in Section 698.02.

(ORC 2913.33)

642.15 DEFRAUDING A LIVERY OR HOSTELRY.

- (a) No person, with purpose to defraud or knowing that he is facilitating a fraud, shall do either of the following:
 - (1) Hire an aircraft, motor vehicle, motorcycle, motorboat, sailboat, camper, trailer, horse or buggy, or keep or operate any of the same which has been hired.
 - (2) Engage accommodations at a hotel, motel, inn, campground or other hostelry.

(b) It is prima facie evidence of purpose to defraud if the offender does any of the following:

- (1) Use deception to induce the rental agency to furnish the offender with any of the property listed in Subsection (a)(1) hereof or uses deception to induce the hostelry to furnish him with accommodations;
- (2) Hires any of the property named in Subsection (a)(1) hereof or engages accommodations, knowing he is without sufficient means to pay the hire or rental;
- (3) Absconds without paying the hire or rental;
- (4) Knowingly fails to pay the hire or rental as required by the contract of hire or rental, without reasonable excuse for such failure;
- (5) Knowingly fails to return hired property as required by the contract of hire or rental, without reasonable excuse for such failure.

(c) Whoever violates this section is guilty of defrauding a livery or hostelry, a misdemeanor of the first degree, provided the offender has not previously been convicted of any offense under this section or of any other theft offense. Punishment shall be as provided in Section 698.02. (ORC 2913.41)

642.16 TAMPERING WITH RECORDS.

- (a) No person, knowing he has no privilege to do so, and with purpose to defraud or knowing that he is facilitating a fraud, shall do any of the following:
- (1) Falsify, destroy, remove, conceal, alter, deface or mutilate any writing or record;
 - (2) Utter any writing or record, knowing it to have been tampered with as provided Subparagraph (1) hereof.

(b) Whoever violates this section is guilty of tampering with records, a misdemeanor of the first degree, provided the writing or record is not a will unrevoked at the time of the offense, or a record kept by or belonging to a governmental agency. Punishment shall be as provided in Section 698.02. (ORC 2913.42)

642.17 SECURING WRITINGS BY DECEPTION.

(a) No person, by deception, shall cause another to execute any writing which disposes of or encumbers property, or by which a pecuniary obligation is incurred.

(b) Whoever violates this section is guilty of securing writings by deception, a misdemeanor of the first degree, provided the value of the property or the obligation involved is less than three hundred dollars (\$300.00). Punishment shall be as provided in Section 698.02. (ORC 2913.43) (Ord. No. 3049-83. Effective 2-22-83.)

642.18 PERSONATING AN OFFICER.

(a) No person, with purpose to defraud or knowing that he is facilitating a fraud, or with purpose to induce another to purchase property or services, shall personate a law enforcement officer, or an inspector, investigator or agent of any governmental agency. (ORC 2913.44; Adopting Ordinance)

(b) No person shall falsely represent himself to be an officer of the Municipality, or exercise or attempt to exercise any duties, functions or powers of a Municipal officer or member of the Police Department. (Ord. 2437-72. Passed 12-12-72.)

(c) Whoever violates this section is guilty of personating an officer, a misdemeanor of the first degree. Punishment shall be as provided in Section 698.02. (ORC 2913.44)

642.19 DEFRAUDING CREDITORS.

(a) No person, with purpose to defraud one or more of his creditors, shall do any of the following:

- (1) Remove, conceal, destroy, encumber, convey or otherwise deal with any of this property;
- (2) Misrepresent or refuse to disclose to a fiduciary appointed to administer or manage his affairs or estate, the existence, amount or location of any of his property, or any other information regarding such property which he is legally required to furnish to the fiduciary.

(b) Whoever violates this section is guilty of defrauding creditors, a misdemeanor of the first degree. Punishment shall be as provided in Section 698.02. (ORC 2913.45)

642.20 RECEIVING STOLEN PROPERTY.

(a) No person shall receive, retain or dispose of property of another, knowing or having reasonable cause to believe it has been obtained through commission of a theft offense.

(b) Whoever violates this section is guilty of receiving stolen property, a misdemeanor of the first degree, provided the value of the property involved is less than three hundred dollars (\$300) and provided the property involved is not any of the property listed in Section 642.03 and provided the offender has not previously been convicted of a theft offense and provided the property involved is not a motor vehicle as defined in ORC 4501.01. Punishment shall be as provided in Section 698.02. (ORC 2913.51) (Ord. No. 3049-83. Effective 2-22-83.)

642.21 DESECRATION.

(a) No person, without privilege to do so, shall purposely deface, damage, pollute or otherwise physically mistreat any of the following:

- (1) The flag of the United States or of this State;
- (2) Any public monument;
- (3) Any historical or commemorative marker, or any structure, thing or site of great historical interest;
- (4) A place of worship or its furnishings;
- (5) A place of burial or a burial marker;

- (6) A work of art or museum piece;
- (7) Any other object of reverence or sacred devotion.

(b) Whoever violates this section is guilty of desecration, a misdemeanor of the second degree. Punishment shall be as provided in Section 698.02. (ORC 2927.11)

642.22 REMOVAL OF IMPROVEMENTS FROM REAL PROPERTY.

(a) No person having an interest in real property, buyer, lessee, tenant or occupant of real property, knowing that such real property is mortgaged or the subject of a land contract, shall remove, or cause or permit the removal of any improvement or fixture from such real property without the consent of the mortgagee, vendor under the land contract or other person authorized to give such consent. (ORC 5301.61)

(b) Whoever violates this section is guilty of a misdemeanor of the first degree. Punishment shall be as provided in Section 698.02. (ORC 5301.99)

642.23 ADVERTISING ON PRIVATE PROPERTY.

(a) No person shall stick or post any advertisement, poster, sign, handbill or placard of any description upon any building, vehicle or upon any tree, post, fence, billboard or any other structure or thing whatever, the private property of another, without permission of the occupant or owner of the same, nor paint, mark, write, print, impress or in any manner attach any notice or advertisement or the name of any commodity or thing or any trade mark, symbol or figure of any kind upon anything whatever, the property of another without first obtaining permission of the owner of such thing on which he desires to place such notice, advertisement, name, mark or figure. (Ord. 617-58. Passed 10-28-58.)

(b) Whoever violates this section is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for any subsequent offense. Punishment shall be as provided in Section 698.02.

642.24 AGGRAVATED CRIMINAL TRESPASS.

(a) No person without privilege to do so, shall, being on the land or premises of another, negligently fail or refuse to leave upon being notified to do so by a law enforcement officer acting on behalf of the owner or occupant or the agent or servant of either.

(b) No person, without privilege to do so, shall knowingly enter or remain on property which has been declared a "Dangerous Structure" and is the subject of an Order to Vacate by the Building Inspector.

(c) It is no defense to a charge under this section that the land or premises involved was owned, controlled or in custody of a public agency.

(d) It is no defense to a charge under this section that the offender was authorized to enter or remain on the land or premises involved, when such authorization was secured by deception.

(e) As used in this section, "land or premises" includes any land, building, structure or place belonging to, controlled by, or in custody of, another, and any separate enclosures or room or portion thereof.

(f) Whoever violates this section is guilty of aggravated criminal trespass, a misdemeanor of the first degree. Punishment shall be as provided in Section 698.02. (ORC 2911.21) (Ord. 3443-90. Passed 5-8-90)