

1 ORDINANCE NO. 2012-313

First Reading Passage Requested

(K. Ferrier)

2 SPONSOR Mr. Pry

3 DATE August 13, 2012

4 COMMITTEE Public Works

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6  
7 An Ordinance amending Section 339.12 of the Codified Ordinances of the County of  
8 Summit, entitled "Bridge Weight Limits," to impose a 38-ton load limit on the Harrington  
9 Road Bridge over the Tuscarawas River Diversion Dam, located in the City of Akron, and  
10 to remove the 30-ton load limit on the Van Buren Road Bridge over the Tuscarawas River,  
11 located in the City of New Franklin, in Council Districts 7 and 8, for the Engineer, and  
12 declaring an emergency.

13  
14 WHEREAS, Section 339.12 of the Codified Ordinances of the County of Summit entitled  
15 "Bridge Weight Limits," limits the gross weight of vehicles authorized to travel on certain  
16 bridges that are inspected by the County Engineer; and

17  
18 WHEREAS, on the basis of the recent emergency repairs and re-inspection performed by  
19 engineering consultant E. L. Robinson, the County Engineer concludes that a 38-ton load  
20 limitation should be imposed on the Harrington Road Bridge over Tuscarawas River Diversion  
21 Dam, bridge number AKR-227-0023, located in the City of Akron; and

22  
23 WHEREAS, the imposition of a bridge load limit, with restrictions set at less than 40 tons  
24 gross vehicle weight, requires amendment of Section 339.12; and

25  
26 WHEREAS, due to the Van Buren Road Bridge Replacement Project, the Van Buren  
27 Road Bridge over the Tuscarawas (FRA 00060-0463) is in the process of being replaced, and the  
28 County Engineer concludes the current load limit is no longer required; and

29  
30 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
31 that it is necessary to amend Section 339.12 for the aforementioned reasons;

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33 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State  
34 of Ohio, that;

35  
36 SECTION 1

37  
38 Section 339.12 of the Codified Ordinances of the County of Summit, entitled "Bridge  
39 Weight Limits," is amended as follows:

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41 **"339.12 BRIDGE WEIGHT LIMITS.**

42 (a) No person shall operate any vehicle upon any of the following bridges, if such vehicle,  
43 the gross weight of which, exceeds the maximum load limit specified for each respective bridge:

<u>Bridge</u>	<u>Maximum Load Limit</u>
(1) <del>Van Buren Road Bridge (FRA 00060-0463)</del> over the Tuscarawas River	30 tons

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4 SECTION 1 (cont'd.)

- 5  
6 (1) Knox Boulevard Bridge (COP-305-0033) 22 tons  
7 over Pigeon Creek  
8  
9 (2) Riverview Road Bridge (BST-009-1430) 30 tons  
10 over Columbia Run  
11  
12 (3) Harrington Road Bridge (AKR-227-0023) 38 tons  
13 over Tuscarawas River Diversion Dam  
14

15 (b) The County Engineer shall place and maintain, at both ends of each respective bridge,  
16 signs of substantial construction to conspicuously indicate the maximum weight limitations of  
17 vehicle and load as provided herein.

18  
19 (c) In addition to criminal prosecution for violation of this section, in case of any injury to  
20 any bridge by reason of the violation of the weight limitation, damages shall be recovered by  
21 civil action on behalf of the County.

22  
23 (d) Whoever violates any provision of this section is guilty of a minor misdemeanor on a  
24 first offense; on a second offense within one year after the first offense, the person is guilty of a  
25 misdemeanor of the fourth degree; on each subsequent offense within one year after the second  
26 offense, the person is guilty of a misdemeanor of the third degree.”  
27

28 SECTION 2

29  
30 This Ordinance is hereby declared an emergency in the interest of the health, safety and  
31 welfare of the citizens of the County of Summit, and for the further reason to immediately amend  
32 Section 339.12 of the Codified Ordinances concerning the weight limitations on the Harrington  
33 Road Bridge and the Van Buren Road Bridge.  
34

35 SECTION 3

36  
37 Provided this Ordinance receives the affirmative vote of eight members, it shall take  
38 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
39 effect and be in force at the earliest time provided by law.  
40

41 SECTION 4

42  
43 It is found and determined that all formal actions of this Council concerning and relating  
44 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all  
45 deliberations of this Council and of any of its committees that resulted in such formal action,  
46 were in meetings open to the public, in compliance with all legal requirements, including Section  
47 121.22 of the Ohio Revised Code.  
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INTRODUCED August 13, 2012

ADOPTED August 13, 2012

  
\_\_\_\_\_  
CLERK OF COUNCIL

  
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PRESIDENT OF COUNCIL

APPROVED August 14, 2012

  
\_\_\_\_\_  
EXECUTIVE

ENACTED EFFECTIVE August 14, 2012

Voice Vote: 10-0. YES: Comunale, Crawford, Feeman, Kostandaras, Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt ABSENT: Shapiro