

1 ORDINANCE NO. 2017-512

2
3 SPONSOR Ms. Shapiro

4
5 DATE December 12, 2017

COMMITTEE Public Works

6
7 **An Ordinance amending Section 339.12 of the Codified Ordinances of the County of**
8 **Summit, entitled “Bridge Weight Limits,” to place a load limit on the Benner Road Bridge**
9 **over Nimisila Creek, located in New Franklin, in Council District 7, and to place a load**
10 **limit on the Medina Line Road Bridge over Mohler Ditch, located in Norton, in Council**
11 **District 7, for the Engineer, and declaring an emergency.**

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

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17 WHEREAS, due a recent bridge inspection and load rating conducted by Arcadis U.S.
18 Inc., the Engineer concludes that a load limit shall be placed on the Benner Road Bridge over
19 Nimisila Creek located in New Franklin, in Council District 7, for 30% of Ohio Legal Loads: and

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21 WHEREAS, due a recent bridge inspection and load rating conducted by Arcadis U.S.
22 Inc., the Engineer concludes that a load limit shall be placed on the Medina Line Road Bridge
23 over Mohler Ditch located in Norton, in Council District 7, for 75% of Ohio Legal Loads: and

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25 WHEREAS, the placement of the load limits requires the amendment of Section 339.12;
26 and

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28 WHEREAS, this Council has determined by reviewing all pertinent information that the
29 acceptance and approval of the aforementioned amendment to Section 339.12 is necessary and in
30 the best interest of the County of Summit;

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

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35 SECTION 1

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37 Section 339.12 of the Codified Ordinances of the County of Summit, entitled “Bridge
38 Weight Limits,” is amended as follows:
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4 SECTION 1 (Cont.)

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6 **“339.12 BRIDGE WEIGHT LIMITS.**

7 (a) No person shall operate any vehicle upon any of the following bridges, if such vehicle,
8 the gross weight of which, exceeds the maximum load limit specified for each respective bridge:
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Bridge	Maximum Load Limit
(1) Riverview Road Bridge (CUY-009-0870) over Furnace Run	25 tons
(2) Wright Road Bridge (COP-206-0150) over Pigeon Creek	16 tons
(3) <u>Benner Road Bridge (FRA-236-0002)</u> <u>over Nimisila Creek</u>	<u>2 axles: 8 tons</u> <u>3-axles: 9 tons</u> <u>4-axles: 9 tons</u> <u>5-axles: 9 tons</u> <u>6 or more axles: 10 tons</u> <u>5 axle semi-tractor trailer: 15 tons</u>
(4) <u>Medina Line Road Bridge (NTC-002-0071)</u> <u>over Mohler Ditch</u>	<u>2 axles: 15 tons</u> <u>3-axles: 19 tons</u> <u>4-axles: 20 tons</u> <u>5-axles: 23 tons</u> <u>6 or more axles: 25 tons</u> <u>5 axle semi-tractor trailer: 33 tons</u>
(Ord. 2012-392. Adopted 10-22-12; Ord. 2012-400. Adopted 10-1-12; Ord. 2013-035. Adopted 2-11-13; Ord. 2013-102. Adopted 3-18-13; Ord. 2014-258. Adopted 6-16-14; Ord. 2014-366. Adopted 9-8-14; Ord. 2015-155. Adopted 4-27-15; Ord. 2015-534. Adopted 12-14-15. Ord. 2017-292. Adopted 8-21-17.)	

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

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

17 (d) Whoever violates any provision of this section is guilty of a minor misdemeanor
18 on a first offense; on a second offense within one year after the first offense, the person is guilty
19 of a misdemeanor of the fourth degree; on each subsequent offense within one year after the
20 second offense, the person is guilty of a misdemeanor of the third degree.”
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1 RESOLUTION NO. 2017-512

2 PAGE THREE

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4 SECTION 2

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6 This Ordinance is hereby declared an emergency in the interest of the health, safety and
7 welfare of the citizens of the County of Summit, and for the further reason of immediately
8 amending Section 339.12 to allow local officials to enforce bridge load limits and keep Summit
9 County motorists safe.

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11 SECTION 3

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

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17 SECTION 4

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19 It is found and determined that all formal actions of this Council concerning and relating
20 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
21 deliberations of this Council and of any of its committees that resulted in such formal action,
22 were in meetings open to the public, in compliance with all legal requirements, including Section
23 121.22 of the Ohio Revised Code.

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26 INTRODUCED November 27, 2017

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28 ADOPTED December 12, 2017

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32 CLERK OF COUNCIL

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36 PRESIDENT OF COUNCIL

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38 APPROVED December 13, 2017

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40 
EXECUTIVE

ENACTED EFFECTIVE December 13, 2017

Voice Vote: 11-0 YES: Crawford, Dickinson, Donofrio, Feeman, Hamilton,
Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite