

1 RESOLUTION NO. 2012-392

2  
3 SPONSOR Mr. Pry

4 October 22, 2012

5 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 impose a 25-ton load limit on the Riverview**  
9 **Road Bridge over Furnace Run, located in the City of Cuyahoga Falls, and to impose a 40-**  
10 **ton load limit on the Wright Road Bridge over Pigeon Creek, located in Copley Township,**  
11 **in Council Districts 3 and 5, for the Engineer, and declaring an emergency.**

12  
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

16  
17 WHEREAS, on the basis of the recent load limit inspection calculation performed by  
18 engineering consultant E. L. Robinson, the County Engineer concludes that a 25-ton load  
19 limitation should be imposed on the Riverview Road Bridge over Furnace Run, bridge number  
20 CUY-009-0870, located in the City of Cuyahoga Falls, and a 40-ton load limit should be  
21 imposed on the Wright Road Bridge over Pigeon Creek, bridge number COP-206-0150, located  
22 in Copley Township; and

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

26  
27 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
28 that the acceptance and approval of the aforementioned amendment to Section 339.12 is  
29 necessary and in the best interest of the County of Summit;

30  
31 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State  
32 of Ohio, that;

33  
34 SECTION 1

35  
36 Section 339.12 of the Codified Ordinances of the County of Summit, entitled "Bridge  
37 Weight Limits," is amended as follows:

38  
39 **"339.12 BRIDGE WEIGHT LIMITS.**

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

42

<u>Bridge</u>	<u>Maximum Load Limit</u>
43 44 45 (1) Knox Boulevard Bridge (COP-305-0033) 46 over Pigeon Creek	22 tons
47 48 (2) Riverview Road Bridge (BST-009-1430) 49 over Columbia Run	30 tons

50

- 3
- 4 (3) Harrington Road Bridge (AKR-227-0023) 38 tons  
5 over Tuscarawas River Diversion Dam
- 6
- 7 (4) Riverview Road Bridge (CUY-009-0870) 25 tons  
8 over Furnace Run
- 9
- 10 (5) Wright Road Bridge (COP-206-0150) 40 tons  
11 over Pigeon Creek

12

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

16

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

20

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

25

26 SECTION 2

27

28 This Ordinance is hereby declared an emergency in the interest of the health, safety and  
29 welfare of the citizens of the County of Summit, and for the further reason to immediately  
30 prevent damage or collapse of the Riverview Road Bridge in Cuyahoga Falls, and the Wright  
31 Road Bridge in Copley Township.

32

33 SECTION 3

34

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

38

39 SECTION 4

40

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

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1 RESOLUTION NO. 2012-392

2 PAGE THREE

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5 INTRODUCED October 1, 2012

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7 ADOPTED October 22, 2012

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12 CLERK OF COUNCIL

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18 PRESIDENT OF COUNCIL

19 APPROVED October 23, 2012

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ENACTED EFFECTIVE October 23, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras, Kurt Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro