

1 ORDINANCE NO. 2012-400

Late Filing – First Reading Passage
Requested (J. Paradise)

2 SPONSOR Mr. Pry

3 DATE October 1, 2012

4 COMMITTEE Public Works

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7 **An Ordinance amending Section 339.12 of the Codified Ordinances of the County of**
8 **Summit, entitled “Bridge Weight Limits”, to impose a 15-ton load limit on the Akron**
9 **Peninsula Road Bridge over Robinson Run, located in Boston Township, in Council**
10 **District 1, for the Engineer, and declaring an emergency.**

11
12 WHEREAS, Section 339.12 of the Codified Ordinances of the County of Summit entitled
13 “Bridge Weight Limits,” limits the gross weight of vehicles authorized to travel on certain
14 bridges that are inspected by the County Engineer; and

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16 WHEREAS, on the basis of the recent load limit inspection calculation performed by
17 engineering consultant Jones Stuckey, Ltd. Inc., the County Engineer concludes that a 15-ton
18 load limitation should be imposed on the Akron Peninsula Road Bridge over Robinson Run,
19 bridge number BST-010-0978, located in Boston Township; and

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

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

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

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31 SECTION 1

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33 Section 339.12 of the Codified Ordinances of the County of Summit, entitled “Bridge
34 Weight Limits,” is amended as follows:

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36 **“339.12 BRIDGE WEIGHT LIMITS.**

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

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| <u>Bridge</u> | <u>Maximum Load Limit</u> |
|---|---------------------------|
| 41 (1) Knox Boulevard Bridge (COP-305-0033) | 22 tons |
| 42 over Pigeon Creek | |
| 43 (2) Riverview Road Bridge (BST-009-1430) | 30 tons |
| 44 over Columbia Run | |

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4 SECTION 1 (cont'd.)

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| | |
|---|----------------|
| 6 (3) Harrington Road Bridge (AKR-227-0023) 7 over Tuscarawas River Diversion Dam | 38 tons |
| 8 | |
| 9 (4) Riverview Road Bridge (CUY-009-0870) 10 over Furnace Run | 25 tons |
| 11 | |
| 12 (5) Wright Road Bridge (COP-206-0150) 13 over Pigeon Creek | 40 tons |
| 14 | |
| 15 (6) <u>Akron Peninsula Road Bridge (BST-010-0978)</u> 16 <u>over Robinson Run</u> | <u>15 tons</u> |

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

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

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

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31 SECTION 2

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33 This Ordinance is hereby declared an emergency in the interest of the health, safety and
34 welfare of the citizens of the County of Summit, and for the further reason to immediately
35 prevent damage or collapse of a bridge.

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37 SECTION 3

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

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43 SECTION 4

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45 It is found and determined that all formal actions of this Council concerning and relating
46 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
47 deliberations of this Council and of any of its committees that resulted in such formal action,
48 were in meetings open to the public, in compliance with all legal requirements, including Section
49 121.22 of the Ohio Revised Code.
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INTRODUCED October 1, 2012

ADOPTED October 1, 2012




CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED October 2, 2012



EXECUTIVE

ENACTED EFFECTIVE October 2, 2012

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