

1 RESOLUTION NO. 2011-377

First Reading Passage Requested

(G. Kissos)

2
3 SPONSOR Mr. Pry

4
5 DATE September 19, 2011

COMMITTEE Rules

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 22-ton load limit on the Knox**
9 **Boulevard Bridge over Pigeon Creek, located in Copley Township, Council District 5, for**
10 **the Engineer, and declaring an emergency.**

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

15
16 WHEREAS, on the basis of the recent inspection performed by engineering consultant E.
17 L. Robinson, the Engineer concludes that a 22-ton load limitation should be imposed on the
18 Knox Boulevard Bridge over Pigeon Creek, Bridge Number COP-305-0033, located in Copley
19 Township, Council District 5; and

20
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 of the Codified Ordinances of the
23 County of Summit; and

24
25 WHEREAS, this Council has determined by reviewing all pertinent information that the
26 acceptance and approval of the aforementioned amendment to Section 339.12 of the Codified
27 Ordinances of the County of Summit is necessary and in the best interest of the County of
28 Summit;

29
30 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
31 of Ohio, that;

32
33 SECTION 1

34
35 Section 339.12 of the Codified Ordinances of the County of Summit, entitled "Bridge
36 Weight Limits," is amended as follows:

37
38 **"339.12 BRIDGE WEIGHT LIMITS.**

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

<u>Bridge</u>	<u>Maximum Load Limit</u>
(1) Van Buren Road Bridge (FRA 00060-0463) over the Tuscarawas River	30 tons
(2) <u>Knox Boulevard Bridge (COP-305-0033)</u> <u>over Pigeon Creek</u>	<u>22 tons</u>

41
42
43
44
45
46
47
48
49 (b) The County Engineer shall place and maintain, at both ends of each respective bridge,
50 signs of substantial construction to conspicuously indicate the maximum weight limitations of
51 vehicle and load as provided herein.

1 RESOLUTION NO. 2011-377

2 PAGE TWO

3
4 (c) In addition to criminal prosecution for violation of this section, in case of any injury to
5 any bridge by reason of the violation of the weight limitation, damages shall be recovered by
6 civil action on behalf of the County.

7
8 (d) Whoever violates any provision of this section is guilty of a minor misdemeanor on a first
9 offense; on a second offense within one year after the first offense, the person is guilty of a
10 misdemeanor of the fourth degree; on each subsequent offense within one year after the second
11 offense, the person is guilty of a misdemeanor of the third degree.”

12
13 SECTION 2

14
15 This Resolution is hereby declared an emergency in the interest of the health, safety and
16 welfare of the citizens of the County of Summit, and for the further reason to immediately
17 prevent damage or collapse of the Knox Boulevard Bridge over Pigeon Creek.

18
19 SECTION 3

20
21 Provided this Resolution receives the affirmative vote of eight members, it shall take
22 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
23 effect and be in force at the earliest time provided by law.


24
25 SECTION 4

26
27 It is found and determined that all formal actions of this Council concerning and relating
28 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
29 deliberations of this Council and of any of its committees that resulted in such formal action,
30 were in meetings open to the public, in compliance with all legal requirements, including Section
31 121.22 of the Ohio Revised Code.

32
33
34 INTRODUCED September 19, 2011

35
36
37 ADOPTED September 19, 2011

38
39
40 
41 CLERK OF COUNCIL

42
43 
44 PRESIDENT OF COUNCIL

45
46
47 APPROVED September 21, 2011

48
49 
EXECUTIVE

ENACTED EFFECTIVE September 21, 2011

Voice Vote:10-0 YES: Komunale, Crawford, Feeman, Kostandaras
Kurt, Prenice, Rodgers, Roemer, Schmidt, Shapiro ABSENT: Lee