

1 ORDINANCE NO. 2011-477

2
3 SPONSOR Mr. Pry

4 DATE November 21, 2011

COMMITTEE Rules

7 **An Ordinance amending Section 339.12 of the Codified Ordinances of the County of**
8 **Summit, entitled "Bridge Weight Limits", to impose a 30-ton load limit on the Riverview**
9 **Road Bridge over Columbia Run, located in Boston Township, Council District 1, for the**
10 **Engineer, and declaring an emergency.**

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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

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16 WHEREAS, on the basis of the recent inspection performed by engineering consultant E.
17 L. Robinson, the County Engineer concludes that a 30-ton load limitation should be imposed on
18 the Riverview Road Bridge over Columbia Run, Bridge number BST-009-1430, located in
19 Boston Township, Council District 1; 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 of the Codified Ordinances of the
23 County of Summit; and

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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;

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

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33 SECTION 1

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

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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:

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<u>Bridge</u>	<u>Maximum Load Limit</u>
43 (1) Van Buren Road Bridge (FRA 00060-0463) 44 over the Tuscarawas River	30 tons
45 46 (2) Knox Boulevard Bridge (COP-305-0033) 47 over Pigeon Creek	22 tons
48 49 (3) <u>Riverview Road Bridge (BST-009-1430)</u> 50 <u>over Columbia Run</u>	<u>30 tons</u>

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

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

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

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17 SECTION 2

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

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23 SECTION 3

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


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29 SECTION 4

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31 It is found and determined that all formal actions of this Council concerning and relating
32 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
33 deliberations of this Council and of any of its committees that resulted in such formal action,
34 were in meetings open to the public, in compliance with all legal requirements, including Section
35 121.22 of the Ohio Revised Code.


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38 INTRODUCED November 7, 2011

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40 ADOPTED November 21, 2011

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45 CLERK OF COUNCIL

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50 PRESIDENT OF COUNCIL

APPROVED November 22, 2011

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55 EXECUTIVE

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59
60 November 22, 2011
ENACTED EFFECTIVE

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