ORDINANCE NO. 2012-313  First Reading Passage Requested
SPONSOR Mr. Pry  (K. Ferrier)
DATE August 13, 2012  COMMITTEE Public Works

An Ordinance amending Section 339.12 of the Codified Ordinances of the County of Summit, entitled “Bridge Weight Limits,” to impose a 38-ton load limit on the Harrington Road Bridge over the Tuscarawas River Diversion Dam, located in the City of Akron, and to remove the 30-ton load limit on the Van Buren Road Bridge over the Tuscarawas River, located in the City of New Franklin, in Council Districts 7 and 8, for the Engineer, and declaring an emergency.

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

WHEREAS, on the basis of the recent emergency repairs and re-inspection performed by engineering consultant E. L. Robinson, the County Engineer concludes that a 38-ton load limitation should be imposed on the Harrington Road Bridge over Tuscarawas River Diversion Dam, bridge number AKR-227-0023, located in the City of Akron; and

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

WHEREAS, due to the Van Buren Road Bridge Replacement Project, the Van Buren Road Bridge over the Tuscarawas (FRA 00060-0463) is in the process of being replaced, and the County Engineer concludes the current load limit is no longer required; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary to amend Section 339.12 for the aforementioned reasons;

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

SECTION 1

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

“339.12 BRIDGE WEIGHT LIMITS.
(a) No person shall operate any vehicle upon any of the following bridges, if such vehicle, the gross weight of which, exceeds the maximum load limit specified for each respective bridge:

<table>
<thead>
<tr>
<th>Bridge</th>
<th>Maximum Load Limit</th>
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<tbody>
<tr>
<td>Van Buren Road Bridge (FRA 00060-0463) over the Tuscarawas River</td>
<td>30 tons</td>
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</tbody>
</table>
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SECTION 1 (cont'd.)

(1) Knox Boulevard Bridge (COP-305-0033) over Pigeon Creek 22 tons

(2) Riverview Road Bridge (BST-009-1430) over Columbia Run 30 tons

(3) Harrington Road Bridge (AKR-227-0023) over Tuscarawas River Diversion Dam 38 tons

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

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

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

SECTION 2

This Ordinance is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason to immediately amend Section 339.12 of the Codified Ordinances concerning the weight limitations on the Harrington Road Bridge and the Van Buren Road Bridge.

SECTION 3

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

SECTION 4

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.
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INTRODUCED ______ August 13, 2012 ______

ADOPTED ______ August 13, 2012 ______

CLERK OF COUNCIL

APPROVED ______ August 14, 2012 ______

EXECUTIVE

ENACTED EFFECTIVE ______ August 14, 2012 ______

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