

1 RESOLUTION NO. 2019-112

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3 SPONSOR Ms. Shapiro

4
5 DATE April 1, 2019

COMMITTEE: Public Works

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7 **A Resolution requesting that the Director of the Ohio Department of Transportation**
8 **determine and declare a prima-facie speed limit of 35 miles per hour in sections of Smith**
9 **Road under the jurisdiction of the County, in Council District 4, for the Engineer, and**
10 **declaring an emergency.**

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12 WHEREAS, the speed limit is currently 40 miles per hour on a section of Smith Road
13 under the jurisdiction of the County of Summit between Revere Road to 0.20 miles west of Sand
14 Run Road and from 0.13 miles west of Sand Run Road to Sand Run Road; and

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16 WHEREAS, said section of Smith Road from Revere Road to 0.20 miles west of Sand
17 Run Road, which is less than 0.50 miles long, is bounded by 35 miles per hour zones, with nearly
18 half of the section having split jurisdiction between the County and the City of Akron; and

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20 WHEREAS, the section of Smith road from 0.13 miles west of Sand Run Road to Sand
21 Run Road is a split jurisdiction between the City of Akron and the County of Summit, with the
22 City of Akron's eastbound lane having a statutory speed limit of 35 miles per hours, and the
23 County's westbound lane having a posted speed limit of 40 miles per hour; and

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25 WHEREAS, Section 4511.21(M(1)(a)(i) of the Ohio Revised Code provides that local
26 authorities may resolve conflicting speed limits in areas where both local authorities share the
27 centerline, provided those authorities mutually agree to adopt one of the legal prima facie speed
28 limits already in effect for the road in the split jurisdiction area, subject to the approval of the
29 Director of the Ohio Department of Transportation; and

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31 WHEREAS, the County and the City of Akron agree that there should be a consistent
32 speed limit of 35 miles per hour on the sections of Smith Road under the jurisdiction of the
33 County; and

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35 WHEREAS, the County Engineer has determined, based upon aforementioned reasons,
36 the County should request that the Director of the Ohio Department of Transportation determine
37 and declare a prima-facie speed limit of 35 miles per hour on those sections of Smith Road under
38 the jurisdiction of the County of Summit, in Council District 4, that are currently posted as 40
39 miles per hour; and

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41 WHEREAS, this Council has determined by reviewing all pertinent information that it is
42 necessary and in the best interest of the County of Summit to request that the Ohio Director of
43 Transportation declare a prima-facie speed limit of 35 miles per hour on the above-described
44 sections of Smith Road under the jurisdiction of the County;

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46 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
47 of Ohio, that:

1 RESOLUTION NO. 2019-112

2 PAGE TWO

3
4 SECTION 1

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6 The County of Summit hereby requests, pursuant Section 4511.21(M)(a)(i) of the Ohio
7 Revised Code, that the Director of the Ohio Department of Transportation declare a prima-facie
8 speed limit of 35 miles per hour on the sections of Smith Road between Revere Road to 0.20
9 miles west of Sand Run Road and from 0.13 miles west of Sand Run Road to Sand Run Road,
10 under the jurisdiction of the County of Summit, Ohio, which are bordered by sections of Smith
11 Road under the jurisdiction of the City of Akron, Ohio, with a posted speed limit of 35 miles per
12 hour.

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14 SECTION 2

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16 The Clerk of the Council is directed to provide a certified copy of this legislation to the
17 County Engineer's office, for transmittal to the Ohio Department of Transportation.

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19 SECTION 3

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21 This Resolution is hereby declared an emergency in the interest of the health, safety, and
22 welfare of the residents of Summit County and for the further reason to immediately establish a
23 reasonable and safe consistent prima-facie speed limit on Smith Road, in Council District 4.

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25 SECTION 4

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

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31 SECTION 5

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33 It is found and determined that all formal actions of this Council concerning and relating
34 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
35 deliberations of this Council and of any of its committees that resulted in such formal action,
36 were in meetings open to the public, in compliance with all legal requirements, including Section
37 121.22 of the Ohio Revised Code.

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39 INTRODUCED March 18, 2019

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41 ADOPTED April 1, 2019

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45 CLERK OF COUNCIL

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51 PRESIDENT OF COUNCIL

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47 APPROVED April 2, 2019

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51 April 2, 2019

EXECUTIVE

ENACTED EFFECTIVE

Voice Vote: YES - 11-0 Dickinson, Donofrio, Feeman, Hamilton,
Koehler, McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite