

1 ORDINANCE NO. 2010-563

2  
3 SPONSOR Mr. Pry

4  
5 DATE January 10, 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 Vanderhoof**  
9 **Road Bridge over the Tuscarawas River, located in the City of New Franklin, Council**  
10 **District 7, 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

15  
16 WHEREAS, on the basis of the recent inspection performed by engineering consultant  
17 Jones-Stuckey Ltd., the County Engineer concludes that a 22-ton load limitation should be  
18 imposed on the Vanderhoof Road Bridge over the Tuscarawas River, Bridge number FRA-215-  
19 0290, located in the City of New Franklin, in Council District 7; 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; and

23  
24 WHEREAS, this Council has determined by reviewing all pertinent information that the  
25 acceptance and approval of the aforementioned amendment to Section 339.12 is necessary and in  
26 the best interest of the County of Summit;

27  
28 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State  
29 of Ohio, that;

30  
31 SECTION I

32  
33 Section 339.12 of the Codified Ordinances of the County of Summit, entitled "Bridge  
34 Weight Limits," is amended as follows:

35  
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:

39  
40

<u>Bridge</u>	<u>Maximum Load Limit</u>
(1) Van Buren Road Bridge (FRA 00060-0463) over the Tuscarawas River	30 tons
(2) <u>Vanderhoof Road Bridge (FRA-215-0290)</u> <u>over the Tuscarawas River</u>	<u>22 tons</u>

41  
42  
43  
44  
45  
46

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

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 SECTION 2

13  
14 This Ordinance is hereby declared an emergency in the interest of the health, safety and  
15 welfare of the citizens of the County of Summit, and for the further reason to immediately  
16 prevent damage or collapse of a bridge.

17 SECTION 3

18  
19 Provided this Ordinance receives the affirmative vote of eight members, it shall take  
20 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
21 effect and be in force at the earliest time provided by law.

22 SECTION 4

23  
24 It is found and determined that all formal actions of this Council concerning and relating  
25 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all  
26 deliberations of this Council and of any of its committees that resulted in such formal action,  
27 were in meetings open to the public, in compliance with all legal requirements, including Section  
28 121.22 of the Ohio Revised Code.  
29  
30  
31  
32

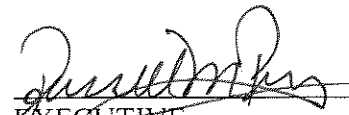
33  
34 INTRODUCED December 13, 2010

35  
36 ADOPTED January 10, 2011

37  
38   
39 \_\_\_\_\_  
40 CLERK OF COUNCIL

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

41  
42 APPROVED January 10, 2011

43  
44   
45 \_\_\_\_\_  
46 EXECUTIVE  
47 January 10, 2011

48 ENACTED EFFECTIVE

Voice Vote: 9-0 YES: Comunale, Crawford, Feeman, Kostandaras  
poda, Prentice, Roemer, Schmidt, Smith ABSENT: Rodgers, Shapiro