

1 ORDINANCE NO. 2011-285

2
3 SPONSOR Mr. Pry

4
5 DATE June 27, 2011 COMMITTEE Rules

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7 **An Ordinance amending Section 339.12 of the Codified Ordinances of the County of**
8 **Summit, entitled “Bridge Weight Limits”, to remove 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.**

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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

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16 WHEREAS, due to recent repairs and stabilization of the bridge, the Engineer concludes
17 that the 22-ton load limitation should be removed from the Vanderhoof Road Bridge over the
18 Tuscarawas River, Bridge number FRA-215-0290, located in the City of New Franklin, Council
19 District 7; and

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21 WHEREAS, the removal of a bridge load limit requires amendment of Section 339.12 of
22 the Codified Ordinances of the County of Summit; and

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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 of the Codified
26 Ordinances of the County of Summit is necessary and in the best interest of the County of
27 Summit;

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

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32 SECTION 1

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

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37 **“339.12 BRIDGE WEIGHT LIMITS.**

38 (a) No person shall operate any vehicle upon any of the following bridges, if such vehicle,
39 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>
(1) Van Buren Road Bridge (FRA 00060-0463) over the Tuscarawas River	30 tons
(2) Vanderhoof Road Bridge (FRA 215-0290) over the Tuscarawas River	22 tons

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

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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.”

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13 SECTION 2

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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 amend Section
17 339.12 to immediately permit the return of a necessary bridge to full use.

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19 SECTION 3

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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.

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25 SECTION 4

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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.

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34 INTRODUCED June 20, 2011

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36 ADOPTED June 27, 2011

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41 CLERK OF COUNCIL

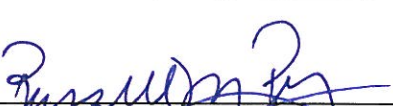


PRESIDENT OF COUNCIL

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43 APPROVED June 28, 2011

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48 EXECUTIVE

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50 ENACTED EFFECTIVE June 28, 2011

Voice Vote:11-0 YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prenice, Rodgers, Roemer, Schmidt, Shapiro,