

ORDINANCE NO. 14-04

ORDINANCE AMENDING SECTION 339.02 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF NORTH PERRY RELATING TO USE OF LOCAL STREETS

WHEREAS, the Village of North Perry has determined that it is desirable and necessary to amend Section 339.02, of the Codified Ordinances to decrease the load limit on Parmly Road from 22 tons to 5 tons.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NORTH PERRY VILLAGE, COUNTY OF LAKE AND STATE OF OHIO, AS FOLLOWS:

Section 1. Section 339.02 of the Codified Ordinances of the Village of North Perry is hereby amended to read as follows:

339.02 USE OF LOCAL STREETS; LOCAL PERMIT AND CONDITIONS.

- (a) (1) Antioch Road and Center Road in the Village of North Perry shall be a classified "A" roads bearing an overall weight limit of 40 tons.
(2) Lockwood Road in the Village of North Perry have a load limit of 36 tons.
(3) Townline Road and CharLane Road have an overall weight limit of 28 tons.
(4) Evergreen Road and Parmly Road in North Perry Village have a load limit of 5 tons. (Ord. 259. Passed 3-4-82.)

(b) Local Permit and Conditions. Upon application and for good cause, the Police Chief may issue a local permit authorizing an applicant to move an oversize or overweight vehicle or combination of vehicles upon local streets.

No permittee shall be required to obtain a special permit from the Ohio Director of Transportation for the movement of the vehicle or combination of vehicles on streets or highways under local jurisdiction; however, the approval of the Ohio Director of Transportation shall be required for movement upon State routes as provided in Section 339.01.

The Police Chief may grant a permit for a single or round trip, or for such period of time, not to exceed one year, as the Police Chief in his discretion deems advisable, or for the duration of any construction project. The Police Chief may limit or prescribe terms or conditions of operation for such vehicle or combination of vehicles by designating the route, hours, speed or such other restrictions as may be necessary for the preservation of the public peace, property, health and safety. The Police Chief may require the posting of bond or other security necessary to compensate for any damage to a roadway or road structure.

For each such permit, the Police Chief shall charge ten dollars (\$10.00), and for each hour of time or any part thereof spent by each police officer in supervising the movement of such vehicle, the applicant shall pay the sum of twenty-five dollars (\$25.00) per hour per officer. The charge can be prorated into fifteen minute increments.

Violation of any of the limitations, terms or conditions of the permit granted by the Police Chief shall be cause for immediate revocation or suspension of such permit, and denial of request for any future permit. Such violation shall also subject the violator to the penalty prescribed by Section 303.99. (A.O.)

Any vehicle exceeding the local limits established by the Village shall post a bond of fifty thousand dollars (\$50,000) before using such streets for vehicles exceeding such load limits which bond shall be for the purpose of recovering any damage done to the streets because of the use of such overweight vehicle. (Ord. 251. Passed 12-22-81.)

(c) Except as otherwise provided in this subsection, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

Section 2. Upon the effective date of this Ordinance, the Clerk of Council of the Village of North Perry, Ohio shall make available to all members of Council, and any members of the public, when required, copies of this amendment to the Codified Ordinances of the Village of North Perry, Ohio.

Section 3. The severability provisions of the Codified Ordinances Section 101.08 shall be applicable to this Ordinance.

Section 4. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and all deliberations of this Council, or any of its committees, which result in formal actions, were in meeting open to the public, in compliance with all requirements included in Section 121.22 of the Ohio Revised Code.

WHEREFORE, This Ordinance shall be in full force and effect upon the earliest date allowable by law.

MAYOR

ADOPTED: April 3, 2014

ATTEST: _____
FINANCE DIRECTOR

1st Reading 2-6-2014

2nd Reading 3-6-2014

3rd Reading 4-3-2014

Motion by Cutler, second by Reichard to adopt.

Council members Callahan, Cutler, L. Klco, Reichard, Shreve and Siegel voted in favor of the ordinance.