

See also 15-005
that is attached here

VILLAGE OF SCIO
ORDINANCE NO. 15-004

AN ORDINANCE ESTABLISHING A ~~WEIGHT LIMIT~~ UPON THE STREETS, ROADS
AND ALLEYS OF THE VILLAGE OF SCIO

WHEREAS, the Council for the Village of Scio, Harrison County, Ohio has determined that it is in the interest of the community and for reasons of safety and welfare of its residents that an ordinance be passed establishing a weight limit upon the streets, roads and alleys within the Village of Scio;

THEREFORE, be it ordained by the Council of the Village of Scio as follows:

SECTION 1. OVERSIZE OR OVERWEIGHT VEHICLE OPERATION ON STATE ROUTES; STATE PERMIT

(A) No person shall operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in Ohio R.C. 5577.01 to 5577.09, inclusive, or otherwise not in conformity with Ohio R.C. 4513.01 to 4513.37, inclusive, upon any State route within the Village, except pursuant to special written permit issued by the Ohio Director of Transportation, or upon any local truck route. Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer.

No holder of a permit issued by the Ohio Director of Transportation shall be required to obtain any local permit or license or pay any local fee or charge for movement on any State route within the Village; however, it shall be unlawful to operate any such vehicle or combination of vehicles upon any roadway within the Village which is not a State route, except as provided herein.

(B) (1) No person shall violate the terms of a permit issued under this Ordinance that relate to gross load limits.

(2) No person shall violate the terms of a permit issued under this Ordinance that relate to axle load by more than 2000 pounds per axle or group of axles.

(3) No person shall violate the terms of a permit issued under this Ordinance that relate to an approved route except upon order of a law enforcement officer or authorized agent of the issuing authority.

(C) Whoever violates any provision of this Ordinance for which no other penalty is provided is guilty of a minor misdemeanor.

SECTION 2. USE OF LOCAL STREETS; LOCAL PERMIT AND CONDITIONS.

(A) Use of Local Streets.

(1) Except as set forth in subsection (A)(2) hereof no vehicle with a gross weight in excess of ten tons shall be operated or parked on the Village streets and alleys.

(2) The only exception to the foregoing gross load limit of subsection (A)(1) is that it shall be lawful to make actual pickup and delivery of any load or part of load to a destination on any street in the Village when the operator of the vehicle has in his possession a bona fide delivery bill or similar evidence for such pick-up or delivery. This shall be deemed to include the pickup and hauling of trash or refuse. Nothing herein shall be interpreted to prohibit vehicles from leaving or returning to their headquarters, terminals or parking lots which shall not be a

residential property if said vehicle is not in excess of legal load limits specified by the State Department of Highways.

(3) Vehicles with a gross weight in excess of ten tons not making actual delivery of any part thereof within the Village and entering the Village on a State Route or after entering a State Route shall not leave a State Route in passing through unless directed to do so by reason of a detour or similar sign.

(4) A violation of this ordinance shall be a minor misdemeanor.

(B) Local Permit and Conditions. Upon application and for good cause, the Mayor or Village Administrator 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 herein.

The Mayor or Village Administrator may grant a permit for a single or round trip, or for such period of time, not to exceed one year, as he/she in his/her discretion deems advisable, or for the duration of any construction project. The Mayor or Village Administrator 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 Mayor or Village Administrator 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 Village shall charge Fifty (\$50.00) Dollars, 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 (\$20.00) Dollars.

Signs shall be posted indicating "no thru trucks - gross weight 10 tons" or words of similar import to apprise drivers of the limitations imposed by this section. No driver shall disobey the instructions indicated on any such sign.

Violation of any of the limitations, terms or conditions of the permit shall be cause for immediate revocation or suspension of such permit, and denial of request for any future permit. Such violation shall also be a minor misdemeanor offense.

(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 3. VEHICLES TRANSPORTING EXPLOSIVES.

(A) Any person operating any vehicle transporting explosives upon a street or highway shall at all times comply with the following requirements:

(1) Such vehicle shall be marked or placarded on each side and on the rear with the word "EXPLOSIVES" in letters not less than eight inches high, or there shall be displayed on the rear of such vehicle a red flag not less than twenty-four inches square marked with the word "DANGER" in white letters six inches high, or shall be marked or placarded in accordance with Section 177.823 of the United States Department of Transportation Regulations.

(2) Such vehicle shall be equipped with not less than two fire extinguishers, filled and ready for immediate use, and placed at convenient points on such vehicle. (ORC 4513.29)

(B) Whoever violates this section is guilty of a minor misdemeanor.

SECTION 4. The foregoing Ordinance was adopted and all actions and deliberations of the Village of Scio, Harrison County, Ohio relating thereto were conducted in open meetings to the public in compliance with all applicable legal requirements including Sections 121.22 of the Ohio Revised Code. This ordinance shall take effect and be in force immediately upon its passage and approval by Council and shall become effective upon passage by Council.

Passed this 22 day of July, 2015.

Passed this 26 day of AUGUST, 2015.

Passed this 9 day of September, 2015.

DATED:

APPROVED:

September 9, 2015

Michelle Carpenter
MAYOR MICHELLE CARPENTER

ATTESTED:

APPROVED AS TO FORM

Trish Copeland
TRISH COPELAND, CLERK-TREASURER

Jason L. Jackson
JASON L. JACKSON, SOLICITOR

VILLAGE OF SCIO
ORDINANCE NO. 15-005

AN ORDINANCE AMENDING ORDINANCE NO. 15-004

WHEREAS, the Council for the Village of Scio, Harrison County, Ohio has determined that it is in the interest of the community and for reasons of safety and welfare of its residents that an ordinance be passed amending Ordinance No. 15-004, enacted September 9, 2015.

THEREFORE, be it ordained by the Council of the Village of Scio as follows:

SECTION 1. That Ordinance No. 15-004, enacted September 9, 2015, shall be amended to replace Section 2(B) with the following language:

SECTION 2.

(B) Local Permit and Conditions. Upon application and for good cause, the Mayor or Village Administrator 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 herein.

The Mayor or Village Administrator may grant a permit for a single or round trip, or for such period of time, not to exceed one year, as he/she in his/her discretion deems advisable, or for the duration of any construction project. The Mayor or Village Administrator 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 Mayor or Village Administrator may require the posting of bond or other security necessary to compensate for any damage to a roadway or road structure. Any load exceeding 81,001 lbs. shall refer to *Exhibit A* for per load permitting.

In addition to the bond or other security, there shall be a permit fee as per the schedule *attached as Exhibit A hereto*, and, in addition to the permit fee, 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 (\$20.00) Dollars.

Signs shall be posted indicating "no thru trucks - gross weight 10 tons" or words of similar import to apprise drivers of the limitations imposed by this section. No driver shall disobey the instructions indicated on any such sign.

Violation of any of the limitations, terms or conditions of the permit shall be cause for immediate revocation or suspension of such permit, and denial of request for any future permit. Such violation shall also be a minor misdemeanor offense.

SECTION 2. No other section, article or other language of Ordinance No. 15-004, enacted September 9, 2015, shall be amended or modified in any way.

SECTION 3. The foregoing Ordinance was adopted and all actions and deliberations of

Exhibit A

Ordinance 15-005 Passed September 23, 2015

0 - 81,000 lbs.	\$50.00
81,001 lbs. - 120,000 lbs.	\$ 8,000.00 plus 25k bond
120,001 lbs. - 160,000 lbs.	\$12,000.00 plus 25k bond
160,001 lbs. - 200,000 lbs.	\$16,000.00 plus 50k bond
200,001 lbs. and over	\$20,000.00 plus 50k bond

Ord. 15-005
9/23/15

the Village of Scio, Harrison County, Ohio relating thereto were conducted in open meetings to the public in compliance with all applicable legal requirements including Sections 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby deemed to be an emergency to protect the health, safety and welfare of the residents of the Village of Scio, Ohio and shall go into full force and effect on the first day after its passage by the Village Council as an emergency measure provided it receives the necessary votes.

Read this 23 day of September, 2015.

Read this 23 day of September, 2015.

Passed this 23 day of September, 2015.

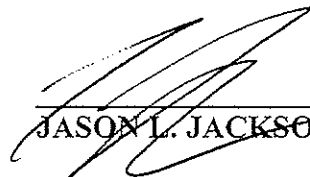
Approved:


MAYOR MICHELLE CARPENTER

Attest:


TRISH COPELAND, CLERK-TREASURER

Approved as to Form:


JASON L. JACKSON, SOLICITOR