

ORDINANCE NO. 117-A

REPEALING ORDINANCE NO. 37 AND SETTING FORTH NEW WEIGHT LIMITS ON PUBLIC STREETS AND HIGHWAYS IN THE VILLAGE OF SOUTH POINT AND ESTABLISHMENT OF PENALTIES THEREFOR.

WHEREAS, the Council for the Village of South Point, Ohio, determines it is necessary to protect the public streets from unnecessary and unwarranted damage due to the use thereof by heavy vehicles; and

WHEREAS, the said Council desires to not unduly restrict the operation of same;

NOW, THEREFORE, BE IT ORDAINED by said Council:

Section 1: That Ordinance No. 37 heretofore reading as follows,

"Section 1: That there be and hereby is established a maximum load limit of 20,000 pounds, for all of the streets within the village of South Point, Ohio, except that street which is part of Highway No. 52.

"The term maximum load limit shall include the combined weight of the load and vehicle.

"Section 2: That it shall be unlawful for any person to drive any vehicle, exceeding the maximum load limit defined above over said streets.

"Section 3: Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not to exceed \$50.00."

be, and the same is hereby, repealed.

Section 2: The following ordinance is hereby adopted:

Except as hereinafter provided, no vehicle shall be operated upon the public highways, streets, bridges and culverts within the said Village, when the gross weight of the vehicle and the load exceed 10 ton (20,000 lbs). Provided, however, for the purpose of making delivery or picking up a load, in which case, such vehicle may be driven on such street for not more than the minimum distance necessary for the purpose therefor; and, further provided, that said vehicle weight and load-weight shall in no event, exceed 20 ton (40,000 lbs).

Section 3: Notwithstanding the above, the weight limit of any truck and load being operated on Solida Road between New U.S. 52

and Old U.S. 52 (4th Street), shall not exceed 20 tons (40,000 lbs).

Section 4: The Mayor may, in his discretion, upon application in writing, and good cause being shown therefor, issue a special permit, in writing, authorizing the applicant to operate or move a vehicle or a combination of vehicles of a size or weight of vehicle and load exceeding the maximum specified hereinabove, upon any highway, street or public way, in said Village, said permit may be issued for a single or roundtrip or, in special instances, for a certain period of time. The Mayor may also limit or prescribe conditions of operation of such vehicles and require a bond or other security as may be deemed necessary to compensate for any damage to any roadway or any structure. Any such permit shall be kept in open view by the user thereof, and for any inspection by any police officer or any authorized agent of the Village. Further, the Mayor may, when he deems it advisable, issue special exemptions for public service vehicles, road repair vehicles, school buses, fire trucks and any other vehicles whose use or operation is necessary for the public good or safety.

Section 5: The Mayor, may in his discretion, upon application, in writing, and good cause being shown, under such terms and conditions as he deems necessary to protect the said street including the requirement of a reasonable bond, issue a special permit, in writing, authorizing the applicant to move loads over streets with a 10 ton limitation, provided the gross weight of the vehicle and load to not exceed 20 ton (40,000 lbs).

Section 6: Whoever violates the above weight limits shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for the first offense, pay a fine not more than \$25.00; and for the second offense within one year, not more than \$100.00;

and for a third or subsequent offense within one year, shall be fined not less than \$100.00, nor more than \$500.00, and may be imprisoned not more than thirty days, or both.

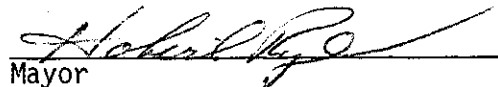
Section 7: Any police officer having reason to believe that the weight of a vehicle and its load is unlawful may require the driver of said vehicle to stop and submit to a weighing of it by means of a compact, self-contained, portable, sealed scale specially adapted to determining the wheel loads of vehicles on highways; a sealed scale permanently installed in a fixed location, having a load-receiving element specially adapted to determining the wheel loads of highway vehicles; a sealed scale, permanently installed in a fixed location, having a load-receiving element specially adapted to determining the combined load of all wheels on a single axle or on the successive axles of a highway vehicle or a sealed scale adapted to weighing highway vehicles, loaded or unloaded. The driver of such vehicle shall, if necessary, be directed to proceed to the nearest available of such sealed scales to accomplish the weighing provided such scales are within three miles of the point where such vehicle is stopped. Any vehicle stopped in accordance with this section may be held by the police officer for a reasonable time only to accomplish the weighing as prescribed by this section. All scales used in determining the lawful weight of a vehicle and its load shall be annually compared by a municipal, county, or state sealer with the state standards or standards approved by the state and such scales shall not be sealed if they do not conform to the state standards approved by the state.

At each end of a permanently installed scale, there shall be a straight approach in the same plane as the platform, of sufficient length and width to insure the level positioning of vehicles during weight determinations. During determination of weight by compact, self-contained, portable scales, they shall be


used on level terrain of sufficient length and width to accomodate the entire vehicle being weighed.

Whenever such officer upon weighing a vehicle and load determines that the weight is unlawful, he may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as is necessary to reduce the weight of such vehicle to the limit permitted under sections 5577.01 to 5577.14, inclusive, of the Revised Code or the provisions of this Code.

Section 8: The above ordinance hereby delcared to be an emergency measure, said emergency being found in the fact that it is immediately necessary to protect the public property from unnecessary damage caused by vehicles, and the same shall be effective immediately upon passage.

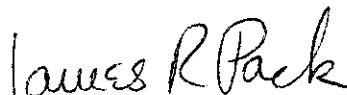


Mayor



President of Council

ATTEST:


Clerk

DATED this 8th day of July, 1976.

ORDINANCE NO. 78-2

AMENDING ORDINANCE NO. 117-A AND SETTING WEIGHT
LIMITS AND DECLARING AN EMERGENCY.

WHEREAS, truck traffic on certain roads, streets and highways must be regulated in order to protect public life and property within the Village,

NOW THEREFORE, BE IT ORDAINED, by the Council of the Village of South Point, Ohio:

SECTION 1: Section 3 of Ordinance No. 117-A heretofore reading as follows: "Notwithstanding, the above, the weight limit of any truck and load being operated on Solida Road between new U.S. 52 and Old U.S. 52 (4th Street) shall not exceed 20 tons (40,000 lbs.)" Be and the same is hereby amended to read as follows: "Section 3. notwithstanding the above, the weight limit of any truck and load being operated on Solida Road or on Old U.S. 52 (4th Street) shall not exceed 20 tons (40,000 lbs.)"

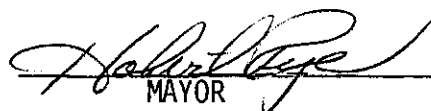
Otherwise said Ordinance No. 117-A to remain in full force and effect.

SECTION 2: This ordinance is declared to be an emergency measure in that it is immediately necessary to protect the public health, property and safety and shall be effective immediately upon passage.

Adopted this 12th day of January, 1978.

ATTEST:


CLERK


MAYOR

(SEAL)

ORDINANCE NO. 78-1

RESTRICTING TRUCK TRAFFIC WITHIN THE
VILLAGE AND DECLARING AN EMERGENCY.

WHEREAS, truck traffic passing through the Village of South Point, adds to traffic congestion, increases damage to the health and safety of persons in the Village, and

WHEREAS, the reduction of the same will benefit the health and safety of the citizens of South Point, and reduce road maintenance costs,

NOW THEREFORE BE IT ORDAINED by the Council of the Village of South Point, Ohio:

SECTION 1: Other than New U.S. 52, no through trucks shall be permitted on the streets, alleys or highways of the Village of South Point, Ohio, excepting those making pickups or deliveries within the Village or those being driven to and from the operator's residence if the same is in the Village of South Point. Those operating in the Village must be in compliance with ordinances pertaining to weight limits or otherwise pertaining to such traffic.

SECTION 2: For purposes of this ordinance a truck is a commercial vehicle capable of carrying loads of two tons or more excluding buses, public service vehicles, fire trucks and highway maintenance vehicles.

SECTION 3: Persons, firms or corporations violating this ordinance shall be subjected for a first violation to a fine of not more than \$25.00, for a second offense within one year, a fine of not more than \$100.00, and for a third offense within one year, a fine of not less than \$100.00 nor more than \$500.00, and may be subjected to a jail sentence for up to 30 days, and costs of prosecution.

SECTION 4: This ordinance is declared to be an emergency measure, in that it is immediately necessary to protect the public health, property and safety and shall be effective immediately upon passage.

Adopted this 12th day of January, 1978.

ATTEST:


CLERK


MAYOR

(SEAL)