

DELHI TOWNSHIP, OHIO



First Reading: May 27, 1998
Second Reading: Dispensed

RESOLUTION 98-32

RESOLUTION PROHIBITING THE PARKING OF COMMERCIAL, HEAVY AND OVERSIZED VEHICLES ON PUBLIC ROADWAYS, AMENDING RESOLUTION NO. 82-167, AND DISPENSING WITH THE SECOND READING

WHEREAS, a traffic safety problem is created by the parking of commercial, heavy and oversized vehicles on public roadways within Delhi Township; and

WHEREAS, Section 505.17 of the Ohio Revised Code permits the Board of Township Trustees to make regulations controlling vehicle parking in the township.

NOW, THEREFORE, BE IT RESOLVED by the Delhi Township Board of Trustees pursuant to Ohio Revised Code Section 505.17 & Chapter 504 as follows:

RESOLUTION 82-167 IS HEREBY AMENDED AND RESTATED AS FOLLOWS:

SECTION 1-A:

That ~~upon any township street~~ no person shall ~~stop, stand or park~~ OR LEAVE STANDING ON ANY PUBLIC STREET any commercial ~~tractor, trailer, semitrailer or pole trailer~~, HEAVY, OR OVERSIZED VEHICLE, except when ~~necessary to avoid conflict with other traffic~~ SUCH PARKING OR STANDING IS NECESSARY TO LOAD OR UNLOAD PERSONS OR PROPERTY, TO PERFORM OTHER BUSINESS SERVICES REQUIRING THE PARKING OR STANDING OF SUCH VEHICLE, TO COMPLY WITH THE PROVISIONS OF THE OHIO TRAFFIC CODE (O.R.C. CHAPTER 4511), or ~~in compliance with~~ TO OBEY the directionS of a police officer or traffic control device or ~~when temporarily stopping the trailer for the purpose of and while engaging in loading and unloading of passengers or while~~

~~actively engaging in loading and unloading of merchandise.~~ OPERATORS OF SUCH COMMERCIAL VEHICLES SO PARKED OR STANDING WITHIN THE TOWNSHIP SHALL LIMIT SUCH PARKING OR STANDING TO A REASONABLE PERIOD OF TIME TO PERFORM SAID LOADING OR UNLOADING OR OTHER BUSINESS SERVICES. ANY SUCH VEHICLE WHICH IS NOT DRIVEN OR PROPELLED ON LAND BY ITS OWN POWER MUST BE CONNECTED TO A TOWING VEHICLE AT ALL TIMES.

SECTION 1-B:

For purposes of this Resolution THE FOLLOWING DEFINED VEHICLES SHALL BE CONSIDERED AS COMMERCIAL, HEAVY OR OVERSIZED VEHICLES:

- A. "Commercial Tractor" means every vehicle having motor power designed or used for drawing other vehicles and not so constructed as to carry any load thereon, or designed or used for drawing other vehicles while carrying a portion of such other vehicles or the load thereon, or both.
- B. "Trailer" means every vehicle designed or used for carrying persons or property wholly on its own structure, and for being drawn by a motor vehicle, including any such vehicle when formed by or operated as a combination of a semi-trailer and a vehicle of the dolly type, such as that commonly known as a "trailer dolly."
- C. "Semitrailer" means every vehicle designed or used for carrying persons or property with another and separate motor vehicle so that in operation a part of its own weight or that of its load, or both, rests upon and is carried by another vehicle.
- ~~D. "Pole Trailer" means every trailer or semitrailer attached to the towing vehicle by means of a reach, pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, or structural members capable generally, of sustaining themselves as beams between the supporting connections.~~
- D. "WATER CRAFT" MEANS EVERY VEHICLE OR VESSEL DESIGNED OR USED FOR TRANSPORTING OR CARRYING PERSONS OR PROPERTY UPON WATER.
- E. "HOUSE VEHICLE" MEANS EVERY WHEELED VEHICLE WHICH IS FITTED FOR USE OR IS USED FOR THE PERMANENT OR TEMPORARY HABITATION OF PERSONS.
- F. "BUS" MEANS EVERY MOTOR VEHICLE DESIGNED FOR CARRYING MORE THAN 15 PASSENGERS.

SECTION 1-C:

NOTHING IN THIS RESOLUTION SHALL BE CONSTRUED TO LIMIT, AFFECT, OR CONTROL PUBLIC, CHURCH OR SCHOOL BUSES "LAYING OVER" BETWEEN SCHEDULED PASSENGER PICK UP POINTS ON REGULAR ROUTES; PUBLIC SAFETY VEHICLES, INCLUDING WITHOUT LIMITATION AMBULANCES, FIRE VEHICLES, AND LAW ENFORCEMENT TRUCKS OR VANS; AND VEHICLES ENGAGED IN REPAIRING, MAINTAINING OR SNOW PLOWING PUBLIC ROADWAYS WITHIN THE TOWNSHIP.

SECTION 1-D:

PURSUANT TO R.C. 505.17 SIGNS SHALL BE ERECTED IN ACCORDANCE WITH THE OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS AND THIS RESOLUTION SHALL BE POSTED BY THE CLERK IN FIVE CONSPICUOUS PUBLIC PLACES IN THE TOWNSHIP FOR THIRTY DAYS AND SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE TOWNSHIP FOR THREE CONSECUTIVE WEEKS BEFORE BECOMING EFFECTIVE.

SECTION 2:

The Trustees of Delhi Township upon majority vote do hereby dispense with the requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

SECTION 3:

This resolution shall take effect on June 26, 1998, being 30 days following the filing of this resolution with the Delhi Township Clerk.

SECTION 4:

It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Trustees and that all deliberations of such Board of Trustees were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

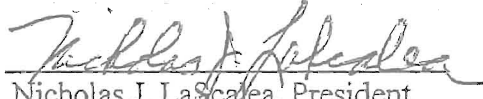
SECTION 5:

Upon the effective date of this Resolution Delhi Township Board of Trustees Resolution 82-167 is hereby amended and superseded by this Resolution.

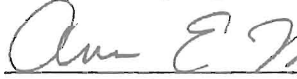
INTRODUCTION AND VOTE RECORD: Trustee LaScalea introduced the foregoing Resolution and moved its adoption. Trustee Espelage seconded the Motion. The roll being called upon the question of adoption of the Resolution by the Township Clerk, the vote resulted as follows:

Mr. LaScalea aye Ms. Espelage aye Ms. Miller aye

Adopted at the regular meeting of the Board of Township Trustees this 27th day of May, 1998.


Nicholas J. LaScalea, President


Carol A. Espelage, Vice-President

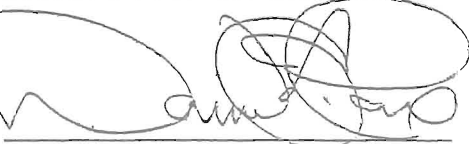

Ann E. Miller, Trustee

AUTHENTICATION

This is to certify that this resolution was duly adopted by the Board of Trustees, and filed with the Delhi Township Clerk, this 27th day of May, 1998.


Kenneth J. Ryan
Delhi Township Clerk

APPROVED AS TO FORM:



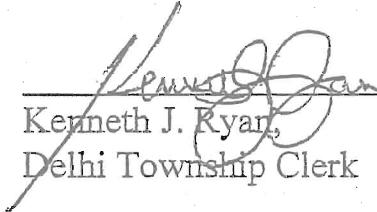
David C. Lane, Law Director

CERTIFICATE OF PUBLICATION

I, Kenneth J. Ryan, Clerk of Delhi Township, Hamilton County, Ohio do hereby certify that a Summary of this Resolution was published in the below listed newspapers on the below listed dates.

Cincinnati Enquirer June 4, 1998 and June 11, 1998

The Delhi Press June 10, 1998 and June 17, 1998



Kenneth J. Ryan,
Delhi Township Clerk

CERTIFICATE

I, the undersigned Clerk of the Board of Trustees of Delhi Township, certify that the foregoing is a true copy of the Resolution adopted by the Board of Trustees at its meeting held on the 27th day of May, 1998.

I further certify that said Resolution is now in full force and effect, all as appears from the official records of Delhi Township in my custody and under my control.

Witness my hand as Clerk of the Board of Trustees of Delhi Township this 26th day of June, 1998.

Kenneth J. Ryan
Delhi Township Clerk

THE CINCINNATI ENQUIRER
THE CINCINNATI POST
THE KENTUCKY POST

312 ELM STREET
CINCINNATI, OHIO 45202-2754
(513) 721-2700

AFFIDAVIT

(CASE NUMBER) KENNETH J.
(CAPTION COPY) RES. #98-31 THROUGH 98-34
(QUOTED COST) \$266.60
(AD #) 29855
(ORDER #) *****

STATE OF OHIO, SS.
HAMILTON COUNTY,

PERSONALLY APPEARED BEFORE ME,

A NOTARY PUBLIC, IN AND FOR HAMILTON
COUNTY, OHIO *Linda Theobald*

WHO, BEING DULY SWORN, SAYS THAT THE

ANNEXED ADVERTISEMENT WAS PUBLISHED

IN THE

CINCINNATI ENQUIRER

DAILY NEWSPAPERS 2 TIMES TO WIT:

..... *June 4 and 11, 1998.*

..... *Judith Wood*

AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS

..... DAY OF... *June*... 1998.

..... *Anita L. Alexander*

NOTARY PUBLIC

ANITA L. ALEXANDER
Notary Public, State of Ohio
My Commission Expires Aug. 7, 2000

LEGAL NOTICE
Notice is hereby given that the Board of Trustees of Delhi Township adopted the following Resolutions on May 27, 1998: Resolution No. 98-31 Approving Certain Purchase Order Nos. 9801292 through 9801418 incurred by the Township Administrator effective June 4, 1998; Resolution No. 98-32 Prohibiting the Parking of Commercial, Heavy and Overized Vehicles on Public Roadways, Occurring Signs, Posting and Publication Pursuant to R.C. 505.17 and Amending Resolution No. 82-167 effective June 26, 1998; Resolution No. 98-33 Declaring Nuisance for Excessive Vegetation and Accumulated Debris, including an Inoperative Motor Vehicle, at 416 Greenwell Avenue and Directing Notice, Abatement and Assessment in Compliance with Section 505.87 of the Ohio Revised Code and the Township's Nuisance Abatement Procedures effective June 26, 1998; and Resolution No. 98-34 Declaring Nuisance for Excessive Vegetation and Accumulated Debris at 373 Robben Lane and Directing Notice, Abatement and Assessment in Compliance with Section 505.87 of the Ohio Revised Code and the Township's Nuisance Abatement Procedures effective June 26, 1998. This Notice contains a summary of the above-referenced Resolutions. The complete text of the Resolutions, including referenced documents, may be obtained or viewed at the office of Kenneth J. Ryan, Delhi Township Clerk, 934 Neep Road, Cincinnati, Ohio 45233. 29855/710087



PROOF OF PUBLICATION

The State of Ohio.
Hamilton County, ss:

Personally appeared before me, the undersigned authority, within and for said County,
Louanne Littner, one of the representatives of

<input type="checkbox"/> Forest Hills Journal	<input type="checkbox"/> Northeast Suburban Life
<input type="checkbox"/> Northwest Press	<input type="checkbox"/> Western Hills Press
<input type="checkbox"/> Hilltop Press	<input checked="" type="checkbox"/> Delhi Press
<input type="checkbox"/> Tri-County Press	<input checked="" type="checkbox"/> Price Hill Press
<input type="checkbox"/> Eastern Hills Journal	<input type="checkbox"/> Community Press, Mason
<input type="checkbox"/> Suburban Life	

a weekly newspaper published and of general circulation in said County, and made oath that the annexed advertisement was published in said newspaper once a week for 2 consecutive numbers, commencing on the 10, 17 day of June 1998, A.D., 1998 and that each insertion was upon the same day of each week, viz: Wednesday/Thursday.

Louanne Littner

Charges, \$ 85.68

Sworn to and subscribed before me, this 1st day of July
A.D., 1998

PUBLIC NOTICE DELHI TOWNSHIP

Notice is hereby given that the Board of Trustees of Delhi Township adopted the following Resolutions on May 27, 1998: Resolution No. 98-31 Approving Certain Purchase Order Nos. 9801292 through 9801418 Incurred by the Township Administrator effective June 6, 1998; Resolution No. 98-32 Prohibiting the Parking of Commercial, Heavy and Oversized Vehicles on Public Roadways, Ordering Signs, Posting and Publication Pursuant to R.C. 505.17 and Amending Resolution No. 82-167 effective June 26, 1998; Resolution No. 98-33 Declaring Nuisance for Excessive Vegetation and Accumulated Debris, Including an Inoperative Motor Vehicle, at 416 Greenwell Avenue and Directing Notice, Abatement and Assessment in Compliance with Section 505.87 of the Ohio Revised Code and the Township's Nuisance Abatement Procedures effective June 26, 1998; and Resolution No. 98-34 Declaring Nuisance for Excessive Vegetation and Accumulated Debris at 373 Robben Lane and Directing Notice, Abatement and Assessment in Compliance with Section 505.87 of the Ohio Revised Code and the Township's Nuisance Abatement Procedures effective June 26, 1998. This Notice contains a summary of the above-referenced Resolutions. The complete text of the Resolutions, including referenced documents, may be obtained or viewed at the office of Kenneth J. Ryan, Delhi Township Clerk, 622 Neesh Road, Cincinnati, Ohio 45233.

My

M. Geigery
M. GEIGERY Public
Clerk, State of Ohio
Expires Jan. 12 2003



The Community Press

Community matters.

RESOLUTION 82-167

WHEREAS, it is believed that the parking of trailers on Township streets creates a safety problem, and

WHEREAS, Section 505.17 of the Ohio Revised Code permits the Board of Township Trustees to make regulations to control vehicle parking in the Township.

NOW, THEREFORE, BE IT RESOLVED that upon any Township street no person shall stop, stand or park any commercial tractor, trailer, semitrailer or pole trailer, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control device or when temporarily stopping the trailer for the purpose of and while engaging in loading and unloading of passengers or while actively engaging in loading and unloading of merchandise.

For the purposes of this resolution:

A. "Commercial tractor" means every motor vehicle having motive power designed or used for drawing other vehicles and not so constructed as to carry any load thereon, or designed or used for drawing other vehicles while carrying a portion of such other vehicles or the load thereon, or both.

B. "Trailer" means every vehicle designed or used for carrying persons or property wholly on its own structure and for being drawn by a motor vehicle, including any such vehicle when formed by or operated as a combination of a "semitrailer" and a vehicle of the dolly type, such as that commonly known as a "trailer dolly".

C. "Semitrailer" means every vehicle designed or used for carrying persons or property with another and separate motor vehicle so that in operation a part of its own weight or that of its load, or both, rests upon and is carried by another vehicle.

D. "Pole trailer" means every trailer or semitrailer attached to the towing vehicle by means of a reach, pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, or structural members capable generally, of sustaining themselves as beams between the supporting connections.

Adopted this 25th day of August, 1982.

Vote Record: Ms. Espelage aye, Mr. LaScalea aye, Mr. Rhodes aye

Trustees:

Carol A. Espelage
Nicholas J. LaScalea
David Rhodes

Attest

James R. H. H. H.
Clerk