

**AN ORDINANCE RESTRICTING THROUGH TRUCKS FROM COLUMBUS STREET, NORTH STREET AND SOUTH STREET WITHIN THE CORP. LIMITS OF THE VILLAGE OF LITHOPOLIS.**

**WHEREAS, the majority of Columbus Street, North Street and South Street are constructed from chip/seal on dirt with no sub-base, making them easily damaged by heavy commercial trucks, and**

**WHEREAS, large vehicles have a much more detrimental impact on the village streets than passenger and light commercial vehicles do, and**

**WHEREAS, the Village does not receive sufficient revenue from Permissive Motor Vehicle Taxes, from Street Construction Maintenance and Repair fund or from Gas Taxes to adequately repair damage caused by large through trucks on these streets, and**

**WHEREAS, the Ohio Revised Code Section 723.01 provides the Village with the authority to regulate the use of streets, and**

**WHEREAS, U.S. Route 33 runs parallel to Columbus Street and is constructed to handle large vehicles, and**

**WHEREAS, requiring through-trucks to utilize U.S. Route 33 would constitute a minor inconvenience for a through-truck, but would have a significant impact on the quality of local roads for local residents,**

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF LITHOPOLIS, FAIRFIELD COUNTY, STATE OF OHIO;**

**Section 1:** Council hereby designates Columbus Street from Elder Lane to Cedar Hill Road and North Street from Walnut Street to Market Street and South Street from Elder Lane to Cedar Hill closed and off-limits to through-truck traffic.

**Section 2: DEFINITIONS -**

**Truck -** For the purpose of this ordinance a truck is any vehicle with more than 2 axels that has a gross curb weight in excess of 10,000 pounds per the manufacturers rating. A truck can include a motorized vehicle and a trailer combination that meets the axel and weight criteria.

**Through-truck -** Any truck that does not have a starting or destination point within the corporation limits of the Village of Lithopolis.

**Starting or Destination point -** the starting or ending point for commercial business. The starting or destination point shall be confirmed by a commercial log book indicating trips and routes or by vehicle registration. Sham stops, such as a momentary stop within the corporation limits, are not considered a starting or destination point.

**Exemptions -** Any vehicle owned, operated or contracted by a Political Subdivision of the State of Ohio, School Buses owned, operated or contracted by a public school system, Emergency Vehicles or Farm Vehicles

**Section 3:** Signs indicating No-Through Trucks and that U.S. Route 33 is the recommended Truck Route shall be posted at Elder Lane and Lithopolis Road, Elder Lane and South Street, Walnut and North Street, Cedar Hill and Lithopolis Road and SR674 and Lithopolis Road.

**Section 4:** The Village Administrator may issue one-time permits for through-trucks under extenuating circumstances. One-time permits may cost no more than \$250.00 and be deposited in the Street, Construction, Maintenance and Repair Fund.

**Section 5:** The First Violation of this Ordinance shall constitute an MM and be subject to no more than \$150 fine. Subsequent violations within a year shall constitute an M4 and be subject to no more than \$250 fine and/or 30 days in jail or both.

**Section 6:** This Ordinance shall be in full force and effect at the earliest date provided by law.

DATE PASSED: May 10, 2011

ATTEST: Jacinta Seagraves SIGNED  
CLERK

[Signature]  
MAYOR

APPROVED AS TO FORM:

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JON BROWNING  
VILLAGE SOLICITOR