

# RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1996-10

Passed October 15 19 96

AN ORDINANCE ENACTING CHAPTER 78, TRAFFIC CONTROL, AND DECLARING IT AN EMERGENCY.

WHEREAS, the growth of the Municipality of Brookville has increased the number of traffic control devices within the Municipality; and

WHEREAS, Council has determined that the adoption of this Ordinance will permit the Municipality to meet the ongoing increase in traffic control devices in an efficient and timely manner.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF BROOKVILLE, OHIO:

SECTION 1: That Chapter 78 of the Code of Ordinances of the Municipality of Brookville, entitled "Traffic Control," is hereby enacted to read as follows:

## 78.01 AUTHORITY AND CONSIDERATIONS FOR PLACEMENT OF DEVICES

The Municipal Manager is hereby authorized to place and maintain traffic control devices upon any street or highway under his jurisdiction as are necessary to effectuate the provisions of this Traffic Code, or to regulate, warn or guide traffic, and such other traffic control devices as he shall deem necessary for the proper control of traffic. The Municipal Manager shall determine the location, timing and coordination of such traffic control devices upon the basis of an applicable engineering or traffic investigation and shall consider the following:

(A) The maximum safety and protection of vehicular and pedestrian traffic from physical injury or property damage.

(B) The existing and potential traffic movement, volume and conditions.

(C) The location and frequency of accidents, including studies of remedial measures.

(D) The recommendations of the Police and Fire Chiefs.

(E) The acceleration of transportation of persons and property by vehicles so as to expedite travel and promote public safety.

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(F) The convenience and welfare of the general public in parking, standing, loading and unloading, and the use of the streets as affecting business concerns and places of assembly.

(G) Economy in the expenditure of money.

## 78.02 CONFORMITY WITH STATE MANUAL

All traffic control devices placed pursuant to the provisions of this Traffic Code shall conform to the Ohio Manual of Uniform Traffic Control Devices for Streets and Highways, as forth in Ohio Revised Code 4511.09.

## 78.03 POWERS OF MUNICIPAL MANAGER

The Municipal Manager is hereby empowered to:

(A) Designate any street or highway as a through street or highway and require that all vehicles stop or yield the right of way as may be required before entering the same; or in residence districts designate certain streets or highways or portions thereof not to be through streets or highways despite the erection of stop signs or other official traffic control devices at intersecting streets.

(B) Designate any intersection as a stop intersection and require all vehicles to stop at one or more entrances to such intersection.

(C) Designate any intersection as a yield intersection and require all vehicles to yield the right of way as required.

(D) Designate any street as a one-way street and require that all vehicles thereon be moved in on specific direction.

(E) Designate and mark lanes to be used by traffic moving in a particular direction regardless of the center line of the roadway.

(F) Erect signs directing slow-moving traffic to use as designated lane or allocating specified lanes to traffic moving in the same direction.

(G) Designate those portions of any street, where overtaking and passing other traffic or driving to the left of

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the center or center line of the roadway would be especially hazardous, by appropriate signs or markings on the street to indicate the beginning and end of such zones. Such zones may be marked by an auxiliary yellow line placed parallel and to the right of the normal center line or offset marked lane line.

(H) Place markers, buttons or signs within or adjacent to intersections and require that a specific course of direction be traveled by vehicles proceeding in lanes by either permitting, prohibiting or requiring turns at such intersections.

(I) Install traffic control devices, signals and signs at any location to regulate traffic.

(J) Establish safety zones, crosswalks, zones of quiet and play streets.

(K) Close any street or portion thereof to vehicular traffic which is in the process of construction, reconstruction or repair.

(L) Determine the location of any necessary bus stops and taxicab stands.

(M) Determine the location and limiting the hours of truck loading zones.

(N) Designate dangerous railroad crossings and erect stop signs thereat.

(O) Erect "NO U Turn" signs at any location to prohibit a vehicle from being turned so as to proceed in the opposite direction.

(P) Regulate or prohibit the stopping, standing and parking of vehicles on streets, alleys or public property by erecting signs plainly indicating the prohibitions, restrictions or limitations.

(Q) Designate individual parking spaces by markings, which may either be parallel or at a prescribed angle to the curb or edge of the roadway.

(R) Designate truck routes and streets or parts thereof

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where either a weight limit restriction or truck exclusion has been imposed by rule or regulation provided such is not in conflict with any legislation.

(S) Erect signs to prohibit a right or left turn against a steady red signal at any intersection.

## 78.04 POSTING OF SIGNS AND SIGNALS REQUIRED

No provision of this chapter shall be effective until signs, signals, markings or other devices giving notice of such local traffic regulations are posted upon or at the entrance to the street or part thereof affected, as may be most appropriate, so that in a proper position they are sufficiently legible to be seen by an ordinarily observant person.

## 78.05 MANAGER'S POWERS NOT LIMITED

The powers of the Municipal Manager shall not be limited by the specific enumeration of subjects contained in this chapter.

## 78.06 RECORDS OF MUNICIPAL MANAGER

The Municipal Manager shall keep a record of all rules, regulations and proceedings promulgated in connection with this chapter.

## 78.07 RESERVATION OF POWER TO COUNCIL

Notwithstanding the provisions of this chapter, Council may override any decision of the Municipal Manager and may assume any of the powers delegated to the Municipal Manager, by legislation adopted by a vote of a majority of the members duly elected thereto. Upon the adoption of any such legislation, the same may be changed only by amending or repealing legislation adopted by Council.

## 78.08 VIOLATIONS SUBJECT TO MISDEMEANOR CLASSIFICATION

Except as otherwise provided, any person violating the rules and regulations promulgated in connection with this chapter is guilty of a misdemeanor which shall be classified as provided in Section 70.99.

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SECTION II: That this Ordinance shall amend Ordinance 1996-09, and shall revoke and rescind all Ordinances, and parts of Ordinances, and Resolutions, and parts of resolutions in conflict herewith.

SECTION III: That this Ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, safety and welfare of the citizens of the Municipality of Brookville by providing for the immediate and ongoing placement of traffic control devices, and this Ordinance shall take effect and be in full force and effect from and after its passage by a two-thirds majority of Council as provided for in the Charter of the Municipality of Brookville, Ohio.

PASSED this 15th day of October, 1996.

ATTEST:



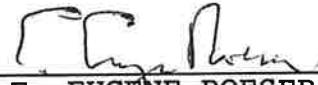
E. EUGENE ROESER, CLERK



THOMAS L. DAFLER, MAYOR

## CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1996-09, passed by the Council of the Municipality of Brookville, Ohio on the 15th day of October, 1996.



E. EUGENE ROESER, CLERK

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## CERTIFICATE OF POSTING

The undersigned, Clerk of the Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1996-10 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio, on the 16th day of October, 1996, to the 16th day of November, 1996, both days inclusive.

  
E. EUGENE ROESER, CLERK