

ORDINANCE 2022-21

AN ORDINANCE ENACTING SECTION 311.04 OF THE VILLAGE OF HIRAM CODIFIED ORDINANCES.

WHEREAS, the Village Council has decided that it is appropriate to revise the regulations affecting road closures in the Village of Hiram; and

WHEREAS, to accomplish the required changes the Hiram Village Codified Ordinances must be revised.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Hiram, Ohio, a majority or more of the members thereto concurring, that:

SECTION 1: The provisions set forth in the attached Exhibit "A" are hereby enacted as section 311.04 of the Village of Hiram Codified Ordinances:

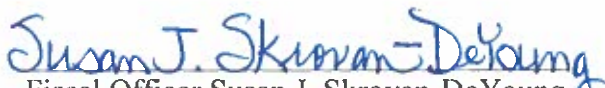
SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of the State of Ohio.

PASSED IN COUNCIL: First Reading: November 8, 2022
Second Reading: December 13, 2022
Third Reading: January 10, 2023



Mayor Lou Bertrand

ATTEST:


Fiscal Officer Susan J. Skrovan-DeYoung

Approved as to Form:



Village Solicitor Thomas Reitz

Exhibit A

311.04 ROAD CLOSURE PERMIT (TEMPORARY CLOSURE OF STREETS, INCLUDING LANES AND SIDEWALKS)

(a) *Definitions.* In this section the following words have the meanings indicated unless the context requires otherwise:

(1) "Village Administrator" means Village Administrator or the Village Administrator's designee.

(2) "Street" means any road, highway, avenue, alley, or other public way within and under the jurisdiction of the Village. "Street" includes a lane, parking lane, sidewalk, or other discrete portion of a street.

(b) *Permits.*

(1) Permits may be issued under this section:

(A) to allow a contractor or utility owner to temporarily close a street for the purpose of reconstruction or repairing a sidewalk, curb, or other structure or installing or repairing utilities, or placing a temporary dumpster or roll off for refuse for no longer than 90 days;

(B) to allow a person to conduct a parade, race, walkathon, or large private event; or

(C) for any other lawful purpose

(2) A permit is not required of a government agency authorized by law to construct streets, roads, sewers, water distribution, sewer, or drainage in the Village.

(c) *Application.* Any person seeking a permit to temporarily close a street shall file a completed application with the Village Administrator, on a form provided by the Village (on website), at least (14) days prior to the requested closing date. An application must be accompanied by parking and traffic plan and any other information required by the Village Administrator as necessary to act on the application in an informed manner. The application must be signed by the applicant or the applicant's duly authorized representative. The application must be accompanied by the required fee, as established by ordinance or resolution of the Village council.

(d) *Approval criteria.* The Village Administrator and Police Chief will review the location of the closing and consider the safe movement of traffic. The Village administrator will issue a permit only upon a determination that the closing will not jeopardize safety or create detrimental traffic operations.

(c) *Issuance of permit.* Upon consideration of the criteria set forth in subsection (d) of this section, the Village Administrator shall approve the permit application, approve it with conditions, approve it with modifications; or deny the application. Conditions of permit approval may include, but are not limited to, requirements for the placement of barricades by the permit holder, no parking signs, and other equipment required for the safe closing of the street.

(f) *Notice.* Before any street closure the necessitates a detour, the permit holder shall notify the owners of abutting that street, in writing, of the upcoming closure. The written notice must include a description of the area to be closed, the dates and times of the closure, and the name, address, and phone number of the permit holder. Notices may be mailed or hand-delivered, but the permit shall ensure that the notices are delivered at least forty-eight (48) hours before closure. The permit holder shall submit a copy of the notice and a list of the notified addresses to Village Administrator prior to the closure.

(g) *Revocation.* The Village Administrator may suspend or revoke any permit issued under this section upon finding any violation of this section, the terms or conditions imposed in the permit, or for any other action deemed detrimental to public health or safety.

(h) *Access.* The permit holder shall ensure that emergency vehicles can access the closed street at all times during the closure.

(i) *Street cleaning.* The permit holder shall clear all debris and other trash from the street before it is reopened. If the permit holder fails to clear all debris and other trash from the street and the Village Administrator concludes that there is a danger to the passage of vehicular traffic or potential contamination of the stormwater management system, then the Village Administrator will cause the street to be cleaned at the expense of the permit holder.

(j) *Closure by Village.* The Village Administrator may direct any street or portion of a street not to be used temporarily, and may order barriers to be placed to indicate that the street, lane, or alley is temporarily closed to travel.

(k) *Violation and penalties.*

(1) A person may not close, or attempt to close, a street without first obtaining a permit in accordance with this section. The Village Administrator may issue a stop work order to any person failing to obtain the required permit or failing to comply with any condition of a permit.

(2) A person may not remove or tamper with any barriers closing a street under this section without the permission of the Village Administrator.

(3) Failure to comply with this section or any order or requirement imposed under this section is a misdemeanor, punishable by a fine not to exceed one thousand dollars (\$1000.00) or by imprisonment for not more than ninety (90)

days, or by both a fine and incarceration in the discretion of the court. Each day a violation continues is a separate offence.