

CITY OF KIRTLAND

ORDINANCE NUMBER 22-O-71

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 440.11 RELATING TO PROHIBITING COMMERCIAL VEHICLES ON CERTAIN STREETS WITHIN THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 08-O-11 was passed on April 21, 2008, amending Kirtland Code of Ordinance §440.11 relating to the prohibition of commercial motor vehicles on certain streets within the City of Kirtland; and

WHEREAS, the City wishes to update the ordinance to include additional roads which will help prolong the life of the roadway in these residential areas.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kirtland, County of Lake, State of Ohio, that:

SECTION I: Codified Ordinance Section 440.11, entitled “Commercial Motor Vehicles Prohibited on Worrell, Tibbitts, Sperry, Wisner, Woodhill, Hobart, Booth, Eagle, Garfield, and Heath Roads and Forestdale and Westwood Drives, and Joseph Street,” is hereby amended as set forth in Exhibit “A” attached hereto and made a part hereof as though fully set forth herein at length.

SECTION II: That the heretofore existing 440.11 of the Codified Ordinances of the City of Kirtland, previously enacted and in force, be amended by the passage of this ordinance, and is hereby replaced as set forth in Section I hereinabove.

SECTION III:

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage 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 Ohio Revised Code.

(b) This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason to protect the integrity of the City’s roads and reduce commercial vehicle traffic in the residential areas; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by the affirmative vote of five members of Council and approval by the Mayor, otherwise this Ordinance shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____
Second Reading: _____
Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this _____ day of
_____, 2022.

ATTEST:

Approved by the Mayor this _____ day
of _____, 2022.

Clerk of Council
Amend 440.11 – Commercial Vehicles Prohibited

Mayor Kevin F. Potter

§ 440.11 COMMERCIAL MOTOR VEHICLES PROHIBITED STREETS.

- (a) As used in this section, “commercial motor vehicle” means a motor vehicle having motor power designed and/or used for the carrying or transportation of goods, wares, merchandise, rubbish, freight, soil, gravel, fill, vegetation, stumps and logs or products of any kind; or for carrying more than seven persons; or licensed as a commercial motor vehicle; and/or used for commercial purposes.
- (b) No person shall drive a commercial motor vehicle upon Worrell Road between U.S. Route 6 and the city corporation line.
- (c) No person shall drive a commercial motor vehicle upon Tibbitts Road between U.S. Route 6 and the city corporation line.
- (d) No person shall drive a commercial motor vehicle upon Sperry Road between U.S. Route 6 and Kirtland-Chardon Road.
- (e) No person shall drive a commercial motor vehicle on Wisner and Woodhill roads or Forestdale and Westwood Drives or Regency Woods Drive between Kirtland-Chardon Road and Riverwood Way.
- (f) No person shall drive a commercial motor vehicle upon Hobart Road between U.S. Route 6 and the city corporation line.
- (g) No person shall drive a commercial motor vehicle upon Booth Road between Eagle Road and the city corporation line.
- (h) No person shall drive a commercial motor vehicle upon Eagle Road between Kirtland-Chardon Road and the city corporation line.
- (i) No person shall drive a commercial motor vehicle upon Garfield Road between Kirtland-Chardon Road and the city corporation line.
- (j) No person shall drive a commercial motor vehicle upon Heath Road between Euclid-Chardon Road and the city corporation line.
- (k) No person shall drive a commercial motor vehicle upon Joseph Street between State Route 306 and the city corporation line.
- (l) No person shall drive a commercial motor vehicle upon Billings Road between State Route 306 and Sperry Road.
- (m) Nothing in subsections (b) through (l) hereof shall be construed to prohibit the use of such roads by commercial motor vehicles if such vehicles are receiving goods or making deliveries to properties located on such roads.

(Ord. 98-O-57, passed 9-9-1998; Am. Ord. 08-O-11, passed 4-21-2008)