

AN ORDINANCE ENACTING SECTION 339.01(b) PROVIDING PENALTIES FOR OVERSIZE OR OVERWEIGHT COMMERCIAL VEHICLES OPERATING ON STATE ROUTES

WHEREAS, the Police Chief has recommended penalties for oversize or overweight commercial vehicles operating on State routes;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1. That Section 339.01 of the Traffic Code be amended to add a new subsection (b) to read as follows:

“339.01 OVERSIZE OR OVERWEIGHT VEHICLE OPERATION ON STATE ROUTES; STATE PERMIT.

(a) No person shall operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in Ohio R.C. 4513.01 to 4513.37, inclusive, upon any State route within the Municipality, except pursuant to special written permit issued by the Ohio Director of Transportation, or upon any local truck route. Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer.

No holder of a permit issued by the Ohio Director of Transportation shall be required to obtain any local permit or license or pay any local fee or charge for movement on any State route within the Municipality; however, it shall be unlawful to operate any such vehicle or combination of vehicles upon any roadway within the Municipality which is not a State route, except as provided in Section 339.02. (ORC 4513.34)

(b) Whoever violates the weight provisions of Section 339.01 shall, upon conviction thereof be guilty of a misdemeanor of the first degree and shall be fined or imprisoned, or both, which fine shall be as follows:

- (1) For an overload of the first two thousand pounds or fraction thereof - Eighty Dollars (\$80.00);
- (2) For overloads in excess of two thousand pounds, but not in excess of five thousand pounds - one hundred dollars (\$100.00); plus one dollar (\$1.00) per one hundred pounds of overload;

- (3) For overloads in excess of five thousand pounds, but not in excess of ten thousand pounds - one hundred thirty dollars (\$130.00); plus two dollars (\$2.00) per one hundred pounds of overload or imprisoned not more than thirty days, or both;
- (4) For all overloads in excess of ten thousand pounds - one hundred sixty dollars (\$160.00); plus three dollars (\$3.00) per one hundred pounds of overload or imprisoned not more than thirty days, or both;
- (5) Whoever violates the weight provisions of vehicle and load relating to gross load limits, shall be fined not less than one hundred dollars (\$100.00). No penalty prescribed in this section shall be imposed on any vehicle combination if:
 - A. The overload on any axle does not exceed 1,000 pounds, and if
 - B. The immediately preceding or following axle, excepting the front axle of the vehicle combination, is underloaded by the same or a greater amount. For purposes of this section, two axles on one vehicle less than eight feet apart, shall be considered as one axle.
- (6) All fines collected relative to this section shall be rounded to the nearest dollar.”

SECTION 2. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: April 4, 2000

Michael Stephens
President of Council

Ronald B. Larsen
Mayor

Dated: 4/7/2000

ATTEST:

Carole Gibson
Clerk of Council