

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES (844) 224-3338 FORM NO. 30043

Ordinance No. 14-2023

Passed OCTOBER 2, 2023

VILLAGE OF NAVARRE
STARK COUNTY, OHIO
ORDINANCE 14-2023

AN ORDINANCE EXCLUDING TRUCK TRAFFIC ON MARKET,
WOOSTER, AND PARK STREETS, THROUGH ENACTMENT
OF NEW MUNICIPAL REGULATION SEC. 70.21

Whereas, Market Street, Wooster Street, and Park Street, within the Village of Navarre, are dedicated Village streets, and not federal, state, or county highways, and

Whereas, most of Market Street is in a residential district, from just north of Plainmont Street to the Tuscarawas River, yet received heavy through truck traffic, thus constituting a danger to children and others along Market Street, and creates unnecessary noise not conducive to a residential district, and

Whereas, Wooster Street is in a residential district, from the west to the east end of the Village, and is now also receiving heavy through truck traffic, also constituting a danger to children and others along Wooster Street, and creating unnecessary noise not conducive to a residential district, and

Whereas, Park Street is largely in a residential district, and is not sufficiently improved to bear heavy through truck traffic, but does receive such heavy through truck traffic, also constituting a danger to children, and others along Park Street, and creating unnecessary noise not conducive to a residential district, and

Whereas, there are other through routes through the Village that can accommodate through truck traffic, and

Whereas, on July 18, 2022, Village Council enacted new codified Municipal Regulation Sec. 70.21 (Ordinance 16-2022) to address the issue, and

Whereas, with the continued development of Prospect Park, and construction projects elsewhere in the area that cause diversion of truck traffic through Navarre, and

Whereas, it appears that certain business organizations, with different vehicles and different drivers, frequently permit or encourage violation of Ordinance 16-2022 (Sec. 70.21), and Village Council deems it necessary to impose organizational liability under Ohio Revised Code, Sec. 2901.23, with penalties as allowed under Ohio Revised Code, Sec. 2929.31,

Now, therefore, be it ordained by the Council of the Village of Navarre, Ohio, that Section 70.21 of the codified Municipal Regulations of the Village of Navarre, Ohio be amended as set forth below:

"Sec. 70.21 – Through truck traffic limited on Market, Wooster, and Park Streets –

(A) Offense - Through truck traffic shall not be permitted on Market Street, Wooster Street, or Park Street, within the Village of Navarre. Trucks are defined to include both semi-tractor trailers (fifty three foot trailers) and roll-off trucks, such as the type used to haul garbage to

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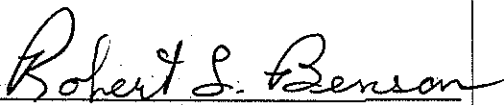
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landfills or regulated by Section 74.44 of these Municipal Regulations. "Through traffic" is defined as traveling from outside the Village to outside the Village, without stopping for any legitimate business purpose within the Village. Violation of this Section is a minor misdemeanor, and subsequent offenses within one year of a prior violation of this Section is a fourth degree misdemeanor."

(B) Violation by organization – No organization, as defined in Ohio Revised Code, Sec. 2901.23(D), shall permit a truck or roll-off truck owned, leased, or operated by such organization, to violate Division (A) of this Section 70.21. Use of a truck or roll-off truck in violation of this Division of this Section will constitute prima-facie evidence that the organization permitted the violation. A violation of this Division of this Section is a minor misdemeanor, and subsequent offenses within one year of a prior violation is a fourth degree misdemeanor, with the maximum fine for each being one thousand dollars for a minor misdemeanor and two thousand dollars for a fourth degree misdemeanor, or such higher maximums as permitted by the then current version of Ohio Revised Code, Section 2929.31.

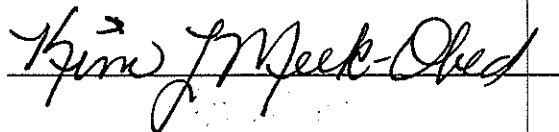
First reading – September 5, 2023
Second reading – September 18, 2023
Third reading and final passage – October 2, 2023


ROBERT L. BENSON, MAYOR

ATTEST:


FISCAL OFFICER KIM L. MEEK-OBED

I, Kim L. Meek-Obed, Fiscal Officer for the Village of Navarre, Ohio, do hereby certify that the forgoing is a true copy of Ordinance 14-2023 duly passed and adopted by the Council of the Village of Navarre on the 2nd day of OCTOBER, 2023 as compared by me with the original on file in my office.



I, Kim L. Meek-Obed, Fiscal Officer for the Village of Navarre, Ohio, do hereby certify that there is no newspaper in said Village and that publication of the above Ordinance was duly made by posting one copy thereof at the Village of Navarre's website, the Navarre Post Office and the Village Clean Laundromat and that said Ordinance will remain posted for at least fifteen days thereafter.

