

RESOLUTION 24-14

**RESOLUTION REGULATING THE PARKING OF COMMERCIAL VEHICLES ON TOWNSHIP ROADS IN BEAVER TOWNSHIP, MAHONING COUNTY, OHIO**

The Board of Township Trustees, Beaver Township, Mahoning County, Ohio, met in regular session at the Beaver Township Administration Building on the 12<sup>th</sup> day of March, 2024, with the following members present: Ronald Kappler, Pamela Simmons, Erik Tabor.

Trustee Kappler moved the adoption of the following:

WHEREAS, Ohio Revised Code Section 505.17(A) provides the Board of Township Trustees of Beaver Township with the authority to make regulations and orders as are necessary to control all vehicle parking within Beaver Township; and,

WHEREAS, the Board of Township Trustees of Beaver Township has determined it necessary to eliminate the obstruction of Township roads caused by the parking of commercial vehicles and to eliminate the obstruction of view on Township roads caused by the parking of commercial vehicles; and,

WHEREAS, the Board of Township Trustees of Beaver Township has determined the public safety and welfare of Beaver Township would be served by the adoption of regulations prohibiting the parking of commercial vehicles on Township roads; and,

WHEREAS, such regulations do not conflict with the uniform traffic act, and are applicable only to unincorporated areas of the Township; and,

WHEREAS, Ohio Revised Code Section 4511.07(A)(1) does not prevent the Board of Township Trustees of Beaver Township from regulating the stopping, standing, or parking of vehicles, trackless trolleys, and streetcars with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power; and,

WHEREAS, Ohio Revised Code Section 505.17(E) provides that any person who violates a regulation or order adopted in accordance with R.C. 505.17(A) is guilty of a minor misdemeanor; and,

WHEREAS, Ohio Revised Code Section 505.17(D) provides the Board of Township Trustees, or its designated agent, with the authority to order into storage any vehicle parked in violation of a regulation or order adopted in accordance with R.C. 505.17(A).

NOW, THEREFORE, BE IT RESOLVED that the Board of Township Trustees of Beaver Township prohibits the parking of commercial vehicles on Township roads in accordance with R.C. 505.17.

BE IT FURTHER RESOLVED that for purposes of this Resolution, "commercial vehicles" includes the following: trucks, house vehicles, watercraft, trailers, semi-trailers,

commercial tractors, dual rear-wheeled vehicles, buses or any other vehicle exceeding a gross vehicle weight of 9,500 pounds.

BE IT FURTHER RESOLVED that commercial vehicles shall not be parked on Township roads, except while loading or unloading, if it can be done safely and only for a reasonable period of time necessary for such purpose.

BE IT FURTHER RESOLVED that pursuant to R.C. 505.17(E), any person who violates this Resolution is guilty of a minor misdemeanor and the fines levied and collected under this Resolution shall be paid into the Township general revenue fund; and,

BE IT FURTHER RESOLVED that pursuant to R.C. 505.17(D) the Board of Township Trustees may order into storage any commercial vehicle parked in violation of the Resolution and hereby designates the Beaver Township Police Chief and the Township Road Department Superintendent to be its agents for this purpose; and,

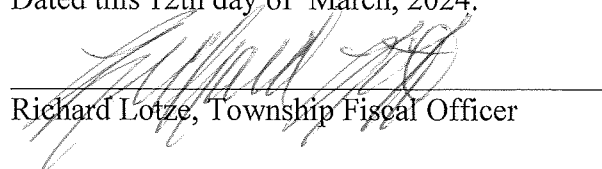
BE IT FURTHER RESOLVED that the Township Fiscal Officer is hereby directed to post this Resolution in five conspicuous public places in Beaver Township for thirty (30) days before becoming effective and shall be published in a newspaper of general circulation in the township for three consecutive weeks or as provided in R.C. 7.16.

BE IT FURTHER RESOLVED that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including R.C. 121.22.

Trustee Simmons seconded the Motion, and the roll being called upon its adoption, the vote resulted as follows:

Trustee Kappler	Aye
Trustee Simmons	Aye
Trustee Tabor	Aye

Dated this 12th day of March, 2024.

  
Richard Lotze, Township Fiscal Officer