

ORDINANCE NO. 2023- 16

**AN ORDINANCE AMENDING ORDINANCE NUMBER 2022-12 ESTABLISHING REGULATIONS PROHIBITING THROUGH TRUCK TRAFFIC ON CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF CASTALIA AND DECLARING AN EMERGENCY.**

**WHEREAS**, Council has previously determined that it is necessary to establish the prohibition of through truck traffic on certain streets, roads, and alleys within the corporate limits of the Village of Castalia; and

**WHEREAS**, Council has now determined that it is necessary to amend that prohibition by specifying a weight limit on no through truck traffic on certain streets, roads, and alleys within the corporate limits of the Village of Castalia; and

**WHEREAS**, Council has further determined that it is necessary to adopt the within ordinance as an emergency measure as the prohibition of through trucks on certain streets, roads, and alleys is directly related to immediate preservation of the health, safety, and welfare of the Village of Castalia; an

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CASTALIA, STATE OF OHIO:**

**SECTION 1.** From after the effective date of this Ordinance, Ordinance Number 2022-12, shall read as follows:

**THROUGH TRUCK TRAFFIC PROHIBITED.**

No person shall drive or operate any through trucks in excess of thirteen (13) tons upon the following streets which are designated as "No Thru Truck" streets: the entirety of East Lucas Street, Barden Street, and Depot Street. These streets shall be posted in accordance with O.R.C. 4511.07.

Whoever violates this ordinance is guilty of a minor misdemeanor. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. (ORC 4511.99)

**SECTION 2.** That the Fiscal Officer is authorized and directed to provide a certified copy of the foregoing ordinance to the Erie County Sheriff, the Sandusky Municipal Court, and the Sandusky Bay Law Library.

**SECTION 3.** That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action,

were taken in meetings open to the public in full compliance with applicable legal requirements, including *§121.22 of the Revised Code*.

**SECTION 4.** That the Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the Village of Castalia. Therefore, this Ordinance shall be adopted as an emergency measure to take effect immediately upon its adoption and due authentication by the Mayor and the Fiscal Officer, respectively.

  
MAYOR

ATTEST:

  
VILLAGE FISCAL OFFICER

Adopted: November 14, 2023