

ORDINANCE # O-4-2015

AN ORDINANCE TO AMEND VILLAGE OF BOLIVAR ORDINANCE 455 ENTITLED ORDINANCE ESTABLISHING A TRUCK ROUTE, ESTABLISHING PENALTIES FOR A VIOLATION THEREOF TO PROVIDE FOR AN AGRICULTURAL EXCEPTION

WHEREAS, the Village has received multiple inquiries as to prior Village policy regarding allowing exceptions to the Village's Truck Route requirements for agricultural vehicles during harvest season;

WHEREAS, while it was believed that the Village did have such a policy, but a review of the Village's Truck Route Ordinance, Ordinance 455, revealed that no such policy was codified into law;

WHEREAS, the Village Council wishes to provide for such an exception; and

WHEREAS, Council wishes that Village Ordinance 455 be amended to include the following language in Section V:

The Village may also grant, on a case-to-case basis, exceptions to this Ordinance for agricultural vehicles delivering or receiving crops during the Planting Harvest Season. For the purposes of this ordinance, "Planting and Harvest Season" shall be defined as April 1st through November 15th of a calendar year. Interested parties must submit a request for an exception in writing to the Village's Village Administrator by April 1st of any given calendar year.

The Village Administrator shall have the ability to review the request and to request any additional information needed. The Village Administrator shall approve or reject such a request within seven (7) days from the receipt of a request. If a request is approved, the Village Administrator shall issue a permit for the agricultural exception, outlining the terms of the exception and the cost for the permit. The cost of the permit shall be \$25.00 per year. Once the applicant has received a permit, they must pay the associated cost and keep a copy of the permit in any vehicle which plans to utilize the exception. It shall be the responsibility of the permit holder to have the permit ready for inspection in the event that the permit holder's deviation from the truck route is questioned.

This exception is limited to trucks and tractor trailers for use in an active agricultural operation only. Regardless of the exception, all trucks and tractor trailers must follow all other traffic regulations proscribed by the State of Ohio and the Village of Bolivar, including speed limits, and shall operate their vehicles in a safe and conscientious manner. Should the Village determine that a permit holder has not abided by the above conditions; the Village shall have the right to revoke the permit and inform the holder of the revocation.

Now, therefore be it ordained by the Village Council the Village of Bolivar, Ohio, as follows:

SECTION 1. The Village Council for the Village of Bolivar hereby amends Village of Bolivar Ordinance 455 to include the aforementioned language.

READ: November 3, 2014, December 1, 2014, and January 5, 2015

PASSED: January 5, 2015

REBECCA HUBBLE, MAYOR

ATTEST:

MARIA APP, CLERK/TREASURER