



# ROSS TOWNSHIP RESOLUTION

## RESOLUTION NUMBER 2014-070

RESOLUTION ESTABLISHING TRUCK ENGINE BRAKE NOISE REDUCTION ZONES ON OHIO STATE ROUTE 126, CINCINNATI BROOKVILLE ROAD AND OHIO STATE ROUTE 128; DIRECTING THE TOWNSHIP ROAD SUPERINTENDENT TO PURCHASE ALL NECESSARY SIGNAGE AND REQUESTING THE OHIO DEPARTMENT OF TRANSPORTATION TO ERECT SIGNAGE IN ACCORDANCE WITH THE OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND R.C. SECTIONS 505.17 AND 4513.221(E)

**WHEREAS**, O.R.C. Sections 505.17 and 4513.221(E) allow a board of township trustees to adopt regulations and orders that are necessary to control passenger car, motorcycle and internal combustion engine noises within the unincorporated territory of the township; and

**WHEREAS**, in the interest of preserving the public's continued quality of life and in response to complaints by residents, the Board desires to impose certain noise restrictions emanating from the usage of truck engine brakes within the limits of truck engine brake noise reduction zones on Ohio State Route 126, Cincinnati-Brookville Road and Ohio State Route 128, established herein; and

**WHEREAS**, the Board desires to purchase and have erected all proper signage necessary to delineate the truck engine brake noise reduction zones established herein; and

**BE IT RESOLVED**, by the Trustees of Ross Township, Butler County, Ohio, as follows:

### **SECTION 1-A:**

That the following truck engine brake noise reduction zone restrictions, traffic regulations and signage are imposed along Ohio State Route 126, Cincinnati-Brookville Road and Ohio State Route 128 within the truck engine brake noise reduction zones as defined herein:

#### **State Route 126 (State Highway)**

Establish a zone commencing at a point in the centerline of Ohio State Route 126 which is approximately 500 feet west of the intersection of Ohio State Route 126 and Brown Farm Road and continuing along the centerline of Ohio State Route

126 eastward to the centerline of the intersection of Ohio State Route 126 and Ohio State Route 128.

**State Route 128 (State Highway)**

Establish a zone commencing at a point being at the centerline of the intersection of Ohio State Route 128 and Morgan Lane and continuing northward and eastward along Ohio State Route 128 to the centerline of the intersection of Ohio State Route 128 and Ross Millville Road.

**Cincinnati-Brookville Road (County Highway)**

Establish a zone commencing at a point being at the centerline of the intersection of Ohio State Route 126 and Ohio State Route 128 and continuing eastward and southward along the centerline of Cincinnati-Brookville Road to a point approximately 1,000 feet east of the intersection of Cincinnati-Brookville Road and Lark Street.

**SECTION 1-B:**

That the Township's Road Superintendent purchase all signs necessary to properly delineate the truck engine brake noise reduction zones in Section 1-A hereof in accordance with the Ohio Manual of Uniform Traffic Control Devices for Streets and Highways.

**SECTION 1-C:**

That all signs on State Highways shall be erected by the Ohio Department of Transportation and all signs on County Highways shall be erected by the Butler County Engineer as established in Section 1-A hereof in accordance with the Ohio Manual of Uniform Traffic Control Devices for Streets and Highways.

**SECTION 1-D:**

Where the above referenced signs are erected no persons shall operate or cause to be operated any vehicle in such a manner that the exhaust system emits a loud, cracking or noise unusual to its normal operation and it shall be unlawful for any vehicle equipped to downshift and release the clutch to utilize the vehicle's engine to slow in order to meet proper restrictions within the Township, except in cases of extreme emergency.

**SECTION 2:**

This resolution shall take effect on November 6, 2014, upon the filing of this resolution with the Ross Township Fiscal Officer, provided, however, that this Resolution shall not be enforced until signs are erected.

**SECTION 3:**

It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Trustees and that all deliberations of such Board of Trustees were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**INTRODUCTION AND VOTE RECORD:**

Trustee \_\_\_\_\_ introduced the foregoing Resolution and moved its adoption, Trustee \_\_\_\_\_ seconded the Motion. The roll being called upon the question of adoption of the Resolution by the Township Fiscal Officer, the vote resulted as follows:

Trustees: Willsey \_\_\_\_\_ Wurzelbacher \_\_\_\_\_ Yordy \_\_\_\_\_

Adopted at the meeting of the Ross Township Board of Trustees this 6<sup>th</sup> day of November, 2014.

\_\_\_\_\_  
Ellen Yordy, President

\_\_\_\_\_  
Thomas Willsey, Vice President

\_\_\_\_\_  
Raymond Wurzelbacher, Trustee

**AUTHENTICATION**

This is to certify that this resolution was duly adopted by the Board of Trustees, and filed with the Ross Township Fiscal Officer, this 6<sup>th</sup> day of November, 2014.

\_\_\_\_\_  
Judy Huffman  
Ross Township Fiscal Officer

**THE REMAINDER OF THIS PAGE INTENTIONALLY**