

BOARD OF TOWNSHIP TRUSTEES
ANDERSON TOWNSHIP
HAMILTON COUNTY, OHIO

The Board of Township Trustees met in regular session at 7:00 p.m. this 20th day of May, 2004, with the following members present:

Albert F. Peter
Peggy D. Reis
Russell L. Jackson, Jr.

Mrs. Reis introduced the following resolution and moved its passage:

RESOLUTION NO. 04-0520-07

**RESOLUTION REGULATING PARKING ON ALL
TOWNSHIP STREETS WITH EXCEPTIONS WHERE
CONSIDERATIONS OF PUBLIC SAFETY PERMIT**

WHEREAS, by adoption of Resolution No. 94-0721-01, this Board of Township Trustees ("Board") adopted certain parking regulations, and provided therein that "parking shall be prohibited on either side or both sides of any township street or county road at a place where the Board of [Township] Trustees by resolution finds such parking would be hazardous or contrary to the public safety and welfare;" and

WHEREAS, this Board has developed a reputation of providing excellent public safety services; and

WHEREAS, this Board has a responsibility to ensure that all residents of Anderson Township can be quickly and effectively served with fire suppression, EMS, law enforcement, and snow removal services, in addition to safe school bus service; and

WHEREAS, this Board was previously proceeding under Resolutions Nos. 03-1218-07, 04-0115-03, 04-0415-04, 04-0226-16, and 04-0415-05 to identify and restrict parking on a street-by-street basis in close-proximity groupings, but this approach has shown itself to be time-consuming and expensive, and to distract from other Township issues; and

WHEREAS, this Board is now able to apply the knowledge that it and its staff have gained, from the experience of restricting parking on 115 streets, to develop a more precise description of what street widths are needed to be always available to ensure the safe and effective access and use of public streets by safety and school bus services; and

WHEREAS, to assure this effective access and use, in light of existing vehicles and equipment, 10 feet of street width must be available for emergency vehicle access, *i.e.*, the street must have a useful width of 19 feet (10 feet of access, assuming an 8-foot wide vehicle legally parked 12 inches from the curb) and no extenuating circumstances such as curves if parking is to be allowed on one side of the street. However, if an aerial ladder truck is appropriate for effective firefighting, a minimum of 16 feet of available width is needed for the related outrigger placement necessary to deploy aerial ladders. To endeavor to guarantee that this 16-foot

working width is available at all times would require that a street have 25 feet of useful width (16' + 9') if parking on one side of the street is allowed. If parking on both sides of the street is allowed, the comparable minimal useful width to guarantee the ability to deploy an aerial ladder truck would be 34 feet (16' + 9' + 9') if there were no extenuating circumstances; and

WHEREAS, this Board recognizes that there must be compromises between an absolute guarantee of the most effective use of firefighting equipment and the convenience and lifestyles of its residents, and, in consultation with its Fire Chief, believes that parking should be allowed on one side of most streets and that parking on both sides should be allowed on all streets with a useful width of at least 31 feet, 6 inches, and no other extenuating circumstances; and

WHEREAS, certain Township streets (or portions thereof) have useful widths of less than 19 feet, and parking should be prohibited on both sides of those streets; now, therefore

BE IT RESOLVED by the Board of Township Trustees of Anderson Township, Hamilton County, Ohio, that this Board hereby makes the finding described in the first preamble hereto as to

- a. the side of each Township street on which one or more fire hydrants is or are located (the "hydrant side") with the exceptions of Northport, Stonegate, Woodcroft, and (as shall be determined by the Fire Chief) the widest portions of Bowen and Markley Woods Way;
- b. both sides of the streets (or portions thereof) listed on Exhibit A hereto, which is by this reference incorporated herein; and
- c. the turning circles or other turning features (if any) at the termini of all such streets, without exception,

and orders that appropriate traffic control devices conforming to R.C. §4511.09 and the Ohio Manual of Uniform Traffic Control Devices ("Manual") be erected to reflect such prohibition; such prohibition shall become effective thirty (30) days after the date of the postings by the Township Clerk required by R.C. §505.17(B)(1), as evidenced by completion and execution of the certificate attached hereto as Schedule A, and this resolution shall also be published for three consecutive weeks in a newspaper of general circulation in the Township, as required by R.C. §505.17(B)(1). As specified by R.C. §505.17(C), such prohibition shall be enforced when and as traffic control devices conforming to R.C. §4511.09 and the Manual are prominently displayed on the affected streets.

BE IT FURTHER RESOLVED that (notwithstanding the first paragraph of this resolution), parking shall not be prohibited on any street or 500-foot section of street which terminates at least 30 feet from an intersection, with a useful width of 28 feet or more, where:

- a. no structures are located on either side of the street which could need fire suppression services, **or**
- b. no structures which could need fire suppression services are located within 200 feet of the street, **or**

- c. the front footage of each parcel on both sides of the street equals or exceeds 250 feet,

all as shall be determined by the Fire Chief.

BE IT FURTHER RESOLVED

- (1) that the Board, having established the regulations reflected in this resolution, hereby authorizes the Township Administrator, through Sheriff's Office and Township staff as he/she so determines appropriate:
 - a. to implement this resolution;
 - b. notwithstanding other terms of this resolution, to approve, with the consent of the Fire Chief, parking on the hydrant side of a street and to prohibit parking on the other side of that street, when public safety will not thereby be adversely affected; and
 - c. to be the final decision-maker with respect to any question that may arise concerning the application of this resolution to a particular street;
- (2) that parking shall be prohibited
 - a. on the hydrant side of any street constructed in the future which has a useful width of less than 31 feet, 6 inches, and in the turning circle or other turning feature (if any) at the terminus of such street; and
 - b. on both sides of any street constructed in the future which has a useful width of less than 19 feet, and in the turning circle or other turning feature (if any) at the terminus of such street; and
- (3) that developers of new subdivisions are required to erect traffic control devices conforming to R.C. §4511.09 and the Manual on the street or streets therein, in conformance with the foregoing subsection (2) hereof, at locations to be designated by the Highway Superintendent, prior to occupancy of any dwelling or other structure thereon, whether or not any such street shall have been accepted for Township maintenance; and
- (4) that restrictions imposed by this Board's Resolutions Nos. 03-1218-07, 04-0115-03, 04-0415-04, 04-0226-16, and 04-0415-05 remain in effect.

BE IT FURTHER RESOLVED that the preambles hereto are and shall for all purposes be construed to be integral and operative parts of this resolution; and

BE IT FURTHER RESOLVED that this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) R.C. §121.22, except as otherwise permitted thereby.

Mr. Jackson seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

Mr. Peter yes Mrs. Reis yes Mr. Jackson yes

CERTIFICATION

The undersigned, duly elected and acting Township Clerk of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 20th day of May, 2004, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

This _____ day of _____, 2004.

Kenneth G. Dietz
Township Clerk

EXHIBIT A

No parking shall be permitted on either side of:

Cedarcrest, from north side of 735 Cedarcrest to the terminus

Cedarpoint, from Cedarcrest to north side of 740 Cedarpoint

Cottage Court, from Sherman to the terminus

Stanley Road, from south side of 1337 Stanley Road to north side of 1379 Stanley Road

Orchard Drive, from the Township Line to the terminus

Phillips, from Four Mile to Doolittle

Phillips, from Watchcreek to the terminus