

RESOLUTION NO. 21-2007

RESOLUTION AUTHORIZING EMERGENCY ROAD CLOSURES BY THE POLICE CHIEF, FIRE CHIEF, AND COMMUNITY SERVICES DIRECTOR AND ESTABLISHING PROCEDURES FOR TEMPORARY ROAD CLOSURES FOR PARADES AND SPECIAL EVENTS AND DECLARING AN EMERGENCY AND DISPENSING WITH THE SECOND READING

WHEREAS, the Board of Trustees recognizes that safety emergencies such as, but not limited to, traffic accidents, water main breaks, law enforcement activity, hazardous material spills, downed trees, downed power lines, and gas leaks occasionally require Township safety officials to temporarily close Township roadways to automobile and/or pedestrian traffic; and,

WHEREAS, the Board of Trustees further recognizes that, in order to protect the health, safety and welfare of the community by allowing public safety officials to take prompt action in the event of an emergency, authority to close Township roadways in an emergency should be vested in the Township Fire Chief, Police Chief, and Community Services Director; and,

WHEREAS, the Board of Trustees recognizes that community events involving pedestrian traffic along roadways such as, but not limited to, parades, festivals, and marathons occasionally require the temporary closure of Township roadways to automobile traffic; and,

WHEREAS, the Board of Trustees further recognizes that a permit-granting process for requesting non-emergency closure of a Township roadway is necessary to allow residents to hold these community events and minimize the inconvenience of all residents.

NOW THEREFORE BE IT RESOLVED, that, pursuant to its powers under limited home rule granted in Ohio Revised Code § 504.14 , the West Chester Township Board of Trustees does hereby agree to:

SECTION 1. Authorize the Township Fire Chief and Police Chief, pursuant to the reasonable exercise of their powers under Ohio Revised Code § 4511.07(A), and authorize the Community Services Director to close Township roadways in the event of an emergency which threatens the health, safety, or welfare of the community.

SECTION 2. Authorize the Township Public Safety Director to develop community event permit application forms, accept completed forms, and grant or deny applications, consistent with the following conditions:

- A.** Applications for road closures for a period not exceeding 72 hours must be submitted at least 30 calendar days in advance of the first date of road closure and may be granted upon the recommendation of the Public Safety Director and approval of the Township Administrator.

- B.** Applications for road closures for a period exceeding 72 hours must be submitted at least 90 calendar days in advance of the first date of closure and may only be granted with the approval of the majority of the Board of Trustees by motion in an open session of the Board.
- C.** To be considered, applications must contain the following information:
1. Description of the event, to include a list of the roads to be closed and the corresponding intersections, a legible map of the closure areas and/or event site including placement of volunteers and personnel, proposed times and dates of the closure and reopening, number of people expected to attend, assembly areas, route of parade (if applicable), any request for removal of on-street parking, description and indication of all on-site directional and promotional signage, name and contact information of organizers, and purpose of event; and,
 2. A parking plan for use of Township, non-Township, public and/or private lots; and,
 3. Sanitation plan: the event organizer is responsible for providing and servicing portable restrooms during events when permanent facilities are not available or deemed not adequate by the Public Safety Director for the estimated attendance.
- D.** The following factors must be considered before the Township will grant a permit involving a road closure:
1. Impact on businesses and residents; and,
 2. Availability of detour routes; and,
 3. Signage and notification; and,
 4. Set up of barricades and directional signage approved by Traffic Safety; and,
 5. Traffic control and safety and safe access for emergency vehicles and apparatus
- E.** The permit may be refused or cancelled if:
1. The time, place, size, or conduct of the event including the assembly areas and route of march, if applicable, would unreasonably interfere with the public convenience and safe use of the streets and highways;
 2. The event would require the diversion of so great a number of police officers to properly police the line of movement, assembly area, and areas adjacent thereto so as to deny normal police protection to the Township;

3. The parade route of march or assembly areas, if applicable, would unreasonably interfere with the movement of police vehicles, fire-fighting equipment or ambulance service to the Township;
4. The event would unreasonably interfere with another event for which a permit has been issued;
5. The information contained in the application is found to be false, misleading, or incomplete in any material detail;
6. An emergency such as a fire or storm would prevent the proper conduct of the event.

F. If access to certain residents or businesses is restricted, the event organizer is responsible for preparing, printing, and distributing a notification letter to all affected residents and businesses. Affected businesses and residents must receive this letter at least 30 days prior to the event. The letter must receive approval from the Township Public Safety Director prior to being distributed. For a fee, the Township can provide temporary no-parking signs, traffic cones, road barricades, etc. to secure the road closure. All road closures and lane restrictions will be set up and removed by Township staff.

G. At a subsequent time and with the approval by motion of the Board of Trustees, the Township may assign a fee for processing any application or issuing any permit for a road closure request.

SECTION 3. Authorize and direct the Township Administrator to take such actions as may be necessary to carry out the Resolution and to hear any appeals in the event of a denial of a permit.

IT IS FURTHER RESOLVED THAT this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of this Township. The reason for the emergency is to provide immediate closure of Township road(s) in sufficient time to protect the physical safety of Township residents.

This resolution shall be adopted as an emergency necessary for the immediate preservations of the public peace, health, safety, or welfare of the community and shall become effective at the earliest date permitted by law.

Adopted the 8th day of May, 2007

George Lang

George Lang, President

YES
Yes / No

Lee Wong

Lee Wong, Vice President

Yes
Yes / No

Absent

Catherine Stoker, Trustee

Yes / No

ATTEST:

Patricia Williams
Patricia Williams, Township Fiscal Officer

APPROVED AS TO FORM:

Donald L. Crain
Donald L. Crain, Law Director

CERTIFICATE OF PUBLICATION

_____	First Reading
Date	
May 8, 2007	Emergency Reading

Date	
_____	Second Reading
Date	
May 14, 2007 Journal News	First Publication
_____	(After Approval)
Date and Newspaper	
May 17, 2007 Pulse Journal	

May 21, 2007 Journal News	Second Publication
_____	(After Approval)
Date and Newspaper	
May 24, 2007 Pulse Journal	

<i>Patricia Williams</i> 10/11/07	Certificate of Publication

Township Fiscal Officer Signature & Date	