

AGENDA

DATE: JANUARY 6, 2003
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE IS A PUBLIC HEARING THIS EVENING
REGARDING ORDINANCE NO. 230 - 2002 AT 7:00 P.M.

1. ROLL CALL *May*
2. INVOCATION BY COUNCILMAN PAUL LAMBERT (OR GUEST)
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 1 - 2003 BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1187.15 "Bed and Breakfast Regulations", and declaring an emergency.

ORDINANCE NO. 2 - 2003 BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending CHAPTER 1153 "R-1 THROUGH R-4 ONE FAMILY RESIDENTIAL DISTRICTS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1153.03(k) "Principle Uses Permitted Subject To Special Conditions", and declaring an emergency.

ORDINANCE NO. 3 - 2003 BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending CHAPTER 1155 "R-T TWO FAMILY RESIDENTIAL DISTRICTS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1155.03(c) "Principle Uses Permitted Subject To Special Conditions", and declaring an emergency.

ORDINANCE NO. 4 - 2003 BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending CHAPTER 1157 "RM-1 MULTIPLE FAMILY RESIDENTIAL DISTRICTS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1157.04(f)&(g) "Principle Uses Permitted Subject To Special Conditions", and declaring an emergency.

ORDINANCE NO. 5 - 2003 BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending CHAPTER 1163 "B-1 LOCAL BUSINESS DISTRICTS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1163.04(d)&(e) "Principle Uses Permitted Subject To Special Conditions", and declaring an emergency.

ORDINANCE NO. 6 - 2003 BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending CHAPTER 1165 "B-2 CENTRAL BUSINESS DISTRICTS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1165.04(h)&(i) "Principle Uses Permitted Subject To Special Conditions", and declaring an emergency.

ORDINANCE NO. 7 - 2003 BY: COMMITTEE OF THE WHOLE

Posd 8-0
AN ORDINANCE amending CHAPTER 121 "COUNCIL" of the Codified Ordinances of the City of Massillon, by amending Section 121.02(b) "Powers and Duties" Rule 19(2)&(7) Standing Committees, and declaring an emergency.

ORDINANCE NO. 8 - 2003 BY: FINANCE COMMITTEE

Posd 8-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Plant Upgrade Fund of the City of Massillon, Ohio, for the year ending December 31, 2003, and declaring an emergency.

RESOLUTION NO. 1 - 2003 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

Posd 7-0
A RESOLUTION authorizing the Director of Public Service and Safety of the City of Massillon to establish a 40 miles per hour speed limit for Jackson Street N.W. from Lincoln Way East to 12th Street N.W., and declaring an emergency.

- 7. UNFINISHED BUSINESS
- 8. PETITIONS AND GENERAL COMMUNICATIONS
- 9. BILLS, ACCOUNTS AND CLAIMS
- 10. REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR DECEMBER 2002
- B). AUDITOR SUBMITS MONTHLY REPORT FOR DECEMBER - 2002
- C). MAYOR TO GIVE STATE OF THE CITY ADDRESS

- 11. REPORTS OF COMMITTEES
- 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
- 13. CALL OF THE CALENDAR
- 14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 230 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

Posd 9-0
AN ORDINANCE amending Section 1151.02 of the Massillon Code by rezoning a certain tract of land from R-1 One Family Residential to RM-1 Multiple Family Residential, and declaring an emergency.

*Over Road Rowel Var.
8-1 IONIER*

5. SECOND READING ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 21 - 2002 BY: COMMITTEE OF THE WHOLE

*passed
9-0*
A RESOLUTION providing for the submission to the electors of the City of Massillon at a Primary Election to be held on Tuesday, May 2003, the question of the approval of the issue of a renewal of a one (1) Mill Operating Levy to provide continued funding for the Massillon Museum which is operated by the Massillon Museum, Inc., a non-profit corporation, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

18. ADJOURNMENT

**SHARON HOWELL
CLERK OF COUNCIL**

DATE: January 6, 2003

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 1 - 2003

1st reading
LEGISLATIVE DEPARTMENT

2nd reading 1/21
filed 2/3
passed 2/18

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1187.15 "Bed and Breakfast Regulations", and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section I:

There be and is hereby enacted a new Section 1187.15 "Bed and Breakfast Regulations", of CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1187.15 BED & BREAKFAST REGULATIONS

(a) Purpose

The purpose of Bed & Breakfast regulations is to provide for an alternative type of lodging for visitors, and to provide for the preservation and adaptive reuse of older structures and historic landmarks.

(b) Definitions

Bed & Breakfast Home

An owner-occupied dwelling unit that is at least fifty (50) years old or is a designated City of Massillon historic landmark, and contains no more than four (4) guest-rooms, where short-term lodging, with or without meals, is provided for compensation. The operator of the home shall reside on the premises. Food service may only be provided to overnight guests of a Bed & Breakfast Home and shall be limited to breakfast only and is to be served between the hours of 5:00 A.M. to 12:00 noon. Breakfast is defined as a meal at which only non-hazardous food products are served (hazardous foods are defined as those containing eggs, milk, meat, poultry, fish, and gravies) and may include pre-wrapped individual portions of non-hazardous food items such as rolls, crackers, jellies, along with coffee, juice, and commercially prepared sweet rolls. Activities including luncheons, banquets, parties, weddings, charitable fund raising, commercial or advertising activities or other gatherings for direct or indirect compensation, are prohibited at Bed & Breakfast Home.

Bed & Breakfast Inn

A structure that is at least fifty (50) years old or is a designated City of Massillon historic landmark, and contains no more than ten (10) guest-rooms, where short-term lodging, with or without meals, is provided for compensation. Limited social functions such as receptions and private parties, with or without food service may also be provided. However, this definition shall not permit the operation of a restaurant for customers other than the occupants of the guest-rooms and their guests, or the invitees to the reception or private parties. The operator of the inn shall reside on the premises. If a Bed & Breakfast Inn provides food service to the general public, *other than its overnight guests*, it must be licensed under the Massillon City Health Department food service license regulations.

(c) Appearance

No alteration to the exterior of the residential dwelling, accessory building, or yard that alters the residential character of the premises is permissible. Examples of such prohibited alterations include paving of required setbacks and installation of commercial-type exterior lighting.

(d) Spacing Requirements

In all one-family residential zones, a Bed & Breakfast Home shall be limited to one (1) per block face. Block face shall mean properties which front on one side of a street, and lie between two intersecting streets.

(e) Length of Stay and Rates

Length of stay of a guest shall not exceed 14 consecutive days. Room rental rates shall be based on daily rental rates only.

(f) Parking Requirements

Off-street parking shall be provided at the rate of 2 spaces plus 1 space per guest room. Additionally, the following requirements shall apply:

1. In all residential zones, the front setback area shall not be used for parking, except on existing driveways.
2. Bed & Breakfast Inns which provide for limited social functions must provide at least fifteen (15) off-street parking spaces. The entire parking requirement, except for handicapped parking spaces, may be provided off-site, subject to written agreement of the owner of the off-site parking area assuring continued availability of the required parking.

(g) Signage

Signage shall identify rather than advertise, the establishment. Within residential districts, signs shall be limited to one per establishment per street frontage and be limited to:

1. A ground sign not exceeding 2 sq. ft. in area and 3 ft. in height, or
2. A wall sign not exceeding 2 sq. ft. in area.

In all other zones signs shall be regulated by CHAPTER 1188, Sign Regulations of the Zoning Ordinance.

(h) Health Requirements

Food service and other health requirements shall meet all applicable State of Ohio, Stark County, and Massillon City Health Department regulations.

(i) Fire Safety

The facility must meet fire safety requirements of the City of Massillon.

(j) Inspections

All Bed & Breakfast Homes and Bed & Breakfast Inns shall be inspected by all applicable agencies prior to occupancy, and shall be subject to an annual inspection by all applicable agencies.

(k) Licenses

1. All Bed & Breakfast Homes shall be required to have a city rooming house license.
2. All Bed & Breakfast Inns shall be required to have a city rooming house license and a city food service license.

Section 2:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio, in regulating Bed and Breakfast Inns in homes and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2003

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED:

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: January 6, 2003

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

Passed 3/3/03

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 2 - 2003

2nd reading 1/21

Tabled 2/3

Tabled 4/18 - 3/3

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1153 "R-1 THROUGH R-4 ONE FAMILY RESIDENTIAL DISTRICTS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1153.03(k) "Principle Uses Permitted Subject To Special Conditions", and declaring an emergency

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and is hereby enacted a new Section 1153.03(k) "Principal Uses Permitted Subject Special Conditions", of CHAPTER 1153 "R-1 THROUGH R-4 ONE-FAMILY RESIDENTIAL DISTRICTS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1153.03 PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

(k) Bed & Breakfast Homes subject to the provisions of Section 1187.15.

Section 2:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: January 6, 2003

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 3 - 2003

passed 3/3/03
1st reading
LEGISLATIVE DEPARTMENT

BY: COMMUNITY DEVELOPMENT COMMITTEE

2nd reading 2/24
Failed 2/3
Failed 2/18 - 3/3

TITLE: AN ORDINANCE amending CHAPTER 1155 "R-T TWO FAMILY RESIDENTIAL DISTRICTS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1155.03(c) "Principal Uses Permitted Subject To Special Conditions", and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and is hereby enacted a new Section 1155.03(c) "Principal Uses Permitted Subject To Special Conditions", of CHAPTER 1155 "R-T TWO FAMILY RESIDENTIAL DISTRICTS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1155.03 PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

(c) Bed & Breakfast Homes subject to the provisions of Section 1187.15.

Section 2:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: January 6, 2003

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

passed 3/3/03

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 4 - 2003

2nd reading 1/21
Tabled 2/3
Tabled 2/18 - 3/3

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1157 "RM-1 MULTIPLE FAMILY RESIDENTIAL DISTRICTS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1157.04(f)&(g) "Principal Uses Permitted Subject To Special Conditions", and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and is hereby enacted a new Section 1157.04(f)&(g) "Principal Uses Permitted Subject To Special Conditions", of CHAPTER 1157 "RM-1 MULTIPLE FAMILY RESIDENTIAL DISTRICTS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1157.04 PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

- (f) Bed & Breakfast Homes subject to the provisions of Section 1187.15.
- (g) Bed & Breakfast Inns subject to the provisions of Section 1187.15.

Section 2:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: January 6, 2003

CLERK: SHARON HOWELL

Passed 3/3/03

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 5 - 2003

2nd reading 1/21

BY: COMMUNITY DEVELOPMENT COMMITTEE

Filed 8/3
Filed 7/10 - 3/3

TITLE: AN ORDINANCE amending CHAPTER 1163 "B-1 LOCAL BUSINESS DISTRICTS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1163.04(d)&(e) "Principal Uses Permitted Subject To Special Conditions", and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and is hereby enacted a new Section 1163.04(d)&(e) "Principal Uses Permitted Subject To Special Conditions", of CHAPTER 1163 "B-1 LOCAL BUSINESS DISTRICTS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1163.04 PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

- (d) Bed & Breakfast Homes subject to the provisions of Section 1187.15.
- (e) Bed & Breakfast Inns subject to the provisions of Section 1187.15.

Section 2:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: January 6, 2003

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

passed 3/3/03

1st reading
LEGISLATIVE DEPARTMENT

2nd reading 1/5/03

tabled 4/3

tabled 7/18 - 3/3

COUNCIL CHAMBERS

ORDINANCE NO. 6 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1165 "B-2 CENTRAL BUSINESS DISTRICTS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1165.04(h)&(i) "Principal Uses Permitted Subject To Special Conditions", and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and is hereby enacted a new Section 1165.04(h)&(i) "Principal Uses Permitted Subject To Special Conditions", of CHAPTER 1165 "B-2 CENTRAL BUSINESS DISTRICTS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1165.04 PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

- (h) Bed & Breakfast Homes subject to the provisions of Section 1187.15.
- (i) Bed & Breakfast Inns subject to the provisions of Section 1187.15.

Section 2:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: January 6, 2003

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 7 - 2003

BY: COMMITTEE OF THE WHOLE

TITLE: AN ORDINANCE amending CHAPTER 121 "COUNCIL" of the Codified Ordinances of the City of Massillon, by amending Section 121.02(b) "Powers and Duties" Rule 19(2)&(7) Standing Committees, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and is hereby enacted a new Section 121.02(b) "Powers and Duties" Rule 19(2)&(7) Standing Committees of CHAPTER 121 "COUNCIL RULES" of the Codified Ordinances of the City of Massillon. Said newly enacted Sections shall read as follows:

Rule 19: Standing Committees

2. Public Utilities Committee - to which shall be referred all matters pertaining to: privately operated public utilities, such as electric light, water, gas, telephone, bus, taxi, railroads, pipe lines, street lighting and fire hydrants.
- 7 Parks and Recreation Committee - to which shall be referred all matters pertaining to: public and private parks and recreational facilities, City buildings and property, natural waterways, canal lands, park and flood control departments and the City owned golf course.

Section 2:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of Council of the city of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: January 6, 2003

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 8 - 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Plant Upgrade Fund of the City of Massillon, Ohio, for the year ending December 31, 2003, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section I:

There be and hereby is appropriated from the unappropriated balance of the Wastewater Treatment Plant Upgrade Fund of the City of Massillon, Ohio, for the year ending December 31, 2003, the following:

\$1,000,000.00 to an account entitled "Wastewater Treatment Plant Upgrade Fund" 1421.610.2510

Section 2:

This Ordinance is hereby declared to be an emergency measure, for the reason that said appropriation is for additional contracts and/or change orders for the upgrade of the Wastewater Treatment Plant and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED THIS _____ DAY OF _____ 2003

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

APPROVED: _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: January 6, 2003

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 1 - 2003

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: A RESOLUTION authorizing the Director of Public Service and Safety of the City of Massillon to establish a 40 miles per hour speed limit for Jackson Street N.W. from Lincoln Way East to 12th Street N.W. and declaring an emergency.

WHEREAS, the City of Massillon authorized a Speed Warrant Traffic Study for Township Road 242 - Jackson Street N.W. from Lincoln Way East to 12th Street N.W.;

WHEREAS, this Speed Warrant Traffic Study recommended that 40 miles per hour be established for Jackson Street N.W. from Lincoln Way East to 12th N.W.;

WHEREAS, the Stark County Engineer's Office has requested that the speed limit be consistently posted in and outside the corporation limits;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

This Council hereby determines that the speed limit for Jackson Street N.W. from Lincoln Way east to 12th Street N.W. be posted as 40 miles per hour.

Section 2:

The Director of Public Service and Safety is hereby authorized to post a 40 miles per hour speed limit on Jackson Street N.W. from Lincoln Way East to 12th Street N.W. from within and outside the corporation limits.

Section 3:

This Resolution is hereby declared to an emergency measure, the reason for the emergency being that said enactment is necessary for a more control speed limit for Jackson Street N.W. between Lincoln Way East and 12th Street N.W. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.