

AN ORDINANCE TO DESIGNATE WEBBER ROAD AS NOT A THROUGH HIGHWAY PURSUANT TO CODIFIED ORDINANCE 414.02(B) AND REDUCING THE SPEED LIMIT ON WEBBER ROAD TO TWENTY-FIVE MILES PER HOUR.

WHEREAS, Section 434.03 of the Codified Ordinances of the City of Avon Lake (“C.O.”) provides that it is unlawful for the operator of a motor vehicle to exceed twenty-five miles per hour in portions of a municipal corporation that are not through highways; and

WHEREAS, C.O. Section 414.02(b) provides that the City of Avon Lake (“City”) may by ordinance designate any street or highway or any portion thereof within a residential district to be not a through highway and indicate such designation by official traffic-control devices; and

WHEREAS, Webber Road lies entirely within the municipal boundaries of the City; and

WHEREAS, the majority of Webber Road lies within and runs through multiple residential districts, including single-family (R-1A) and multi-family (R-2) residential districts and is used predominantly to access residential properties; and

WHEREAS, Webber Road has been heavily developed over the last several years with multiple new, residential developments all of which are accessed solely by their connections to Webber Road, a portion of which has already been reduced to 25 miles-per-hour; and

WHEREAS, Webber Road is extremely narrow (18 feet), with little-to-no shoulder or right-of-way in spots, and has no road markings; and

WHEREAS, the City has received numerous complaints and requests from residents to reduce the speed on Webber Road from 35 miles-per-hour to 25 miles-per-hour in order to promote the safety and well-being of the residents living on and alongside Webber Road as well as those residents who live within the adjacent developments accessed via Webber Road; and

WHEREAS, in accordance with its powers of self-governance as set forth in Chapter I, Section 2 of the Charter of the City of Avon Lake, and Article XVIII Sections 3 and 7 of the Ohio Constitution, the City has the authority to adopt and enforce local police and similar regulations affecting the health, safety, and welfare of its residents, including by classifying a City road as not a through highway and regulating the speed thereon; and

WHEREAS, the City's authority to classify a municipal street as not a through highway is also expressly provided for or permitted by Sections 4511.21(B)(2) and 4511.65(B) of the Ohio Revised Code.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That Council hereby determines that Webber Road is a residential street lying within one or more residential districts and may be classified as not a through highway.

Section No. 2: That Council hereby designates Webber Road as not a through highway.

Section No. 3: That Council hereby directs that the maximum speed limit on Webber Road be and is hereby twenty-five miles per hour.

Section No. 4: That Council hereby directs that the designation of Webber Road as not a through highway be indicated by official traffic-control devices.

Section No. 5: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 6: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1st reading: 3/27/2023

2nd reading: 4/10/2023

3rd reading:

PASSED: 4/24/2023

/s/ Martin E. O'Donnell

President of Council

POSTED: 4/28/2023

APPROVED: 4/25/2023

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor