

ORDINANCE NO. 84-2022

**TITLE: BARBERTON CODIFIED ORDINANCES
AMENDING SECTION 1024.01
PAVEMENT REQUIREMENTS FOR VARIOUS CLASSIFICATIONS**

AN ORDINANCE AMENDING SECTION 1024.01 OF THE BARBERTON CODIFIED ORDINANCES ENTITLED “PAVEMENT REQUIREMENTS FOR CLASSIFICATIONS” BY CHANGING THE DESIGN STANDARDS AND MATERIALS, AND DECLARING AN EMERGENCY.

WHEREAS, this chapter adopted in 1963 restricts the city’s ability to resurface our roadways in the best manner for the community, and;

WHEREAS, as technology, community needs, cost and other variables change over the years, it is important that the city has the flexibility to adopt and change with the times.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That Council hereby amends Section 1024.01 of the Barberton Codified Ordinances, entitled “Pavement Requirements for Various Classification,” by showing said amendment with a strikethrough for any deletions and **bold** for any additions.

1024.01 PAVEMENT REQUIREMENTS FOR VARIOUS CLASSIFICATIONS.

All streets and sections of streets within the city are hereby classified with regard to the volume and type of present and anticipated vehicular traffic. Any pavement to be constructed or reconstructed in any street shall conform to **the design standards set through the Ohio Department of Transportation (ODOT), reflecting the most current standards and materials.** ~~the following minimum requirements for the classification in which that street is placed.~~

(A) *Major street.* **MAJOR STREET** means a through street carrying large numbers of passenger and commercial vehicles. ~~The minimum width of the pavement on such street shall be 40 feet between curbs. The pavement to be constructed or reconstructed shall be of concrete meeting city specifications, with integral concrete curbs, and shall be a minimum of eight inches in thickness.~~

(B) *Secondary street.* **SECONDARY STREET** means a street connecting local streets or industrial or commercial establishments to major streets and carrying moderate numbers of passenger and commercial vehicles. ~~The minimum width of pavement on such street shall be 30 feet between curbs. The pavement to be constructed or reconstructed therein shall be of concrete meeting city specifications and shall be a minimum of six inches in thickness, unless, in the judgment of the City Engineer, a flexible type of pavement is more suitable because of unusual drainage or subsoil conditions, in which case the pavement may be three inches of asphaltic concrete on an eight-inch water-bound macadam base or an equivalent bituminous construction. All pavements in this classification shall be constructed with six-inch concrete curbs.~~

(C) *Local street - Class I.* **CLASS I LOCAL STREET** means a street designed for access to residential property and carrying mainly neighborhood traffic with only incidental commercial vehicles. ~~The minimum width of pavement for such a street shall be 26 feet between curbs on streets with 45 feet or more right-of-way width. The pavement to be constructed or reconstructed therein shall be of concrete meeting city specifications and shall be a minimum of six inches in thickness, unless, in the judgment of the City Engineer, a flexible type of pavement is more suitable because of unusual drainage or subsoil conditions or if a permanent asphalt pavement has been heretofore constructed in part of a section of a street, in which cases the pavement may be two and one-half inches of asphaltic concrete on a six-inch water-bound macadam base or an equivalent bituminous~~

~~construction. All pavements in this classification shall be constructed with six-inch concrete curbs.~~

(D) *Local street - Class II. CLASS II LOCAL STREET* means a street meeting the same conditions as a Class I local street; except that, a storm sewer outlet is not available. ~~The minimum width of treated surface of such a street shall be 26 feet on streets with 45 feet or more right-of-way width. The minimum pavement shall be a two-inch bituminous penetration course until such time as a storm sewer outlet is made available, after which time any pavement constructed on a street in this class shall meet the requirements for a Class I local street.~~

(E) *Local street - Class III. CLASS III LOCAL STREET* means a residential street that has not been sufficiently developed to warrant a permanent type of pavement. ~~The minimum width of treated surface of such a street shall be 26 feet on streets with 45 feet or more right-of-way width. The minimum pavement shall be a two-inch bituminous penetration course.~~

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken 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 action were meetings open to the public in compliance with the law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that we can update our processes in a timely manner, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed June 13, 2022

Clerk of Council

President of Council

Approved _____ 2022

Mayor