

ORDINANCE NO. 9-24

**AN ORDINANCE TO AUTHORIZE THE OHIO DEPARTMENT OF
TRANSPORTATION TO REVIEW AND APPROVE A POSTED SPEED LIMIT OF 35
MPH ON STATE ROUTE 254 (DETROIT ROAD) FROM SLM 4.61 (0.12 MILES WEST
OF HAYES STREET) TO SLM 6.63 (MIDDLETON ROAD)
AND DECLARING AN EMERGENCY**

WHEREAS, Ohio Revised Code (ORC) 4511.21(B)(6) establishes the statutory vehicular speed limit of “Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section”; and

WHEREAS, the City of Avon is concerned that the statutory vehicular speed limit exceeds the reasonable and safe speed limit for the users of State Route 254 throughout the city limits and therefore consideration of a reduced speed limit is merited; and

WHEREAS, a legally established speed zone of forty (40) miles per hour exists only from SLM 5.506 (0.5 miles east of Junction State Route 83) to SLM 8.85 (Lorain/Cuyahoga County Line) along State Route 254, as shown in the attached [“Exhibit A”](#), and no lower speed is legally enforceable; and

WHEREAS, the City Engineer in conjunction with Chagrin Valley Engineering, Ltd. performed a Speed Zone Study along State Route 254 all aspects of which were submitted to the Ohio Department of Transportation (ODOT), District 3, for their review and approval; and

WHEREAS, Chagrin Valley Engineering, Ltd.’s “Detroit Road Speed Study” memo dated April 27, 2023, a copy of which is on file with the Clerk of Council’s office, was determined by ODOT to have met all its requirements for such speed studies, and it established that the warranted speed limit on State Route 254 between SLM 4.61 (0.12 miles west of Hayes Street) and SLM 6.63 (Middleton Road) is 35 miles per hour.

WHEREAS, this Ordinance in conjunction with Ordinance No. 8-24 and No. 10-24 will establish continuous legally enforceable speed limits along State Route 254.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
AVON, COUNTY OF LORAIN, AND STATE OF OHIO:**

Section 1 - That the City of Avon hereby requests and authorizes the Ohio Department of Transportation to review and approve a posted speed limit of 35 MPH for State Route 254 between SLM 4.61 (0.12 miles west of Hayes Street) and SLM 6.63 (Middleton Road) in the City of Avon.

Section 2 - That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Ordinance were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Ordinance No. 9-24 (Con't)

Section 3- That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to establish a reasonable and legally enforceable speed limit on State Route 254 through the City of Avon; therefore, this resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
Electronically and at City Hall as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director