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FISCAL OFFICER
ERIC C. FERRY

ADMINISTRATOR
JEFFREY A. WRIGHT

MIAMI TOWNSHIP
6101 MEIJER DRIVE • MILFORD, OH 45150-2189

RESOLUTION 2018-62

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Building on Tuesday, December 18, 2018 with the following members present: Mary Makley Wolff, Karl Schultz and Ken Tracy.

A motion was made to adopt the following Resolution:

RESOLUTION PROHIBITING ENGINE RETARDERS AND BRAKES AND DISPENSING WITH THE SECOND READING.

WHEREAS, the Board of Trustees (the “Board”) of Miami Township, Clermont County, Ohio (the “Township”), has received complaints from Township residents regarding the objectionable use of engine retarders and brakes, principally by commercial trucks, which results in audible “cracking” or “chattering” noise;

WHEREAS, the Board finds the use of engine retarders and brakes disturbs the public peace and general welfare; and

WHEREAS, it is the desire of the Board to prohibit the use of engine retarders and brakes on vehicles within the unincorporated area of Miami Township in accordance with Sections 505.17(A) and 4513.221(E)(4) of the Ohio Revised Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees (“Board”) of Miami Township, Clermont County, Ohio, (the “Township”) by authority of Sections 505.17(A) and 4513.221(E)(4) of the Ohio Revised Code as follows:

SECTION 1. The use of engine retarders and brakes on vehicles within the Township is hereby prohibited with the exception of (1) “public safety vehicles” as defined by Section 4511.01 of the Ohio Revised Code; and (2) cases of extreme emergency.

SECTION 2. The Township Fiscal Officer shall forward a copy of this Resolution to the Ohio Department of Transportation (“ODOT”) and request them to post and maintain “NO ENGINE BRAKE” signs at proper locations within the Township.

SECTION 3. The Board hereby authorizes the purchase of “NO ENGINE BRAKE” signs as recommended by the Service Director and/or ODOT and the supply of said signs to ODOT, which shall install the signs at proper locations within the Township to advise drivers of vehicles.

SECTION 4. Whoever violates the provisions of this Resolution shall have committed a traffic violation and a penalty shall be imposed as provided in Section 505.17(E) of the Ohio Revised Code.

SECTION 5. The Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

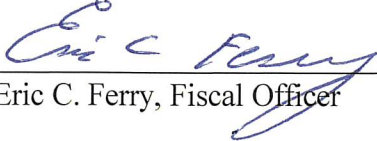
SECTION 6. This Resolution shall take effect at the earliest period allowed by law.

First Reading:	<u>December 18, 2018</u>
Second Reading:	<u>Dispensed With</u>
Effective:	<u>December 18, 2018</u>

This motion was seconded and the resolution was adopted.

Resolution 2018-62 adopted December 18, 2018.

ATTEST:


Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:


Joseph J. Braun
Township Law Director

CERTIFICATION

The undersigned, the Fiscal Officer of Miami Township, Clermont County, Ohio, hereby certifies that the foregoing is a true copy of Resolution 2018-62 duly passed at a regular meeting of the Board of Trustees of said Township on the 18th day of December, 2018, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.


Eric C. Ferry, Township Fiscal Officer