

NC  
FILE

19-1488 - RR-RCR

Written 6/24/19  
Exemption request

3

RECORD OF RESOLUTIONS

RESOLUTION NO. \_\_\_\_\_

PASSED \_\_\_\_\_

Spencer  
Wright

COMMITTEE REVIEW:

INTRODUCED BY:

INTRODUCED ON:

DATE OF FIRST READING:

TITLE ONLY PURSUANT TO SECTION 4.07 OF THE CHARTER: YES/NO

LEGISLATIVE SAFETY

COMMITTEE AS A WHOLE

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE  
OF SEBRING, OHIO, AUTHORIZING THE EXEMPTION OF AN AT-GRADE  
CROSSING FROM THE STOPPING REQUIREMENT OF O.R.C. 4511.63**

<sup>#5024054</sup>  
WHEREAS, Johnson Road North of Ohio Avenue, a public street, crosses the tracks of the railroad at-grade in the Municipality of Sebring, Mahoning County, and

WHEREAS, O.R.C Section 4511.63 requires certain specified vehicles, such as fuel trucks and school buses, to stop at rail-highway crossings unless posted with an exempt sign, and

WHEREAS, the crossing is used by school uses, fuel trucks and other vehicles required to stop at all non-exempt rail-highway crossings, and

WHEREAS, O.R.C. authorizes the office of the commissioner of railroads to determine whether it would be in the public interest to exempt vehicles specified in O.R.C. from stopping at such grade crossing, and

WHEREAS, the exemption of the crossing would be in the public interest, particularly in light of public safety, and

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE MUNICIPALITY  
OF SEBRING, MAHONING COUNTY, OHIO that:**

**Section 1:** This Municipal Council here by directs the West Branch Local School District staff to take all necessary steps to petition the Office of the Commissioner of Railroads to exempt the at-grade crossing of Johnson Road north of Ohio Avenue with the Railroad tracks to exempt the O.R.C. in Municipality of Sebring, Mahoning County # ~~3024~~ 5024054

**Section 2:** That it is FOUND and DETERMINED that all formal actions of this Council relating to the passage of this Resolution adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees which resulted in such formal actions were made in compliance with all legal requirements, including those of section 121.22 of the Ohio Revised Code, all pursuant to Section 3.11 of the Charter of the Village of Sebring.

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CO

RECEIVED-DOCKETING DIV.

**Section 3:** Councilman \_\_\_\_\_ moved the adoption of the foregoing Resolution, which was seconded by Councilman \_\_\_\_\_ and thereupon adopted by the Village Council by roll call vote of the Village Council at the regular meeting, held this 24<sup>th</sup> day of June,       , 2019. The following members voted:

**Ayes:**

James Harp  
Jim Connell  
Gail Cline  
Samantha Pullins  
Dad Lytle

**Nays:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Absent or abstain:**

James

The Mayor declared the resolution adopted.

James G. Harp  
**JAMES HARP**  
Acting Mayor/President of Council

**ATTEST:**

**APPROVED AS TO LEGAL FORM:**

\_\_\_\_\_  
Malea G. Sanor  
Clerk of Council

Theresa T. Tolson  
Theresa T. Tolson  
Solicitor



OHIO

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Mr. James Lynn

PUCO

Attorney Examiner

*written 7/25/19*

*Amendment to*

*Original*

*June 24, 2019*

*request*

Mr. Lynn regarding an error on a Resolution #17-2019 passed by the Sebring Village Council , Sebring, Ohio . County of Mahoning on June 24<sup>th</sup> 2019. Authorizing the exemption of an at-grade crossing ,from the stopping requirement of O.R.C. 451.63. I am hereby asking that the original number on the resolution DOT#502463Y be corrected to Dot#502463K as requested.

Sincerely Mayor James J Harp

Village of Sebring