



## Legislation Details (With Text)

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**On agenda:** 11/21/2011      **Final action:** 11/23/2011

**Title:** To amend Sections 2551.06 and 2551.08 of the Columbus City Codes, 1959, by providing the Division of Police with enforcement powers to require truckers carrying hazardous materials to travel the Interstate 270 outerbelt and to clarify the list of prohibited routes and the western boundary of the downtown area for the purpose of hazardous material transportation.

**Sponsors:** Michelle M. Mills

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
11/23/2011	1	CITY CLERK	Attest	
11/22/2011	1	MAYOR	Signed	
11/21/2011	1	COUNCIL PRESIDENT	Signed	
11/21/2011	1	Columbus City Council	Approved	Pass
11/14/2011	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** This legislation amends Sections 2551.06 and 2251.08 of the Columbus City Codes, 1959, which deals with restrictions on the use of city streets for the transportation of hazardous materials and regulations concerning the operation of vehicles carrying hazardous material. The purpose of this legislation is to update the hazardous material transportation law so as to better protect life, property and the environment in our community. The crux of the amendment is giving the Division of Police enforcement powers to require truckers carrying hazardous materials to travel the Interstate 270 outerbelt. The amendment also clarifies that the list of prohibited routes is not only Interstate 70 and Interstate 71 but also includes I 670, US Route 33, State Route 161, State Route 315, Broad Street and High Street. Lastly, for the purpose of hazardous material transportation, the Western boundary of "Downtown" is clarified as State Route 315. Failure to adhere to this requirement would allow the Division of Police to cite the violator for a Misdemeanor of a First Degree.

**FISCAL IMPACT:** There is no funding required for this legislation.

To amend Sections 2551.06 and 2551.08 of the Columbus City Codes, 1959, by providing the Division of Police with enforcement powers to require truckers carrying hazardous materials to travel the Interstate 270 outerbelt and to clarify the list of prohibited routes and the western boundary of the downtown area for the purpose of hazardous material transportation.

**WHEREAS,** there is a need to amend Sections 2551.06 and 2551.08 of the Columbus City Codes, 1959, which deals with restrictions on the use of city streets for the transportation of hazardous material and regulations concerning the operation of vehicles carrying hazardous material; and

**WHEREAS,** this amendment will update the hazardous materials transportation law so as to better protect life, property

and the environment in our community; and

**WHEREAS**, the crux of the amendment is giving the Division of Police enforcement power to require truckers carrying hazardous materials to travel the Interstate 270 outerbelt instead of driving through the heart of our community; and

**WHEREAS**, this legislation also clarifies that the list of prohibited routes is not only Interstate 70 and Interstate 71 but, also includes I 670, U.S. Route 33, State Route 161, State Route 315, Broad Street and High Street; and

**WHEREAS**, for the purpose of hazardous material transportation, this ordinance also clarifies that the Western boundary of "Downtown" is State Route 315, now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That section 2551.06 of the Columbus City Codes, 1959, is hereby amended to read as follows:

2551.06 - Restrictions on the use of city streets for the transportation of hazardous materials.

For the purpose of applying 49 CFR Section 397.9(a) of the regulations adopted in Section 2551.04 herein to the city of Columbus, the following restrictions are adopted.

- (a) Those portions of ~~Interstate 70 and Interstate 71~~ major thoroughfares as defined in Section 2551.08(e) which lie inside Interstate 270 (the outerbelt) are conclusively presumed to be routes which go through or near heavily populated areas, therefore, the use of said routes for the transportation of the materials specified in Section 2551.05 is prohibited where there is neither a point of origin nor destination (delivery point) within the city.
- (b) The use of city streets for the transportation of the materials specified in Section 2551.05 above, is prohibited whether there is neither a point of origin or destination (delivery point) within the city.
- (c) Where there is neither a point of origin nor destination (delivery point) within the city the materials specified in Section 2551.05 above, shall be transported around the heavily populated areas of the city of Columbus by using Interstate 270.
- (d) The use of city streets in the downtown area, as defined in 2551.06(e) below, for the transportation of the materials specified in Section 2551.05 above is prohibited during the hours between 6 a.m. and 8 p.m. daily except Saturdays, Sundays, and holidays.
- (e) The downtown area is defined as the area bounded by, but not including, the Innerbelt on the North, East, and South, and by ~~the river~~ State Route 315 on the West. More; more specifically by Interstate 71 on the East, by Interstate 70 on the South, by the Scioto/Olentangy River State Route 315 on the West, and by Interstate 670 on the North.
- (f) Exceptions to the restrictions listed in (d) above will be made by permit issued on application to the chief of the division of fire in accordance with the procedures of Section 2551.09 herein.
- (g) The division of police shall have the authority to enforce this section and issue citations for violations.

**SECTION 2.** That section 2551.08 of the Columbus City Codes, 1959, is hereby amended to read as follows:

2551.08 - Regulations concerning the operation of motor vehicles carrying hazardous materials.

The following regulations shall apply to the transportation in Columbus of the materials specified in Section 2551.05 above:

- (a) Transporters of hazardous materials shall comply with 49 CFR 397.3 while operating within the city. Traffic violations involving moving or parking infractions shall be treated as violations of these regulations and shall be subject to the penalties of Section 2551.99 herein.
- (b) ~~Except when overtaking or passing in opposite directions of travel, or except where the conditions of traffic make it impractical to do so, all vehicles transporting hazardous materials shall maintain a minimum distance of at least 300 feet from other vehicles carrying hazardous materials. This requirement shall apply whether such vehicles are moving or parked except when at a destination or point of origin.~~
- (~~e~~) (b) Transporters of hazardous materials shall comply with applicable rules of 49 CFR 397.5, 397.7 and 397.21 while operating within the city.
- (~~d~~) (c) Transporters of hazardous materials shall use only major thoroughfares, as defined in Section 2551.08(e) below, to reach their destinations. When a destination is not on a major thoroughfare, said transporters will use major thoroughfares

to a point as close as possible to the destination. Before using non-major thoroughfare routes said transporters shall comply with the provisions of 49 CFR 397.9.

~~(e)~~ (d) For the purposes of Chapter 2551, the following are considered to be major thoroughfares:

- (1) Interstate 70
- (2) Interstate 71
- (3) Interstate 670
- (4) U.S. Route 33
- (5) State Route 161
- (6) State Route 315
- (7) Broad Street
- (8) High Street.

(e) The division of police shall have the authority to enforce this section and issue citations for violations.

**Section 3.** That prior existing sections 2551.06 and 2551.08 of the Columbus City Codes, 1959, are hereby repealed.

**Section 4.** That this ordinance shall take effect and be in force from and after the earliest period provided by law.