



EDWARD FITZGERALD
Cuyahoga County Executive

Executive Order No. EO2012-0004

Implementation of CLOSURE of East 49th Street Bridge 00.54 (Cleveland)

WHEREAS, Ohio Revised Code Section 5591.42 provides:

The board of county commissioners together with the county engineer or an engineer to be selected by the board, or the director of transportation, may ascertain the safe carrying capacity of the bridges on roads or highways under their jurisdiction. Where the safe carrying capacity of any such bridge is ascertained and found to be less than the load limit prescribed by sections 5577.01 to 5577.12 of the Revised Code, warning notice shall be conspicuously posted near each end of the bridge. The notice shall caution all persons against driving on the bridge a loaded conveyance of greater weight than the bridge's carrying capacity; and,

WHEREAS, Ohio Revised Code Section 5577.071 provides that a county may reduce the maximum load on a bridge as follows:

(A) When deterioration renders any bridge or section of a bridge in a county insufficient to bear the traffic thereon, or when the bridge or section of a bridge would be damaged or destroyed by heavy traffic, the board of county commissioners may reduce the maximum weight of vehicle and load, or the maximum speed, or both, for motor vehicles, as prescribed by law, and prescribe whatever reduction the condition of the bridge or section of the bridge justifies. This section does not apply to bridges on state highways.

(B) A schedule of any reductions made pursuant to division (A) of this section shall be filed, for the information of the public, in the office of the board of county commissioners in each county in which the schedule is operative. A board of county commissioners that makes a reduction pursuant to division (A) of this section shall, at least one day before a reduction becomes effective, cause to be placed and retained on any bridge on which a reduction is made, at both ends of the bridge, during the period of a reduced limitation of weight, speed, or both, signs of substantial construction conspicuously indicating the limitations of weight or speed

or both which are permitted on the bridge and the date on which these limitations go into effect. No person shall operate upon any such bridge a motor vehicle whose maximum weight or speed is in excess of the limitations prescribed. The cost of purchasing and erecting the signs provided for in this division shall be paid from any fund for the maintenance and repair of bridges and culverts; and,

WHEREAS, the Cuyahoga County Department of Public Works has determined that the Operating Rating of the East 49th Street Bridge No. 00.54 is less than 50% of the Legal Load and that the structure cannot be strengthened immediately to a rating of 100% or above; and,

WHEREAS, the Department of Public Works has determined, pursuant to the Bridge Inspection/Maintenance Department of Cuyahoga County and the Ohio Revised Code, that the carrying capacity of the above structure has been deemed to be less than the prescribed load limit; and,

WHEREAS, placing any vehicular traffic on this structure would be in detriment to the overall welfare and what is deemed necessary for the public safety; and,

WHEREAS, the Cuyahoga County Department of Law has determined that closure of the bridge is an administrative function that can be properly performed through an Executive Order.

NOW, THEREFORE, I, Edward FitzGerald, County Executive of Cuyahoga County, Ohio, by virtue of the powers vested in me by the Charter of Cuyahoga County and the laws of the State of Ohio, do hereby order and direct that:

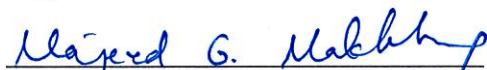
SECTION 1. The Department of Public Works shall immediately put into effect a closure of the East 49th Street Bridge No. 00.54 and place a properly posted detour per Ohio Revised Code Section 5517.03.

SECTION 2. This Executive Order shall go into effect on October 29, 2012, and shall remain in force until rescinded by me or any of my successors.

I signed this Executive Order on October 25, 2012, in Cleveland, Cuyahoga County, Ohio.


Edward FitzGerald, County Executive

Approved,


Majeed G. Makhoul, Law Director