

**PERMIT APPLICATION  
TO PLACE A TEMPORARY OBSTRUCTION UPON A  
PUBLIC STREET OR RIGHT-OF-WAY IN THE  
CITY OF ST. MARYS**

DATE: \_\_\_\_\_

PERMIT NO.: \_\_\_\_\_

**Fee: \$10.00 with application**

APPLICANT: Contractor or Property Owner

NAME: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

LOCATION THE OBSTRUCTION  
WILL BE PLACED: \_\_\_\_\_

OWNER OF OBSTRUCTION: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

TYPE OF WORK BEING DONE: \_\_\_\_\_

LENGTH OF TIME THE TEMPORARY  
OBSTRUCTION WILL REMAIN AT THIS LOCATION: \_\_\_\_\_

PROVIDE A SKETCH BELOW SHOWING WHERE THE TEMPORARY OBSTRUCTION WILL BE  
PLACED RELATIVE TO PROPERTY LINES, DRIVES, AND INTERSECTING STREETS.

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The undersigned shall conform to Ordinance No. 2000-58.

\_\_\_\_\_  
Signed Applicant (Contractor)

\_\_\_\_\_  
Signed Applicant (Property Owner)

**BELOW THIS LINE TO BE COMPLETED BY CITY PERSONNEL**

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**APPROVALS:**

LOCATION AS PER SKETCH:                      APPROVED BY: \_\_\_\_\_                      DATE: \_\_\_\_\_

PERMIT:                      APPROVED BY: \_\_\_\_\_                      DATE: \_\_\_\_\_

Copies of this permit are to be provided to the Engineering, Police, Sanitation, and General Services Departments.

**ORDINANCE NO. 2000-58**

**AN ORDINANCE AMENDING SECTIONS 311.01, 311.99 AND ENACTING SECTION 311.04 OF THE CODIFIED ORDINANCES OF THE CITY OF ST. MARYS PERTAINING TO STREET OBSTRUCTIONS AND SPECIAL USES**

WHEREAS, it has become necessary to regulate the placement of obstructions upon public streets, alleys, or right-of-ways in the City of St. Marys.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE CITY OF ST. MARYS, OHIO:

SECTION 1. That Sections 311.01 and 311.99 of the Codified Ordinances of the City of St. Marys shall be amended and Section 311.04 is enacted to read as follows:

**311.01 PLACING INJURIOUS MATERIAL OR OBSTRUCTION IN STREET.**

(a) No person shall place or knowingly drop upon any part of a street, highway or alley any tacks, bottles, wire, glass, nails or other articles which may damage or injure any person, vehicle or animal traveling along or upon such street, except such substances that may be placed upon the roadway by proper authority for the repair or construction thereof.

(b) Any person who drops or permits to be dropped or thrown upon any street any noxious, destructive or injurious material shall immediately remove the same.

(c) Any person authorized to remove a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped upon the street from such vehicle.

~~(d) No person shall place any obstruction in or upon a street without proper authority.~~

~~(e)~~ (d) No person, with intent to cause physical harm to a person or a vehicle, shall place or knowingly drop upon any part of a highway, lane, road, street or alley any tacks, bottles, wire, glass, nails or other articles which may damage or injure any person, vehicle or animal traveling along or upon such highway, except such substances that may be placed upon the roadway by proper authority for the repair or construction thereof. (ORC 4511.74).

**311.04 PLACEMENT OF OBSTRUCTION**

**NO PERSON SHALL PLACE ANY OBSTRUCTION IN OR UPON A PUBLIC STREET OR RIGHT-OF-WAY WITHOUT FIRST OBTAINING A PERMIT.**

APPLICATIONS FOR SUCH PERMITS SHALL BE MADE ON FORMS AS MAY BE PRESCRIBED AND SHALL CONTAIN SUCH INFORMATION AS IS REASONABLY NECESSARY TO MAKE A FAIR DETERMINATION WHETHER A PERMIT SHALL BE ISSUED AND, SUCH APPLICATION SHALL BE FILED NOT LESS THAN 48 HOURS IN ADVANCE OF THE PLACEMENT OF THE OBSTRUCTION.

AN OBSTRUCTION MAY BE DEFINED AS A REFUSE CONTAINER/ROLL-OFF DUMPSTER, CONSTRUCTION MATERIALS ASSOCIATED WITH A BUILDING PROJECT OTHER THAN STREET CONSTRUCTION OR REPAIR, OR OTHER STATIONARY OBJECTS WHICH MAY REQUIRE TEMPORARY PLACEMENT UPON A PUBLIC STREET OR RIGHT-OF-WAY.

A PERMIT SHALL BE DENIED OR CANCELLED IF THE FOLLOWING REQUIREMENTS FOR THE PLACEMENT OF A TEMPORARY OBSTRUCTION UPON A PUBLIC STREET OR RIGHT-OF-WAY ARE NOT MET, SATISFIED OR MAINTAINED:

- A) SUCH OBSTRUCTION SHALL NOT EXCEED AN OVERALL LENGTH OF 24 FEET, A WIDTH OF 8 FEET AND A HEIGHT OF 5 FEET.
- B) THE LOCATION FOR THE PLACEMENT OF THE TEMPORARY OBSTRUCTION SHALL NOT IMPAIR THE VISION OF MOTORISTS OR PEDESTRIANS USING A PUBLIC STREET OR RIGHT-OF-WAY IN THE GENERAL AREA OF THE OBSTRUCTION AND, THAT THE LOCATION FOR THE PLACEMENT OF THE OBSTRUCTION IS DEEMED TO BE SAFE BY PROPER AUTHORITIES.
- C) THAT REFLECTORIZED BARRICADES SHALL BE PLACED AT EACH END OF THE OBSTRUCTION PERPENDICULAR TO THE CURB LINE OR EDGE OF PAVEMENT. SUCH BARRICADES SHALL BE PLACED AND MAINTAINED BY THE APPLICANT FOR THE ENTIRE DURATION THAT THE OBSTRUCTION REMAINS AT ITS LOCATION. SUCH BARRICADES SHALL BE A SAW BUCK TYPE WITH REFLECTORIZED TAPE ON THE CROSS ARM, AND SHALL BE A MINIMUM OF EIGHT (8) FEET IN LENGTH. A FLASHING YELLOW WARNING LIGHT SHALL ALSO BE ERECTED AND PLACED ON EACH REQUIRED BARRICADE.
- D) IF SUCH TEMPORARY OBSTRUCTION IS A REFUSE CONTAINED OR ROLL-OFF DUMPSTER, SUCH TEMPORARY OBSTRUCTION SHALL BE REQUIRED TO DISPLAY REFLECTORIZED STRIPING EITHER RED/WHITE OR ORANGE/WHITE FOR NIGHT VISIBILITY AND SAFETY. THREE (3) CONTINUOUS HORIZONTAL REFLECTORIZED STRIPES FOUR (4) INCHES MINIMUM WIDTH SHALL BE DISPLAYED ALONG THE TOP, CENTER, AND BOTTOM OF THE ENTIRE LENGTH AND WIDTH OF THE THREE (3) SIDES OF THE REFUSE CONTAINER OR ROLL-OFF DUMPSTER WHICH ARE EXPOSED TO TRAFFIC.
- E) SAID PERMITTED TEMPORARY OBSTRUCTION SHALL NOT REMAIN UPON A PUBLIC STREET OR RIGHT-OF-WAY FOR MORE THAN 21 CONSECUTIVE DAYS.
- F) THAT THE PUBLIC STREET OR RIGHT-OF-WAY SURROUNDING THE TEMPORARY OBSTRUCTION SHALL BE KEPT CLEAN AND FREE OF DEBRIS.

311.99 PENALTY.

Whoever violates Section 311.01(e)(d) is guilty of a misdemeanor of the first degree (ORC 4511.99).

SECTION 2. That existing Sections 311.01 and 311.99 are hereby repealed.

SECTION 3. That this ordinance shall take effect at the earliest date provided by law.

Passed this 22<sup>nd</sup> day of January, 2001.

/s/ Daniel R. Hoelscher, Jr.  
Daniel R. Hoelscher, Jr., President of Council

ATTEST:

/s/ Betty Wehrman  
Betty Wehrman, Clerk of Council

Approved by the Law Director this 22<sup>nd</sup> day of January, 2001.

/s/ Kraig E. Noble  
Kraig E. Noble, Law Director

Approved by the Mayor this 22<sup>nd</sup> day of January, 2001.

/s/ Greg Freewalt  
Greg Freewalt, Mayor