

NOTICE

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CHAPTER 440
Commercial and Heavy Vehicles

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CROSS REFERENCES

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Display of certificates of registration - see Ohio R.C. 4549.18

Arrest notice of drivers - see Ohio R.C. 5577.14

Required distance between vehicles - see TRAF. 432.09

Stopping at grade crossings - see TRAF. 432.32, 432.33

Slow-moving equipment at grade crossings - see TRAF. 432.33

Snow removal equipment and lights - see TRAF. 438.26

Fatigued or ill drivers - see TRAF. 442.02

Trolleys and buses - see TRAF. Ch. 446

Truck loading zones - see TRAF. 452.09

Bus stops and taxicab stands - see TRAF. 452.10

Parking of commercial vehicles - see TRAF. 452.11

Excessive noise from vehicle loads - see GEN. OFF. 648.05(b)

Depositing objectionable material on streets - see GEN. OFF. 660.14

440.01 LOAD LIMITS.

(a) No person shall operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in Ohio R.C. 5577.01 to 5577.09, inclusive, or otherwise not in conformity with Ohio R.C. 4513.01 to 4513.37, inclusive, upon any street or highway within the Municipality, except, in the case of State routes, pursuant to special written permit issued by the Ohio Director of Transportation. Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer.

No holder of a permit issued by the Ohio Director of Transportation shall be required to obtain any local permit or license or pay any local fee or charge for movement on any State route within the Municipality.

(b) The City Manager, upon application in writing by the owner or person having charge thereof, may grant permission for the moving of vehicles, objects and structures upon local streets in excess of the weight, height and load limits set forth in Ohio R.C. 5577.01 to 5577.05 or otherwise not in conformity with Ohio R.C. 4513.01 to 4513.37, inclusive. Such permission shall be in writing and the City Manager may grant the same, subject to such conditions and restrictions as in his judgement are necessary for the preservation and protection of such streets, bridges and culverts.

(Ord. 2437-72. Passed 12-12-72.)

(c) The City Engineer may ascertain the safe carrying capacity of the bridges on roads or highways along with other roadway drainage structures within the corporate limits of the City. For the safe carrying capacity of any such bridge or roadway drainage structure is ascertained, the City Engineer may cause warning notice to be conspicuously painted in large letters or by sign near each end of such bridge or drainage structure. Such notice shall caution all persons against driving on such bridge or drainage structure, a loaded conveyance of greater weight than the carrying capacity thereof.

No person shall operate or move a vehicle or combination of vehicles of the size or weight exceeding the maximum carrying capacity of such bridge or drainage structure.

Penalty -See Sections 408.01 and 408.02. (Ord. 2678. Passed 2-10-76)

440.02 MAXIMUM WIDTH, HEIGHT AND LENGTH.

No vehicle shall be operated upon the public streets, highways, bridges and culverts within the Municipality, whose dimensions exceed those specified in this section.

(a) No such vehicle shall have a width in excess of:

- (1) 104 inches for passenger bus-type vehicles operated exclusively within municipal corporations;
- (2) 132 inches for traction engines;
- (3) 96 inches, including load, for all other vehicles.

(b) No such vehicle shall have a length in excess of:

- (1) 48 feet for passenger bus-type vehicles operated exclusively within municipal corporations;
- (2) 40 feet for all other passenger bus-type vehicles;
- (3) 55 feet for the overall length of a commercial tractor and semitrailer combination, with or without load;
- (4) 65 feet for any other combination of vehicles coupled together, with or without load;
- (5) 40 feet for all other vehicles.

(c) No such vehicle shall have a height in excess of thirteen feet six inches, with or without load.

The length as prescribed in subparagraphs (b)(3) and (4) hereof shall not include safety devices or bumpers attached to the front or rear of such combination. In special cases vehicles whose dimensions exceed those prescribed by this section may operate in accordance with rules and regulations promulgated by the Ohio Director of Transportation.

This section does not apply to fire engines, fire trucks or other vehicles or apparatus belonging to any municipal corporation or to the volunteer fire department of any municipal corporation or salvage company organized under the laws of this State or used by such department or company in the discharge of its functions. This section does not apply to vehicles and pole trailers used in the transportation of wooden and metal poles, nor to the transportation of pipes or well-drilling equipment, nor to farm machinery and equipment. The owner or operator of any vehicle, machinery or equipment not specifically enumerated in this section but the dimensions of which exceed the dimensions provided in this section, shall when operating the same on highways and streets of the Municipality comply with the rules and regulations of the Director governing such movement, which rules and regulations the Director may adopt and promulgate. Ohio R.C. 119.01 to 119.13, inclusive, apply to any rules or regulations adopted under this section, or the amendment or rescission thereof, and any person adversely affected shall have the same right of appeal as provided in such sections.

This section does not require the State, the Municipality, County, township or any railroad or other private corporation to provide sufficient vertical clearance to permit the operation of such vehicle, or to make any changes in or about existing structures now crossing streets, roads and other public thoroughfares in the Municipality. (ORC 5577.05; Ord. 2437-72. Passed 12-12-72.)

Penalty - see Sections 408.01 and 408.02

440.03 WHEEL PROTECTORS.

No person shall drive or operate, or cause to be driven or operated, any commercial car, trailer, or semitrailer, used for the transportation of goods or property, the gross weight of which, with load, exceeds three tons, upon the streets, bridges and culverts within this Municipality unless such vehicle is equipped with suitable metal protectors or substantial flexible flaps on the rearmost wheels of such vehicle or combination of vehicles to prevent, as far as practicable, the wheels from throwing dirt, water or other materials on the windshields of following vehicles. Such protectors or flaps shall have a ground clearance of not more than one-fifth of the distance from the center of the rearmost axle to the center of the flaps under any conditions of loading of the vehicle, and they shall be at least as wide as the tires they are protecting. If the vehicle is so designed and constructed that such requirements are accomplished by means of fenders, body construction or other means of enclosure, then no such protectors or flaps are required. Rear wheels not covered at the top by fenders, bodies or other parts of the vehicle shall be covered at the top by protective means extending at least to the centerline of the rearmost axle. (ORC 5577.11; Ord. 42. Passed 10-1-53.)

Penalty - see Sections 408.01 and 408.02

440.04 VEHICLES TRANSPORTING EXPLOSIVES.

Any person operating any vehicle transporting explosives upon a street or highway shall at all times comply with the following requirements:

- (a) Such vehicle shall be marked or placarded on each side and on the rear with the word "EXPLOSIVES" in letters not less than eight inches high, or there shall be displayed on the rear of such vehicle a red flag not less than twenty-four inches square marked with the word "DANGER" in white letters six inches high, or shall be marked or placarded in accordance with Section 177.823 of the United States Department of Transportation Regulations.
- (b) Such vehicle shall be equipped with not less than two fire extinguishers, filled and ready for immediate use, and placed at convenient points on such vehicle. (ORC 4513.29; Ord. 42. Passed 10-1-53.)

Penalty - see Sections 408.01 and 408.02

440.05 TOWING REQUIREMENTS.

(a) When one vehicle is towing another vehicle, the drawbar or other connection shall be of sufficient strength to pull all weight towed thereby, and such drawbar or other connection shall not exceed fifteen feet from one vehicle to the other, except the connection between any two vehicles transporting poles, pipe, machinery, or other objects of structural nature which cannot readily be dismembered.

(b) When one vehicle is towing another and the connection consists only of a chain, rope or cable, there shall be displayed upon such connection a white flag or cloth not less than twelve inches square.

(c) In addition to such drawbar or other connection, each trailer and each semitrailer which is not connected to a commercial tractor by means of a fifth wheel shall be coupled with stay chains or cables to the vehicle by which it is being drawn. The chains or cables shall be of sufficient size and strength to prevent the towed vehicle's parting from the drawing vehicle in case the drawbar or other connection should break or become disengaged. In case of a loaded pole trailer, the connecting pole to the drawing vehicle shall be coupled to the drawing vehicle with stay chains or cables of sufficient size and strength to prevent the towed vehicle's parting from the drawing vehicle. (Ord. 42. Passed 10-1-53.)

(d) Every trailer or semitrailer, except pole and cable trailers and pole and cable dollies operated by a public utility, as defined in Ohio R.C. 5727.01, shall be equipped with a coupling device which shall be so designed and constructed that the trailer will follow substantially in the path of the vehicle drawing it, without whipping or swerving from side to side. Vehicles used to transport agricultural produce or agricultural production materials between a local place of storage and supply and the farm, when drawn or towed on a public road or highway at a speed of twenty-five miles per hour or less, shall have a drawbar or other connection, including the hitch mounted on the towing vehicle, which shall be of sufficient strength to pull all the weight towed thereby, and only one such unit may be towed or drawn at one time, unless the towing vehicle is an agricultural tractor, as defined in Section 402.02.

(ORC 4513.32; Ord. 2437-72. Passed 12-12-72.)

Penalty - see Sections 408.01 and 408.02

**440.06 LOADS DROPPING, LEAKING OR SHIFTING; TRACKING MUD;
REMOVAL REQUIRED.**

(a) No vehicle shall be driven or moved on any highway unless the vehicle is so constructed, loaded, or covered as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand or other substance may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway.

Except for a farm vehicle used to transport agricultural produce or agricultural production materials or a rubbish vehicle in the process of acquiring its load, no vehicle loaded with garbage, swill, cans, bottles, waste paper, ashes, refuse, trash, rubbish, waste, wire, paper, cartons, boxes, glass, solid waste, or any other material of an unsanitary nature that is susceptible to blowing or bouncing from a moving vehicle shall be driven or moved on any highway unless the load is covered with a sufficient cover to prevent the load or any part of the load from spilling onto the highway. (Ordinance No. 3327-88. Passed April 26, 1988.)

(b) In addition to any other lawful requirements of load distribution, no person shall operate any vehicle upon a street or highway unless such vehicle is so laden as to prevent its contents from shifting or otherwise unbalancing the vehicle to such an extent as to interfere with the safe operation of the same.

(c) No motor vehicle or trailer shall be driven unless the tailboard or tailgate, tarpaulins, chains (except ground or contact chains), ropes, stakes, poles, and the like, or any part of the load, are securely fastened to prevent dangling, flapping, swinging or falling from the side, end or top of the load or body. All projecting cargo shall be properly guarded by a red flag or cloth or a red light or lantern as required by Section 438.08.

(d) No person shall operate any vehicle so as to track mud on any public way or place.

(e) It shall be the duty of the driver of a vehicle who unlawfully drops or deposits mud or permits the load or any portion thereof to be dropped or deposited upon any public way or place to immediately remove the same or cause it to be removed.

(Ord. 2437-72. Passed 12-12-72.)

Penalty - see Sections 408.01 and 408.02

440.07 VEHICLES WITH SPIKES, LUGS AND CHAINS.

(a) As used in this section:

- (1) "Studded tire" means any tire designed for use on a vehicle, and equipped with metal studs or studs of wear-resisting material that project beyond the tread of the traction surface of the tire.
- (2) "Traction engine" or "tractor" applies to all self-propelling engines equipped with metal-tired wheels operated or propelled by any form of engine, motor or mechanical power.

(b) No person shall drive over the improved streets of this Municipality a traction engine or tractor with tires or wheels equipped with ice picks, spuds, spikes, chains or other projections of any kind extending beyond the cleats, or no person shall tow or in any way pull another vehicle over the improved streets of this Municipality, which towed or pulled vehicle has tires or wheels equipped with ice picks, spuds, spikes, chains or other projections of any kind.

(c) No person shall operate any motor vehicle, other than a public safety vehicle or school bus, that is equipped with studded tires on any street or highways, except during the period extending from November 1 of each year through April 15 of the succeeding year. (Ord. 2805-78 Passed 6-13-78.)

(d) This section does not apply to the use of tire chains when there is snow or ice on the streets or highways where such chains are being used, or in the immediate vicinity thereof. (ORC 5589.08, 5589.081; Ord. 2542-74. Passed 1-22-74.)

Penalty - see Sections 408.01 and 408.02

440.08 OCCUPYING TRAVEL TRAILER WHILE IN MOTION.

No person shall occupy any travel trailer or nonself-propelled house trailer while it is being used as a conveyance upon a street or highway.

(ORC 4511.701)

Penalty - see Sections 408.01 and 408.02

440.09 ROUTE AND LOAD INFORMATION. -

Drivers of vehicles described in this chapter shall be required, upon request by a police officer, to give full and true information as to the route they are following and the name of the consignor and consignee and place of delivery or removal and the location of any consignment being hauled or goods being removed, and upon a designation by such police officer of a route to be followed, shall immediately adopt and pursue such route. (Ord. 2437-72. Passed 12-12-72.)

Penalty - see Sections 408.01 and 408.02