

North Canton City Council
Community and Economic Development Committee

ORDINANCE 19 - 2021

An ordinance amending Chapter 907, Street Excavations, of the Codified Ordinances of the City of North Canton to include provisions formerly codified in Chapter 521.

WHEREAS, the Council wishes to improve the continuity of the Codified Ordinances by placing similar previously disparate sections together in a single chapter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Chapter 907, Street Excavations, of the Codified Ordinances of the City of North Canton, be, and is hereby, amended to create Section 907.08, Safety Measures; Manholes; Excavations to read as follows:

SECTION 907.08 SAFETY MEASURES; MANHOLES; EXCAVATIONS

(a) Barriers, barricades, or standard guard railings shall be provided for guarding open manholes, handholds, gratings, or excavations. Visual warning devices shall be provided for such barricades, barriers, and guard railings.

(b) Testing equipment shall be provided and a standard procedure established by the employer to determine the presence of air contaminants or a deficiency of oxygen.

(c) Air contaminants or oxygen deficiency shall be controlled, minimized, or purged by one or more of the following methods:

- (1) Removed at source by local exhaust ventilation;
- (2) Removed by general ventilation;
- (3) Removed by dilution ventilation; or
- (4) By respiratory equipment furnished by the employer which provides protection equal to or greater than that approved by the U.S. Bureau of Mines, where there are air contaminants or where there is a deficiency of oxygen in the air.

The air or oxygen supplied to a supplied air helmet shall be of the positive pressure type. The air supplied to a supplied air helmet or to other supplied air breathing apparatus shall be filtered.

(d) Ladders shall be provided for entering or leaving a manhole, vault, or other similar underground area.

(e) The fixtures to which lamp sockets and plugs are attached shall, in all cases, be explosion proof, vapor proof, moisture proof, and dust proof. All extension cords shall be made of heavy duty cord. All lamps shall be guarded.

(f) No person shall enter a manhole, in a public right-of-way, or remain inside thereof, and no person, firm, or corporation shall direct, permit or allow another in his employ or under his supervision, to enter a manhole or remain inside thereof without having another employee on the surface at or near the entrance to the manhole.

(g) Where the safety equipment is provided as outlined in subsection (a) hereof it shall be the responsibility of the employee or employees working at or in the manhole to use that equipment.

(h) Whoever violates this section is guilty of a minor misdemeanor.

Section 2. That the Clerk of Council and Mayor of the City of North Canton be, and are hereby, authorized to make such amendments as may be needed to the Codified Ordinances of the City of North Canton to accurately reflect this ordinance upon approval of such amended pages by a voice vote of Council.

Section 3. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it shall not affect the validity or enforceability of any other provision of this ordinance.

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

Passed in Council this 12th day of April, 2021.

Attest: Benjamin R. Young
Benjamin R. Young, Clerk of Council

Stephan B. Wilder
Stephan B. Wilder, Mayor

Signed on: 12 April 2021