

# RECORD OF ORDINANCES

Ordinance No. 2017-26

Passed Aug. 31, 2017

## ORDINANCE 2017-26

**ORDINANCE AUTHORIZING THE CITY OF NORTHWOOD TO CONSENT TO THE RESURFACING OF THAT PORTION OF SR 579 (WILLISTON ROAD) WITHIN THE CITY LIMITS OF THE CITY OF NORTHWOOD FROM SR 51 (WOODVILLE ROAD) EASTWARD TOWARD THE OTTAWA COUNTY LINE; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the following is an Ordinance enacted by the City of Northwood, Wood County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated Project being:

**A District funded Project to resurface SR 579 from SR 51 to the Ottawa County.**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:**

**SECTION 1:** the LPA/STATE has identified the need for the described Project:

**SECTION 2.** Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described Project.

**SECTION 3.** The LPA shall cooperate with the Director of Transportation in the above described Project as follows:

A) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the Project as determined by the State and/or the Federal Highway Administration.

B) The LPA consents to having the State acquire all necessary rights of way for the subject Project in the name of the LPA.

C) The LPA agrees, upon completion of the project, to own and maintain all those portions of the Project under its jurisdiction.

D) The State agrees to be the lead agency and to administer all phases of the Project.

**SECTION 4.** The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described Project shall be made available therefore. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described Project shall be acquired and/or made available in accordance with current State and Federal regulations.

The LPA further agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION 5.** Upon completion of the Project, unless otherwise agreed, The LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all state and federal law, including but not limited to Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstruction; and 4) hold said right-of-way inviolate for public highway purposes.

**SECTION 6.** The City Administrator is hereby authorized on behalf of the City to enter into contracts with the Director of Transportation necessary to complete the above described Project.

**SECTION 7.** It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted

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BEAR GRAPHICS 800-325-8094 FORM NO. 30043

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in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and including §121.22 of the Ohio Revised Code.

**SECTION 8.** This ordinance shall take effect immediately after its passage as an emergency measure to expedite the highway project and to promote highway safety.

Vote to suspend rules: For: 7 Against: \_\_\_\_\_  
Vote on emergency clause: For: 7 Against: \_\_\_\_\_  
Vote on final adoption: For: 7 Against: \_\_\_\_\_

**ADOPTED** 8/31/17 As an emergency measure.

ATTEST:  
Kell  
Clerk of Council

Randy Kjer  
President of Council

APPROVED AS TO FORM:  
[Signature]  
City Attorney

APPROVED:  
[Signature]  
Mayor