

IN THE COUNCIL OF THE VILLAGE OF NEW CONCORD, OHIO

ORDINANCE 2022 – 53

AN ORDINANCE GRANTING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION TO REPLACE SCHOOL ZONE FLASHERS WITHIN THE VILLAGE OF NEW CONCORD, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, Village Council has determined that it is necessary and proper to grant consent to the Ohio Department of Transportation (ODOT) for the replacement of school zone flashers within the Village of New Concord.

NOW, THEREFORE, be it ordained by the Council of the Village of New Concord, Muskingum County, Ohio as follows:

Section 1. Being in the public interest, the Village of New Concord gives consent to the Director of the Ohio Department of Transportation to replace school zone flashers within Village limits in District 5.

Section 2. The Village shall cooperate with the Director of Transportation in the development and construction of this project. The Village of New Concord further agrees to pay 100% of the cost of those features requested by the Village which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

Section 3. If the Village owned utilities, within a corporation limit or in a private easement outside the corporation limits, need to be relocated due to this ODOT project, the Village will reimburse for any relocation work; ODOT will perform the coordination, relocation and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual. If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

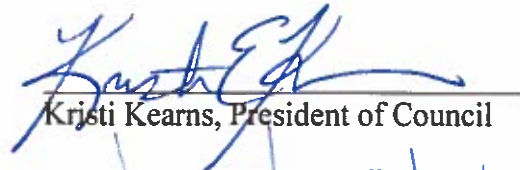
Section 4. Upon completion of the Project, and unless otherwise agreed, the Village shall:

- (a) Provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116;
- (b) Provide ample financial provisions, as necessary, for the maintenance of the Project;
- (c) Maintain the right-of-way, keeping it free of obstructions; and
- (d) Hold said right-of-way inviolate for public highway purposes.

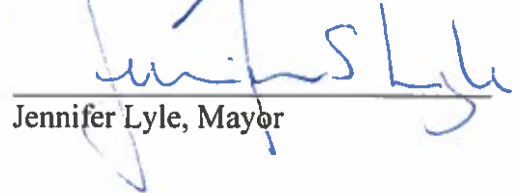
Section 5. The Village hereby authorizes the Village Administrator of the Village of New Concord to enter into agreements with the Director of Transportation which are Necessary to complete the above described project.

Section 6. That for the reasons stated in the preamble, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force at the earliest period allowed by law.

PASSED: January 10, 2022


Kristi Kearns, President of Council

APPROVED: January 10, 2022


Jennifer Lyle, Mayor

ATTEST:


Lynn Marlatt, Fiscal Officer

I hereby certify that the above legislation was posted per Ordinance No. L-1-84-1.


Lynn Marlatt, Fiscal Officer