

VILLAGE OF BUCKEYE LAKE, OHIO

ORDINANCE NUMBER 2018-39

PRELIMINARY LEGISLATION FOR ODOT PROJECT LIC-SR 79-03.98 AND DECLARING AN EMERGENCY.

THEREFORE, FOLLOWING AN AFFIRMATIVE VOTE OF AT LEAST TWO THIRDS (2/3) OF THE COUNCIL TO DISPENSE WITH THE REQUIREMENT OF THE BUCKEYE LAKE VILLAGE CHARTER SECTION 4.04 TO READ AN ORDINANCE ON THREE SEPARATE DAYS WITH AT LEAST ONE WEEK BETWEEN READINGS,

PID No. 108770

PRELIMINARY LEGISLATION

The following is Ordinance enacted by the Village of Buckeye Lake of Licking County, Ohio hereinafter referred to as the local Public Agency (LPA), in the matter of the stated described project.

SECTION I – Project Description

WHEREAS, the LPA/STATE has identified the need for the described project:

Replacement of two bridge structures and related work at the intersection of State Route 79/Commercial Drive.

NOW THEREFORE, be it ordained by the Village of Buckeye Lake of Licking County, Ohio (LPA)

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III – Cooperation Statement

The LPA agrees to pay One Hundred Percent (100%) of the cost of the features requested by the LPA which are determined by the State and Federal Highway Administration to be Unnecessary for the Project

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

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

SECTION V- Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall:

- 1. 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
2. Provide ample financial provisions, as necessary, for the maintenance of the Project;
3. Maintain the right-of-way, keeping it free of obstructions: and
4. Hold said right-of-way inviolate for public highway purposes.

SECTION VI – Authority to Sign

The Mayor of said Village of Buckeye Lake is hereby empowered on behalf of the Village of Buckeye Lake Council to enter into contracts with the Director of Transportation necessary to complete the above described project.

This Ordinance is hereby declared to be an emergency measure to expedite the highway projects and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

ADOPTED this 22nd day of October, 2018

Attest: Valerie L. Hans, Council Clerk; Catherine Olohan Zwissler, Council President

Date filed with Mayor: 10-22, 2018 Date Approved by Mayor: 10-22, 2018

Peggy A. Wells, Mayor

Approved as to Form: Dan Hayes, Solicitor

CERTIFICATE OF COPY
STATE OF OHIO

Village of Buckeye Lake of Licking County, Ohio

I, Valerie Hans as clerk of the Village of Buckeye Lake of Licking County, Ohio, do hereby certify the foregoing is a true and correct copy of Ordinance 2018-39 adopted by the legislative Authority of the said Village of Buckeye Lake on the 22ND day of October, 2018, that the publication of such Ordinance 2018-39 has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance 2018-39 has been taken; that the such Ordinance 2018-39 and certificate of publication thereof are of record in Ordinance 2018-39.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal if applicable, this 23RD day of October, 2018.



VALERIE L. HANS
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Licking County
My Comm. Exp. 7/7/22

Valerie L. Hans
Clerk

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Village of Buckeye Lake of Licking County, Ohio

Attest: [Signature] Date: 11/21/18
Contractual Officer

For the State of Ohio

Attest: _____ Date: _____