

ORDINANCE 20-2019

AN ORDINANCE GRANTING DIRECTOR OF TRANSPORTATION AUTHORITY TO MAINTAIN STATE HIGHWAYS, APPLY STANDARD LONGITUDINAL PAVEMENT MARKINGS AND ERECT REGULATORY AND WARNING SIGNS ON STATE HIGHWAYS INSIDE VILLAGE CORPORATION AND GIVING CONSENT OF THE VILLAGE TO THE PLOWING OF SNOW AND USE OF ABRASIVES FOR ICE CONTROL UNDER THE SUPERVISION OF THE DIRECTOR OF TRANSPORTATION, STATE OF OHIO.

WHEREAS, The Director of transportation, under Section 5521.01, Revised Code of Ohio, is authorized to maintain, apply standard longitudinal pavement markings and erect regulatory and warning signs on extensions of State Highways within the limits of a village, and

WHEREAS, The Director of Transportation, under Section 5501.41, Revised Code of Ohio, is also considering the matter of plowing of snow and the placing of abrasives for ice control, under his supervision, on all extensions of State Highways within the limits of a village, and

WHEREAS, Extensions of State Highway Nos. SR3, SR39, and SR60 lie within the Village of Loudonville, Ashland County, and

WHEREAS, The Ohio Revised Code (ORC) 5501.49 defines bridge maintenance responsibility and this agreement in no way is intended to supersede the current or future ORC definitions related to bridge maintenance. The Village remains responsible for Routine Bridge Maintenance and the State continues to be responsible for Major Bridge Maintenance.

WHEREAS, The work proposed to be authorized under this Ordinance shall be restricted to general maintenance of the traveled roadway surface, apply standard longitudinal pavement markings, erecting regulatory, warning, and route marking signs and the plowing of snow and placing of abrasives for ice control on all State Highway extensions by not including the removal of snow from driveways parking areas, and intersecting roads and streets, and

WHEREAS, This Ordinance shall in no matter relieve or discharge the Village from responsibility for emergency repair of signs installed by the Department of Transportation.

WHEREAS, This ordinance shall in no manner relieve or discharge the Village from any claim or claims of any nature arising from, or growing out of, the work by the Department of Transportation of the State of Ohio on said highways in said Village and said Village shall save the State of Ohio harmless from any and all such claims.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LOUDONVILLE, STATE OF OHIO:

SECTION 1: It is hereby declared to be in the public interest that the consent of said Village of Loudonville be, and such consent hereby is, given to the Department of Transportation of the State of Ohio for said Department to maintain the traveled portions of, apply standard longitudinal pavement markings, erect regulatory and warning signs and to plow snow and place abrasives for ice control on said State Highways in accordance with the standard practices of the Ohio Department of Transportation.

SECTION 2: That the Fiscal Officer be, and hereby is, directed to furnish the Director of Transportation and the Board of County Commissioners of Ashland County and Holmes County, Ohio, with a certified copy of this Ordinance immediately upon the taking effect thereof.

SECTION 3: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Dated: _____

Stephen Stricklen, Mayor

ATTEST:

Elaine Van Horn, Fiscal Officer

Thomas R. Gilman, Village Solicitor

CERTIFICATE OF COPY

Village of Loudonville, Ashland County, Ohio

I, Elaine Van Horn, Fiscal Officer of the Village of Loudonville, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Council of the Village on the _____ day of May, 2019; that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and the certificate of publication thereof are of record in Ordinance Record No. _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this _____ day of _____, 2019.

Elaine Van Horn, Fiscal Officer
Village of Loudonville, Ohio