

ORDINANCE NO. 8-2018

AN ORDINANCE AUTHORIZING THE RESURFACING OF THE PORTION OF STATE ROUTE 39 LOCATED IN HOLMES COUNTY IN THE VILLAGE OF LOUDONVILLE AND DECLARING AN EMERGENCY.

The following Ordinance is enacted by the Village of Loudonville, Holmes 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 STATE has identified the need for the described project: Being the removal of an average three (2) inches and the resurfacing with an average two (2) inches of asphaltic concrete on State Route 39 from the Ashland County line (SLM 0.00) to the Village East Corporation Limit (SLM 0.41).

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

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 shall cooperate with the Director of Transportation in the above described project as follows:

ODOT shall bear 100% of the necessary costs of the State's highway improvement project. In the event the Village requests certain features or appurtenances be included within the State's highway improvement project's design and construction, and which features and appurtenances are determined by the State and FHWA to be not necessary for the State's project, the Village shall contribute 100% of the cost of those items.

If curb ramps are constructed by ODOT in compliance with the Americans with Disabilities Act, future maintenance of installed sidewalk curb ramps shall be the responsibility of the Village.

The Village shall adjust any existing castings, as required, with Village forces.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way costs include eligible utility costs. The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall 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 such 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 purposes.

SECTION VI - Authority to Sign

The Mayor of said Village of Loudonville is hereby empowered on behalf of the village of Loudonville 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 project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Dated: _____

Attest:

Elaine Van Horn, Fiscal Officer

Stephen Stricklen, Mayor

Elaine Van Horn, Fiscal Officer

President of Council

CERTIFICATE OF COPY STATE OF OHIO

The Village of Loudonville of Ashland & Holmes County, Ohio

I, Elaine Van Horn, as Fiscal Officer of the Village of Loudonville, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance 8-2018 adopted by the legislative Authority of the said village of Loudonville on the 5th day of February 2018, that the publication of such Ordinance 8-2018 has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance 8-2018 have been taken; and that such Ordinance 8-2018 and certificate of publication thereof will be of record in the Council Proceedings Vol. 17 and in the Fiscal Office of the Village Office.

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

Elaine Van Horn, Fiscal Officer
Village of Loudonville, Ohio

(Seal Required)

The foregoing is accepting as a basis for proceeding with the project herein described. For the Village of Loudonville, Ohio.

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation