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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. 21 - 2016

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9 AN ORDINANCE CONSENTING TO THE IMPROVEMENT  
10 ALONG STATE ROUTE 8 WITHIN THE CITY OF CUYAHOGA  
11 FALLS, BY THE STATE OF OHIO, BY INCREASING THE  
12 STORAGE (DECELERATION LENGTH), INCLUDING  
13 NECESSARY ANCILLARY WORK, AUTHORIZING FINANCIAL  
14 COOPERATION THEREOF, AND DECLARING AN  
15 EMERGENCY.  
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18 WHEREAS, the State of Ohio has identified the need for and proposes the improvement  
19 of a portion of the public highway, including necessary ancillary work, in the City of  
20 Cuyahoga Falls, said portion of highway within the municipal corporation limits being  
21 hereinafter referred to as the Improvement, and described as follows:  
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23 Project to increase the storage (deceleration length) on the  
24 northbound and southbound off-ramps from State Route 8 to  
25 Howe Avenue in order to eliminate queuing from the ramp  
26 intersections; and  
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28 WHEREAS, Ohio Revised Code §5521.01 specifies that the consent of this Council is  
29 required prior to the improvement of a state highway within the City's corporate limits,  
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31 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,  
32 County of Summit and State of Ohio, that:  
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34 Section 1. This Council hereby consents to improvement, along State Route 8 within the  
35 City of Cuyahoga Falls, PID 102453, Sum-SR8-4.41, by increasing the storage (deceleration  
36 length), including necessary ancillary work; and  
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38 Section 2. This Council's consent is granted with the following understandings:  
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40 A. The City will agree to pay One Hundred Percent (100%) of the cost of  
41 those features requested by the City which are determined by the State and  
42 Federal Highway Administration to be unnecessary for the Project.  
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44 B. The City agrees that all right-of-way required for the described Project will  
45 be acquired and/or made available in accordance with current state and  
46 federal regulations. The City also understands that right-of-way costs  
47 include eligible utility costs.  
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49 C. Upon completion of the Project, and unless otherwise agreed, the City  
50 shall 1) provide adequate maintenance for the described Project in  
51 accordance with all applicable State and Federal law, including, but not  
52 limited to, 23 USC §116; 2) provide ample financial provisions, as necessary,  
53 for the maintenance of the described Project; 3) maintain the right-of-way,  
54 keeping it free of obstructions; and 4) hold said right-of-way inviolate for  
55 public highway purposes.  
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D. The Director of Public Service and/or the Mayor of the City of Cuyahoga Falls are authorized on behalf of the City of Cuyahoga Falls to enter into contracts with the State of Ohio Department of Transportation necessary to complete the above described Project.

Section 3. The Clerk of Council is hereby directed to transmit to the Director of Transportation a certified copy of this Ordinance.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

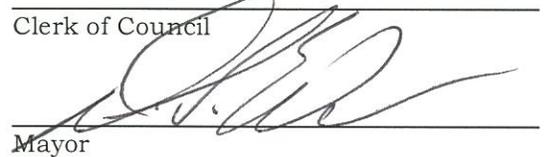
Section 5. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: 3-14-16

  
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President of Council

  
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Clerk of Council

Approved: 3-15-2016

  
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Mayor