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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 92 - 2017
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8
9 AN ORDINANCE CONSENTING TO THE IMPROVEMENT OF THE
10 PAVEMENT ALONG STATE ROUTE 8 WITHIN THE CITY OF
11 CUYAHOGA FALLS, BY THE STATE OF OHIO, USING CRACK
12 SEALING TECHNOLOGY, AUTHORIZING FINANCIAL COOPERATION
13 THEREOF, AND DECLARING AN EMERGENCY.
14
15

16 WHEREAS, the State of Ohio has identified the need for and proposes the improvement of a
17 portion of the public highway, including necessary ancillary work, in the City of Cuyahoga Falls, said
18 portion of highway within the municipal corporation limits being hereinafter referred to as the
19 Improvement, and described as follows:
20

21 The improvement of the pavement along State Route 8 within the corporation limits
22 of the City of Cuyahoga Falls, including necessary ancillary work; and
23

24 WHEREAS, Ohio Revised Code §5521.01 specifies that the consent of this Council is required
25 prior to the improvement of a state highway within the City's corporate limits.
26

27 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of
28 Summit and State of Ohio, that:
29

30 Section 1. This Council hereby consents to improvement of the pavement along State Route 8
31 within the City of Cuyahoga Falls, PID 104771, D04CS FY2018, using Crack Sealing Technology,
32 including necessary ancillary work; and
33

34 Section 2. This Council's consent is granted with the following understandings:
35

36 A. The City will agree to pay One Hundred Percent (100%) of the cost of those
37 features requested by the City which are determined by the State and Federal
38 Highway Administration to be unnecessary for the Project.
39

40 B. The City agrees that all right-of-way required for the described Project will be
41 acquired and/or made available in accordance with current state and federal
42 regulations. The City also understands that right-of-way costs include eligible utility
43 costs.
44

45 C. Upon completion of the Project, and unless otherwise agreed, the City shall 1)
46 provide adequate maintenance for the described Project in accordance with all
47 applicable State and Federal law, including, but not limited to, 23 USC §116; 2)
48 provide ample financial provisions, as necessary, for the maintenance of the
49 described Project; 3) maintain the right-of-way, keeping it free of obstructions; and 4)
50 hold said right-of-way inviolate for public highway purposes.
51

52 D. The Director of Public Service or the Mayor of the City of Cuyahoga Falls are
53 authorized on behalf of the City of Cuyahoga Falls to enter into contracts with the
54 State of Ohio Department of Transportation necessary to complete the above
55 described Project.
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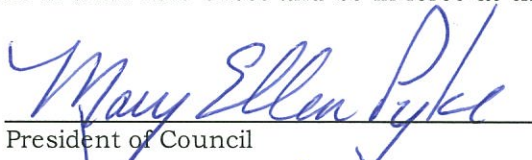
57 Section 3. The Clerk of Council is hereby directed to transmit to the Director of Transportation a
58 certified copy of this Ordinance.
59

60 Section 4. Any other ordinances and resolutions or portions of ordinances and resolutions
61 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
62 ordinances and resolutions not inconsistent herewith and which have not previously been repealed
63 are hereby ratified and confirmed.
64

65 Section 5. It is found and determined that all formal actions of this Council concerning and
66 relating to the adoption of this ordinance were adopted in an open meeting of this Council and that
67 all deliberations of this Council and of any of its committees that resulted in such formal action were
68 in meetings open to the public, in compliance with all legal requirements including Chapter 107 of
69 the Codified Ordinances.
70

71 Section 6. This ordinance is hereby declared to be an emergency measure necessary for the
72 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
73 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the
74 members elected or appointed to Council, it shall take effect and be in force immediately upon its
75 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
76 period allowed by law.
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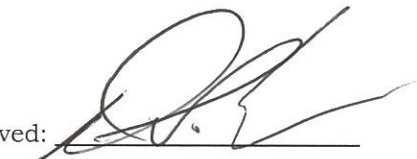
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79 Passed: 11-27-17

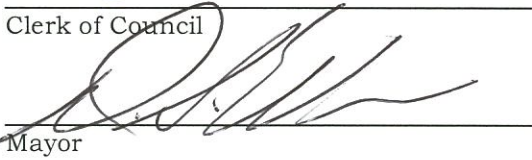


President of Council



Clerk of Council

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87 Approved: 



Mayor