

NEW LEGISLATION

May 9, 2011

The following legislation has been temporarily assigned to the below-stated committee by the Clerk of Council:

| Temp. No. | Introduced | Committee | Description |
|------------------|-------------------|------------------|---|
| B-49 | 5/9/11 | Fin | An ordinance authorizing the Director of Public Service to enter into a power sales contract known as the AMP Fremont Energy Center Power Sales Contract, with American Municipal Power, Inc., and declaring an emergency. |
| B-50 | 5/9/11 | Fin | An ordinance authorizing the Director of Public Service to enter into a power scheduling agreement to be known as the Northern Pool Participant Schedule, with American Municipal Power, Inc., and declaring an emergency. |
| B-51 | 5/9/11 | PI | An ordinance authorizing the Director of Public Service to enter into a contract or contracts without competitive bidding with Bowman Appraisal Services, Inc., for the professional services necessary to conduct appraisals of real property to be acquired for the State Road Widening Project (PID #81605), and declaring an emergency. |
| B-52 | 5/9/11 | PA | A resolution expressing Council's support for the development of a drinking water source protection plan, and declaring an emergency. |
| B-53 | 5/9/11 | PA | An ordinance enacting new Section 1366.06 of Title 7, Part 13 of the Codified Ordinances, relating to outdoor composting, and declaring an emergency. |
| B-54 | 5/9/11 | PA | An ordinance amending Section 505.18 of Part 5 of the Codified Ordinances, relating to feeding of birds, and declaring an emergency. |
| B-55 | 5/9/11 | PA | An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency. |

CALENDAR

May 9, 2011

The following legislation will be up for passage at the Council Meeting on May 9, 2011.

| Temp. No. | Introduced | Committee | Description |
|------------------|-------------------|------------------|--|
| B-47 | 4/25/11 | PI | An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with DLZ Ohio, Inc., for the professional services necessary to revise and update the 2007 Separate Sanitary Sewer Overflow Study, and declaring an emergency. |
| B-48 | 4/25/11 | CD | An ordinance authorizing the Mayor to enter into a modification of Contract No. 6406 with Pandey Environmental, LLC, and declaring an emergency. |

PENDING LEGISLATION

May 9, 2011

| Temp. No. | Introduced | Committee | Description |
|------------------|-------------------|------------------|--|
| B-47 | 4/25/11 | PI | An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with DLZ Ohio, Inc., for the professional services necessary to revise and update the 2007 Separate Sanitary Sewer Overflow Study, and declaring an emergency. |
| B-48 | 4/25/11 | CD | An ordinance authorizing the Mayor to enter into a modification of Contract No. 6406 with Pandey Environmental, LLC, and declaring an emergency. |

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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. - 2011

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 PUBLIC SERVICE TO ENTER INTO A POWER SALES
10 CONTRACT KNOWN AS THE AMP FREMONT ENERGY
11 CENTER POWER SALES CONTRACT, WITH AMERICAN
12 MUNICIPAL POWER, INC., AND DECLARING AN
13 EMERGENCY.
14
15

16 WHEREAS, the City of Cuyahoga Falls, Ohio ("City") owns and operates an electric
17 utility system for the sale of electric power and associated energy for the benefit of its
18 citizens and taxpayers; and
19

20 WHEREAS, in order to satisfy the electric power and energy requirements of its
21 electric utility system, the City has heretofore purchased, power and energy from, or
22 arranged by, American Municipal Power, Inc. (hereinafter "AMP"), of which the City is a
23 Member; and
24

25 WHEREAS, on behalf of its Members, including the City, AMP endeavors to secure
26 long-term sources of reliable, environmentally sound and reasonably priced electric
27 capacity and energy for the same; and
28

29 WHEREAS, in furtherance of such purpose, AMP agrees and intends to finance,
30 construct, operate and own up to a one hundred percent (100%), and in any case not
31 less than an eighty percent (80%), undivided ownership interest, in the Fremont Energy
32 Center having an expected net rated electric generating capacity of approximately seven
33 hundred seven megawatts (707 MW), to be known collectively as the American
34 Municipal Power Fremont Energy Center (as hereinafter defined, "AMP Fremont Energy
35 Center"); and
36

37 WHEREAS, AMP has resolved to develop, including, as appropriate, the financing,
38 acquisition, construction, ownership and operation of, and arrangements for the
39 acquisition, financing, payment and prepayment of fuel for, its ownership interest in the
40 AMP Fremont Energy Center (the "Project") as well as other arrangements related
41 thereto, which AMP and, in certain cases, its participating Members (the "Participants"),
42 deem necessary to enable AMP to fulfill its obligations to sell and transmit, or otherwise
43 make available, electric capacity and energy to the Participants pursuant to the
44 Fremont Energy Center Power Sales Contract (hereinafter "PSC"); and
45

46 WHEREAS, in order to obtain such sources of electric capacity and energy, the
47 Participants are willing to pay AMP for their respective rights to such electric capacity
48 and energy and transmission service at rates that are sufficient, but only sufficient, to
49 enable AMP to (i) recover all costs and expenses incurred with respect to, and
50 arrangements for the acquisition, financing, payment and prepayment of fuel for, the
51 Project as set forth herein, all other Power Sales Contract Resources obtained by AMP to
52 supplement the Project, and related service arrangements undertaken by AMP to enable
53 it to fulfill its obligations hereunder, and (ii) recover any other expenditures or revenues
54 authorized under the PSC; and
55

56 WHEREAS, because the expected in service date of the Fremont Energy Center is on
57 or about January 1, 2012, the City may need to have AMP rearrange the City's current
58 power supply portfolio by selling certain already purchased power, principally for 2012
59 through 2015, into the market ("re-sale") and finance the cost of such transaction
60 pursuant to the PSC;

61
62 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
63 County of Summit, State of Ohio, that:

64
65 Section 1. The Director of Public Service is hereby authorized to enter into a power
66 sales contract to be known as the AMP Fremont Energy Center Power Sales Contract
67 (PSC), with American Municipal Power, Inc., on the basis of its proposal dated March
68 14, 2011.

69
70 Section 2. The Director of Public Service is hereby authorized to acquire on behalf
71 of the City, as a Participant, as defined in the PSC, Power Sales Contract Resources
72 ("PSCR Share"), as defined in the PSC, without competitive bidding, from AMP and to
73 execute and deliver any and all documents necessary to become a Participant in the
74 AMP Fremont Energy Center Project pursuant to the conditions set forth in the PSC and
75 to carry out the City's obligations thereunder.

76
77 Section 3. The Director of Public Service is hereby authorized and to arrange for
78 the re-sale, by AMP, of any excess power and energy currently under contract with AMP
79 as the Director of Public Service deems in the best interests of the City, the proceeds of
80 which shall be applied to defray the costs incurred by the City under the PSC, including
81 retirement of the obligations under which such power and energy were purchased on
82 behalf of the City by AMP.

83
84 Section 4. It is further acknowledged and understood that because the Participants
85 will finalize the precise PSCR Share to be acquired by each Participant electing to enter
86 into the PSC after all such Participants execute and deliver the PSC, the Director of
87 Public Service, in connection with the execution and delivery of the PSC, is authorized
88 to determine and acquire the City's PSCR Share (not taking into account the Step-Up as
89 defined in the PSC), of up to a nominal amount of 26,256 kilowatts, after consultation
90 with AMP and the other Participants regarding the PSCR Share available pursuant to
91 said PSC, such PSCR Share to be set forth in Appendix A of the PSC, such
92 determination as to such PSCR Share being conclusively evidenced by the adoption of
93 Appendix A to the PSC, as authorized therein.

94
95 Section 5. The Director of Public Service or her designee is hereby appointed as the
96 City's representative for any meetings or determinations of the Participants or the
97 Participants Committee pursuant to the PSC and is authorized to vote the City's PSCR
98 Share with regard to any determinations regarding the AMP Fremont Energy Center
99 project as set forth in the PSC.

100
101 Section 6. Any other ordinances and resolutions or portions of ordinances and
102 resolutions inconsistent herewith are hereby repealed, but any ordinances and
103 resolutions or portions of ordinances and resolutions not inconsistent herewith and
104 which have not previously been repealed are hereby ratified and confirmed.

105
106 Section 7. It is found and determined that all formal actions of this Council
107 concerning and relating to the passage of this ordinance were taken in an open meeting
108 of this Council and that all deliberations of this Council and of any committees that
109 resulted in those formal actions were in meetings open to the public, in compliance with
110 all legal requirements including Chapter 107 of the Codified Ordinances.

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Section 8. If any section, subsection, paragraph, clause or provision or any part thereof of this ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this ordinance shall be unaffected by such adjudication and all the remaining provisions of this ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

Section 9. 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: _____
President of Council

Clerk of Council

Approved: _____
Mayor

5/9/11
O:\2011ords\Fremont Power Sales Contract

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4 CITY OF CUYAHOGA FALLS, OHIO

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6 ORDINANCE NO. - 2011

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
9 SERVICE TO ENTER INTO A POWER SCHEDULING
10 AGREEMENT TO BE KNOWN AS THE NORTHERN POOL
11 PARTICIPANT SCHEDULE, WITH AMERICAN MUNICIPAL
12 POWER, INC., AND DECLARING AN EMERGENCY.
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14
15 WHEREAS, the City of Cuyahoga Falls, Ohio ("City"), owns and operates an electric utility
16 system for the sale of electric power and associated energy for the benefit of its citizens and
17 taxpayers; and

18
19 WHEREAS, in order to satisfy the electric energy requirements of its electric utility system,
20 the City has heretofore purchased electric capacity and energy from American Municipal Power,
21 Inc. ("AMP"), of which the City is a Member; and

22
23 WHEREAS, AMP and the City have entered into a Master Services Agreement ("MSA"), which
24 sets forth general terms and conditions under which, among other things, AMP may sell and the
25 City may purchase electric capacity and energy and other services through Schedules to the MSA;
26 and

27
28 WHEREAS, the City desires to contract with AMP to pool, arrange and share power supply
29 and transmission operations with other Members pursuant to the Northern Pool Participant
30 Schedule referenced in Section 1, below; and

31
32 WHEREAS, as of midnight on May 31, 2011, the Northern Pool Participant Schedule will
33 replace and supercede the current Northeast and Northern Power Pool Schedules in which the
34 City currently participates,

35
36 NOW THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of
37 Summit, State of Ohio, that:

38
39 Section 1. The Director of Public Service is authorized to enter into a power scheduling
40 agreement to be known as the Northern Pool Participant Schedule, with American Municipal
41 Power, Inc., on the basis of its proposal dated March 2, 2011.

42
43 Section 2. The Director of Public Service is hereby authorized to approve and authorize in
44 writing AMP's acquisition of Long Term Pool Power on behalf of the City in accordance with the
45 approval procedures set forth in the Northern Pool Participant Schedule.

46
47 Section 3. The City approves the inclusion of AMP's purchase of up to 30 MW of peaking
48 capacity and associated energy from member-owned generation connected to the electric systems
49 of the Northern Pool Participants as Long Term Pool Power for the period from June 1, 2011
50 through May 31, 2016, the cost of which shall be included in the charges to be incurred by the
51 City under the Northern Pool Participant Schedule.

52
53 Section 4. The NEASG Pool Participant Schedule dated September 1, 1990 and any
54 amendments thereto shall terminate on midnight May 31, 2011 and shall no longer be of any
55 force or effect after the effective date of the Northern Pool Participant Schedule except to the
56 extent billing or like matters remain outstanding.

57
58 The Northern Power Pool Participant Schedule dated October 1, 2000 and any amendments
59 thereto shall terminate on midnight May 31, 2011 and shall no longer be of any force or effect
60 after the effective date of the Northern Pool Participant Schedule except to the extent billing or
61 like matters remain outstanding.

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The AMPCT Sale to AMP for the NEASG Pool (Schedule NECT1) dated January 1, 2006 and any amendments thereto shall terminate on midnight May 31, 2011 and shall no longer be of any force or effect after the effective date of the Northern Pool Participant Schedule except to the extent billing or like matters remain outstanding.

The AMPCT Sale to AMP for the NWSAG Pool (Schedule NWCT1) dated January 1, 2006 and any amendments thereto shall terminate on midnight May 31, 2011 and shall no longer be of any force or effect after the effective date of the Northern Pool Participant Schedule except to the extent billing or like matters remain outstanding.

The AMPCT Sale to AMP for the Gorsuch Project (Schedule RHCT1) dated January 1, 2006 and any amendments thereto shall terminate on midnight May 31, 2011 and shall no longer be of any force or effect after the effective date of the Northern Pool Participant Schedule except to the extent billing or like matters remain outstanding.

Section 5. Any other ordinances and resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 6. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

Section 7. If any section, subsection, paragraph, clause or provision or any part thereof of this ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this ordinance shall be unaffected by such adjudication and all the remaining provisions of this ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

Section 8. 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: _____
President of Council

Clerk of Council

Approved: _____
Mayor

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4 CITY OF CUYAHOGA FALLS, OHIO

5 ORDINANCE NO. - 2011

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8
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
10 SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS
11 WITHOUT COMPETITIVE BIDDING WITH BOWMAN APPRAISAL
12 SERVICES, INC., FOR THE PROFESSIONAL SERVICES
13 NECESSARY TO CONDUCT APPRAISALS OF REAL PROPERTY TO
14 BE ACQUIRED FOR THE STATE ROAD WIDENING PROJECT (PID
15 #81605), AND DECLARING AN EMERGENCY.
16

17
18 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of
19 Ohio, that:

20
21 Section 1. The Director of Public Service is hereby authorized to enter into a contract or
22 contracts, without competitive bidding, with Bowman Appraisal Services, Inc., on the basis of its
23 proposal dated April 26, 2011, for the professional services necessary to conduct appraisals of real
24 property to be acquired for the State Road Widening Project (PID #81605).
25

26 Section 2. The Director of Finance is hereby authorized and directed to make payment for same
27 from the Capital Projects Fund, line item Capital Outlay.
28

29 Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions
30 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
31 herewith and which have not previously been repealed are hereby ratified and confirmed.
32

33 Section 4. It is found and determined that all formal actions of this Council concerning and
34 relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that
35 all deliberations of this Council and of any of its committees that resulted in such formal action, were
36 in meetings open to the public, in compliance with all legal requirements, to the extent applicable,
37 including Chapter 107 of the Codified Ordinances.
38

39 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
40 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
41 Falls and the inhabitants thereof, for the reason that it is immediately necessary to permit timely and
42 appropriate development of this property, and provided it receives the affirmative vote of two thirds of
43 the members elected or appointed to Council, it shall take effect and be in force immediately upon its
44 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period
45 allowed by law.
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48 Passed: _____
49 _____
50 President of Council

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53 Clerk of Council

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56 Approved: _____
57 _____
58 Mayor

58 5/9/11

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 RESOLUTION NO. - 2011

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9 A RESOLUTION EXPRESSING CITY COUNCIL'S SUPPORT
10 FOR THE DEVELOPMENT OF A DRINKING WATER
11 SOURCE PROTECTION PLAN, AND DECLARING AN
12 EMERGENCY.

13
14 WHEREAS, the City of Cuyahoga Falls operates a public water system serving a
15 population in excess of 60,000 persons; and

16
17 WHEREAS, the Ohio Environmental Protection Agency encourages, and in some
18 cases requires public water systems serving 250 persons or more to develop a drinking
19 water source protection plan; and

20
21 WHEREAS, although not currently required to have such a plan in place, the City
22 has established a Drinking Water Source Protection Committee for the purpose of
23 developing such a plan that will comply with applicable guidelines and regulations,
24 including Section 3745-91-10 of the Ohio Administrative Code; and

25
26 WHEREAS, development and implementation of a drinking water source protection
27 plan for the Cuyahoga Falls water system will require the cooperation of, and the
28 devotion of resources by various stakeholders including several municipalities, public
29 utilities, first responders, railroads, state and local transportation agencies,
30 institutions, businesses and other entities who have operations in the area of concern,

31
32 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
33 County of Summit, and State of Ohio, that:

34
35 Section 1. This Council expresses its support for the development and
36 implementation of a drinking water source protection plan for the Cuyahoga Falls water
37 system that meets or exceeds the requirements of all applicable laws, regulations and
38 guidelines for such plans.

39
40 Section 2. This Council finds and determines that the effort to develop a drinking
41 water source protection plan for the Cuyahoga Falls water system will require the
42 cooperation and devotion of resources by non-City stakeholders, including other
43 municipalities, first responder agencies, public utilities, railroads, state and local
44 transportation agencies, and other institutions, businesses or entities with operations
45 in the areas of concern. This Council strongly encourages the cooperation of all such
46 stakeholders when and if called upon to assist the City in this effort.

47
48 Section 3. It is found and determined that all formal actions of this Council
49 concerning and relating to the passage of this resolution were taken in an open meeting
50 of this Council and that all deliberations of this Council and of any committees that
51 resulted in those formal actions were in meetings open to the public, in compliance with
52 all legal requirements including Chapter 107 of the Codified Ordinances.

53
54 Section 4. This resolution is hereby declared to be an emergency measure necessary
55 for the preservation of the public peace, health, safety, convenience and welfare of the

56 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
57 affirmative vote of two-thirds of the members elected or appointed to Council, it shall
58 take effect and be in force immediately upon its passage and approval by the Mayor;
59 otherwise it shall take effect and be in force at the earliest period allowed by law.

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62 Passed:_____

President of Council

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Clerk of Council

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70 Approved_____

Mayor

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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2011

6
7 AN ORDINANCE ENACTING NEW SECTION 1366.06 OF TITLE 7,
8 PART 13 OF THE CODIFIED ORDINANCES, RELATING TO
9 OUTDOOR COMPOSTING, AND DECLARING AN EMERGENCY.

10
11 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit,
12 and State of Ohio, that:

13
14 Section 1. New section 1366.06 of Title 7, Part 13 the Codified Ordinances of the
15 City of Cuyahoga Falls is hereby enacted to read in full as follows:

16
17 1366.06 OUTDOOR COMPOSTING

18
19 No owner or occupant of any premises shall engage in composting of garbage
20 or other putrescible waste in any outdoor place, except in a container designed and
21 manufactured specifically for that purpose.

22
23 Section 2. Any ordinances or resolutions or portions of ordinances and resolutions
24 inconsistent herewith are hereby repealed, but any ordinances and resolutions not
25 inconsistent herewith and which have not previously been repealed are hereby ratified
26 and confirmed.

27
28 Section 3. It is found and determined that all formal actions of this Council
29 concerning and relating to the passage of this ordinance were taken in an open meeting
30 of this Council and that all deliberations of this Council and of any committees that
31 resulted in those formal actions were in meetings open to the public, in compliance with
32 all requirements including Chapter 107 of the Codified Ordinances.

33
34 Section 4. This ordinance is hereby declared to be an emergency measure necessary
35 for the preservation of the public peace, health, safety, convenience and welfare of the
36 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the
37 affirmative vote of two-thirds of the members elected or appointed to Council, it shall
38 take effect and be in force immediately upon its passage and approval by the Mayor;
39 otherwise it shall take effect and be in force at the earliest period allowed by law.

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42 Passed: _____

President of Council

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Clerk of Council

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50 Approved _____

Mayor

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53 5/9/11

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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. - 2011

6
7 AN ORDINANCE AMENDING SECTION 505.18 OF PART 5 OF
8 THE CODIFIED ORDINANCES, RELATING TO FEEDING OF
9 BIRDS, AND DECLARING AN EMERGENCY.

10
11 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit, and State
12 of Ohio, that:

13
14 Section 1. Section 505.18 of the Codified Ordinances of the City of Cuyahoga Falls is hereby
15 amended to read in full as follows (new text underlined; deleted text in ~~strike through~~):

16
17 505.18 FEEDING OF ~~PIGEONS~~ BIRDS RESTRICTED.

- 18
- 19 (a) No person shall feed, keep or harbor pigeons or other wild or domesticated birds in the
- 20 City so as to create thereby offensive odors or unsanitary conditions which are a menace
- 21 to the health, comfort or safety of the public, or which creates unreasonably loud and
- 22 disturbing noises of such character, intensity or duration, or at such unreasonable
- 23 hours, as to disturb the peace, quiet and good order of the City.
- 24
- 25 (b) Whoever violates this section is guilty of a minor misdemeanor.
- 26

27 Section 2. Existing Section 505.18 of the Codified Ordinances, as enacted by Ord. No. 65-
28 1984, passed April 9, 1984, is hereby repealed.

29
30 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions
31 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent
32 herewith and which have not previously been repealed are hereby ratified and confirmed.

33
34 Section 4. It is found and determined that all formal actions of this Council concerning and
35 relating to the passage of this ordinance were taken in an open meeting of this Council and that
36 all deliberations of this Council and of any committees that resulted in those formal actions were
37 in meetings open to the public, in compliance with all requirements including Chapter 107 of the
38 Codified Ordinances.

39
40 Section 5. This ordinance is hereby declared to be an emergency measure necessary for the
41 preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga
42 Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the
43 members elected or appointed to Council, it shall take effect and be in force immediately upon its
44 passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest
45 period allowed by law.

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48 Passed: _____
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51 President of Council

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53 _____
54 Clerk of Council

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56 Approved _____
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58 _____
59 Mayor

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5 CITY OF CUYAHOGA FALLS, OHIO

6
7 ORDINANCE NO. - 2011

8
9 AN ORDINANCE AMENDING THE TRAFFIC
10 CONTROL FILE BY PROVIDING FOR INSTALLATION
11 OF VARIOUS TRAFFIC CONTROL DEVICES, AND
12 DECLARING AN EMERGENCY.
13

14 WHEREAS, site-specific traffic control regulations of the City are established
15 and maintained in the "Traffic Control File," a document established and
16 maintained by the Chief of Police pursuant to Chapter 305 of the Codified
17 Ordinances, and
18

19 WHEREAS, Section 305.02 of said Chapter requires that amendments to the
20 Traffic Control File be made only through legislation passed by City Council,
21

22 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of
23 Cuyahoga Falls, County of Summit, and State of Ohio, that:
24

25 Section 1. Upon the recommendation of the Traffic Committee, the Traffic
26 Control File is hereby amended as follows:
27

- 28 (1) To prohibit parking on the odd side of Shaw Avenue from 23rd Street
- 29 to 27th Street.
- 30 (2) To prohibit parking on the odd side of Chestnut Boulevard from 2nd
- 31 Street to 49' west of 2nd Street.
- 32 (3) To prohibit parking on the odd side of 9th Street from Horace Avenue
- 33 to 133' south of Horace Avenue.
34

35 Section 2. The Chief of Police is hereby authorized and directed to note in the
36 Traffic Control File the proper legends.
37

38 Section 3. The Mayor is hereby authorized and directed to cause the
39 installation or removal of the proper signage reflecting the above amendments.
40

41 Section 4. Any other ordinances and resolutions or portions of ordinances
42 and resolutions inconsistent herewith are hereby repealed but any ordinances
43 and resolutions or portions of ordinances and resolutions not inconsistent
44 herewith and which have not been previously repealed are hereby ratified and
45 confirmed.
46

47 Section 5. It is found and determined that all formal actions of this Council
48 concerning and relating to the adoption of this ordinance were adopted in an
49 open meeting of this Council and that all deliberations of this Council and of
50 any of its committees that resulted in such formal action were in meetings open
51 to the public, in compliance with all legal requirements including Chapter 107
52 of the Codified Ordinances.

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Section 6. 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: _____

President of Council

Clerk of Council

Approved: _____

Mayor

5/9/11

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