

ORDINANCE 2021.21

**AN ORDINANCE CONSENTING TO PAVEMENT REPAIRS ON INTERSTATE 71
WITHIN THE VILLAGE OF SUNBURY ALONG WITH OTHER ASSOCIATED
WORK**

WHEREAS, the State of Ohio has identified the need for the following described project:

Perform pavement repairs on Interstate 71 within the Village of Sunbury along with other associated work.

WHEREAS, the Village of Sunbury, Delaware County, Ohio, hereinafter referred to as the Local Public Agency (LPA), desires to give their consent to the portion of the project to take place within the Village limits and set forth herein.

NOW, THEREFORE, be it ordained by the Council for the Village of Sunbury, Delaware County, State of Ohio, as follows:

SECTION I: Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION II: The LPA shall cooperate with the Director of Transportation in the above described project as follows: (1) The State shall assume and bear 100% of all of the costs of the improvement. (2) The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION III: The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of way costs include eligible utility costs.

SECTION IV: Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the 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 highway purposes.

SECTION V: It is found and determined that all former actions of this Council concerning or relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were meetings open to the public, and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

WHEREFORE, this Ordinance shall take effect and be in from and after the earliest time permitted by law.

VOTE ON ORDINANCE 2021.22

YEAS

NAYS

PASSED: _____, 2021

Joseph St. John, Mayor

ATTEST:

Kathy Belcher, Director of Finance

CERTIFICATION

I hereby certify on this _____ day of _____, 2021, that the foregoing is a true and accurate copy of the Ordinance passed at the meeting held on _____, 2021, of the Village of Sunbury, County of Delaware, State of Ohio.

Director of Finance