

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 23-06

INTRODUCED BY: Krejci

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS IN THE CITY BY CONSTRUCTING SANITARY SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

WHEREAS: The Council of this City has previously adopted Resolution No. 22-155 on September 20, 2022 declaring the necessity of making the Improvement described in Section 1 (the Resolution of Necessity); and

WHEREAS: This Council has determined to proceed with the Improvement described in Section 1 hereof having received no objections thereto by from the property owners to be assessed therefor after notice having been duly given to such property owners.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. It is hereby determined to proceed with the improvement in the City of North Royalton, Ohio, York Road from addresses 10725 York Road and 10634 York Road (south; east and west side of York Road) to addresses 10505 York Road and 10498 York Road (north; east and west side of York Road) in the City of North Royalton by constructing and installing sanitary sewers, together with all necessary appurtenances thereto (the "Improvement") in accordance with the provisions of the Resolution of Necessity.

Section 2. The Improvement shall be made in accordance with the provisions of the Resolution of Necessity and with the plans, specifications, profiles and estimates of cost previously approved and now on file in the office of the Director of Legislative Services.

Section 3. All claims for damages resulting from the Improvement that have been legally filed shall be inquired into after completion of the Improvement, and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

Section 4. The portion of the cost of the Improvement to be assessed in accordance with the Resolution of Necessity shall be assessed in the manner and the number of installments provided, and on the lots and lands described in that resolution.

Section 5. The estimated special assessments previously prepared and filed in the office of the Director of Legislative Services are adopted.

Section 6. The Director of Legislative Services shall deliver a certified copy of this Ordinance to the County Fiscal Officer within 15 days after its passage.

Section 7. This Council finds and determines 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 of its committees that resulted in such formal action, were in meetings open to the public in compliance with the law.

Section 8. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective so that the City can provide for the Improvement which is necessary to provide proper sewage disposal and thereby prevent pollution.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

/s/ Paul F. Marnecheck
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz
MAYOR

DATE PASSED: January 17, 2023

DATE APPROVED: January 17, 2023

ATTEST: /s/ Dana A. Schroeder
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading January 17, 2023

YEAS: Marnecheck, Nickell, Barath, Krejci,
Carbone-McDonald, Dietrich, Wos

NAYS: none