

RECORD OF ORDINANCES

Ordinance No. 2021-32

Passed NOVEMBER 8 2021

AN ORDINANCE 1) APPROVING AND GIVING CONSENT TO THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO APPLY, MAINTAIN AND REPAIR STANDARD LONGITUDINAL PAVEMENT MARKINGS AND ERECT REGULATORY AND WARNING SIGNS ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATION LIMITS; AND 2) GIVING CONSENT FOR ODOT TO REMOVE SNOW AND ICE AND USE SNOW AND ICE CONTROL MATERIAL ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATION LIMITS; AND 3) GIVING CONSENT FOR ODOT TO PERFORM MAINTENANCE AND/OR REPAIR ON STATE HIGHWAYS INSIDE THE VILLAGE CORPORATION LIMITS; AND THE DECLARATION OF AN EMERGENCY

WHEREAS, the Director of Transportation (DOT), under Section 5521.01 of the Ohio Revised Code, is authorized upon request and approval of the legislative authority of the Village to maintain, repair and apply standard longitudinal pavement marking lines and to erect regulatory and warning signs, as defined in the manual adopted under Section 4511.09 of the ORC on any section of State Highways within the corporate limits of a Village; and,

WHEREAS, the DOT under ORC Section 5501.41, may, upon the consent of the legislative authority of the Village, remove snow and ice and use snow and ice control material on State Highways within the corporate limits of a Village pursuant to a written agreement to be entered into between the Village and ODOT; and,

WHEREAS, the DOT under ORC 5501.01, may, upon the consent of the legislative authority of the Village, perform maintenance and/or repair on the State Highways within the corporate limits of a Village pursuant to a written agreement to be entered into between the Village and ODOT; and,

WHEREAS, State Highway Nos. SR158 and SR256 lie within the Village of Baltimore, Fairfield County, Ohio; and,

WHEREAS, the work proposed to be authorized under this ordinance shall be restricted to the application, maintenance and repair of standard longitudinal pavement markings and the erecting of regulatory and warning signs; and may include, if an Agreement is entered into, the removal of snow and ice and the use of snow and ice control material on State Highways within the corporate limits of the Village, but shall not include the use of snow and ice control material on driveways, parking areas and intersecting roads and streets; and may include, if an Agreement is entered into, the maintenance and/or repair of the State Highways within the corporate limits of the Village; and,

WHEREAS, this ordinance shall not relieve or discharge the Village from responsibility for emergency repair of signs installed by ODOT; and,

WHEREAS, this ordinance shall not relieve or discharge the Village from any claim or claims of any nature arising from, or growing out of, the work of ODOT on said highways in the Village, and the Village shall save the State of Ohio harmless from any and all such claims; and,

WHEREAS, in order for the above agreements to move forward in a timely and expeditious fashion, and to maintain the safety of Village residents, this ordinance shall be passed on an emergency basis;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO, THREE-FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

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SECTION 1: It is hereby declared to be in the public interest that the consent of the Village be, and such consent is hereby given to ODOT, to apply standard longitudinal pavement marking lines and to erect regulatory and warning signs on said State Highways in accordance with the standard practices of ODOT.

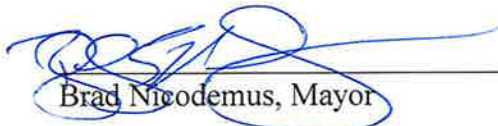
SECTION 2: It is hereby declared to be in the public interest that the consent of the Village be, and such consent is hereby given to ODOT, if an Agreement is entered into, for ODOT to remove snow and ice and use snow and ice control material on State Highways within the corporate limits of the Village and listed in the Agreement, in accordance with the standard practices of ODOT.

SECTION 3: It is hereby declared to be in the public interest that the consent of the Village be, and such consent is hereby given to ODOT, if an Agreement is entered into, for ODOT to perform maintenance and/or repair on the State Highways within the corporate limits of the Village and listed in the Agreement, in accordance with the standard practices of ODOT.

SECTION 4: That the Village Administrator is authorized to enter into any agreement with ODOT for the removal of snow and ice and the use of snow and ice control material on State Highways within the corporate limits of the Village, and any agreement with ODOT for certain maintenance and/or repair on the State Highways within the corporate limits of the Village.

SECTION 5: That the Village Fiscal Officer is hereby directed to furnish the DOT and the Board of County Commissioners of Fairfield County, Ohio, with a certified copy of this ordinance immediately upon the adoption thereof.

SECTION 6: For the reasons noted in the preamble, this ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, morals, and welfare of the citizens of Baltimore, Ohio. Therefore, this ordinance shall become effective upon its passage by Council.


Brad Nicodemus, Mayor

DATE OF PASSAGE: 11-8-2021

EFFECTIVE DATE: 11-8-2021

ATTEST: 
Brian Bibler, Fiscal Officer

SPONSOR: KELLER

APPROVED AS TO FORM: 
Jeffrey Feyko, Village Solicitor

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CERTIFICATE OF COPY

I, Brian Bibler, Fiscal Officer of the Village of Baltimore, in Fairfield County, Ohio, and in whose custody the Files and Records of said Council are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing Ordinance 2021-32 is taken and copied from the original ordinance now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof, that no proceedings looking to a referendum upon such Ordinance have been made, and that such Ordinance is of record in the Village of Baltimore, Ohio Ordinance records. In witness hereof, I have hereunto subscribed my name and affixed my official seal, if applicable, on this 8th day of NOVEMBER, 2021.



Brian Bibler, Fiscal Officer
Village of Baltimore, Ohio

For the State of Ohio

ACCEPTED AND APPROVED by the Ohio Department of Transportation

Director, Ohio Dept. of Transportation

Date