

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN PROPERTIES IN THE VILLAGE OF RICHFIELD BY CONSTRUCTING SANITARY SEWERS, TOGETHER WITH SERVICE CONNECTIONS, AND SANITARY SEWAGE PUMPING STATIONS, TOGETHER WITH NECESSARY APPURTENANCES THERETO, IN CERTAIN DESIGNATED LOCATIONS, AND DECLARING AN EMERGENCY

WHEREAS, this Council has adopted Resolution No. 41-1990 on June 5, 1990, declaring the necessity of making the improvement described in Section 1; and

WHEREAS, Council has adopted Resolution No. 77-1990 on this date approving the report of the Assessment Equalization Board appointed by Resolution No. 51-1990 adopted on June 19, 1990.

NOW, THEREFORE BE IT ORDAINED by the Council of the Village of Richfield, Summit County, Ohio, that:

- SECTION 1: It is hereby determined to proceed with the improvement of certain properties in the Village as described in Resolution No. 41-1990 by constructing sanitary sewers, together with service connections, and sanitary sewage pumping stations, together with the necessary appurtenances thereto, in Richfield Sewer District No. 2 as set forth in Section 921.03 of the Streets, Utilities and Public Services Code (the "improvement").
- SECTION 2: The improvement shall be made in accordance with the provisions of Resolution No. 41-1990 and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council.
- 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 Resolution No. 41-1990 shall be assessed in the manner and the number of installments provided, and on the lots and lands described, in said Resolution.
- SECTION 5: The estimated special assessment previously prepared and filed in the office of the Clerk of Coun-

cil and as equalized by the Assessment Equalization Board are adopted.

SECTION 6: The Clerk of Council shall deliver a certified copy of this Ordinance to the County Auditor within 15 days after its passage.

SECTION 7: Subject to the provisions of Section 727.24 of the Revised Code, the Service Director is authorized and directed to prepare plans and specifications for the improvement, and to advertise, according to law, for bids to accomplish the improvement; and the improvement shall be financed as provided in Resolution No. 41-1990.

SECTION 8: The Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 9: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this Village and for the further reason that this Ordinance is required to be immediately effective to provide for the construction of the improvement, which is needed to eliminate existing hazards to the health and property of the residents of the Village; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Approved:



Mayor



President of Council

Passed: 10/2/90

I, the undersigned Clerk of Council of the Village of Richfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance No. 78-1990 was duly and regularly passed by the Council

of the village of Richfield, Summit County, Ohio, at a regular meeting of Council on the 2nd day of October, 1990.

Peggy Malone
Clerk of Council
Village of Richfield, Ohio

Approved as to legal form:

[Signature]
Director of Law

Posted: October 3, 1990