

AN ORDINANCE FOR INSTALLATION OF GUARDRAIL IMPROVEMENT, AND TO REQUEST COOPERATION FROM THE DIRECTOR OF TRANSPORTATION AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Richfield, Summit County, Ohio, has identified the need for and proposes the improvement of a portion of the public highway which described as follows: by upgrading where necessary existing guardrail with galvanized guardrail within the village corporate limits. Project length 0.18 miles on State Routes 176 and 303 being West Richfield and Streetsboro Roads, said portions of highways within the municipal corporation limits being hereinafter referred to as the improvement, and

WHEREAS, the Village of Richfield further desires cooperation from the Director of Transportation in the planning, design and construction of said improvement.

Now, Therefore, Be It Ordained by the Council of the Village of Richfield, Summit County, Ohio:

Section 1: The Village of Richfield hereby requests the cooperation of the Director of Transportation, in the cost of the above described improvement as follows:

Section 2: No money is appropriated for the improvement of the highways as described hereinabove, by the Village.

Section 3: That it is declared to be in the public interest that the consent of this Village be and such consent is hereby given to the Director of Transportation to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director.

Section 4: That the Mayor and Director of Finance of the Village are hereby authorized to enter into maintenance and parking agreements and special contractual obligations.

Section 5: That upon completion of said improvements, the Village of Richfield, will thereafter keep said highway open to traffic at all times, and

(a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and

(b) Maintain the right of way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right of way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right of way limits; and

(c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the

improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

(d) Regulate parking in the following manner: by prohibiting parking in these sections.

Section 6:

(a) That all existing street and public way right of way within the Village which is necessary for the aforesaid improvement, shall be made available therefor.

(b) That the State/Village will acquire any additional right of way required for the construction of the aforesaid improvement.

(c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said Village or the Department of Transportation.

(d) That it is hereby agreed that the Village shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, which do not comply with the provisions of Directive No. 28-A.

(e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Transportation Construction and Material Specifications and shall be subject to approval by the State.

(f) That the installation of all utility facilities on the right of way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments" and the Department of Transportation's rules on Utility Accommodation.

(g) That said Village hereby agrees that the said Department of Transportation of the State of Ohio, shall be and is hereby saved harmless from any and all damages or claims thereof arising from or growing out of the certification of obligations made or agreed to in Sections (a), (b), (c), (d), and (e) hereinabove.

Section 7:

This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected 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 from and after the earliest period allowed by law.

Passed:

2/21/84

John R. Hill
President of Council

John R. Hill
Mayor

Dated: 2. 21- 84

Attest:

Theresa A. Higgins
Clerk of Council