

**ORDINANCE NO. 14-2006**

**AN ORDINANCE PROPOSING COOPERATION BETWEEN THE DIRECTOR OF TRANSPORTATION AND THE CITY OF WASHINGTON COURT HOUSE.**

**WHEREAS**, the State has identified the need for the described project:

**Pavement repairs, plane and resurface pavement with asphalt concrete, and replace loop detectors and pavement markings. This project is an ODOT District Six Urban Paving Project. Project limits extend on US22 (Clinton Avenue) from Clinton County line to US62 right; and on SR41 (N. North Street) right to the Washington Court House north corporation limit.**

**WHEREAS**, the City of Washington Court House shall cooperate with the Director of Transportation in the above described project as follows:

**The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications as approved by the Director and the City Manager.**

**That prior to the construction commencement date of the above-referenced project, the City of Washington Court House shall install and/or repair all curb ramps which are necessary to ensure compliance with the Americans with Disabilities Act and the City agrees to assume and bear one hundred percent (100%) of the cost of such installation and/or repair of curb ramps.**

**The City will assume and bear one hundred percent (100%) of the cost of the construction less the amount of Federal and State funds set aside by the Director of Transportation and the Federal Highway Administration. The City will assume and bear one hundred percent (100%) of the cost of curbs, gutter, utility relocations, partial-and full-depth pavement repairs and other non-surface related items. The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.**

**WHEREAS**, the City of Washington Court House gives consent to the Director of Transportation to complete the above described project.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WASHINGTON COURT HOUSE, STATE OF OHIO**

**SECTION 1.** That the City Of Washington Court House 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 City understands that right-of-way costs include eligible utility costs.

**SECTION 2.** That the City of Washington Court House agrees that all utility accommodation, relocation and reimbursement will comply with current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION 3.** That upon completion of the project, and unless otherwise agree, the City shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116. (2) provide ample financial resources as necessary for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstruction, and (4) hold said right-of-way inviolate for public highway purposes.


**SECTION 4.** That the City of Washington Court House transmit to the Director of Transportation a fully executed copy of this Ordinance.

**SECTION 5.** That the City of Washington Court House enter into a contract with the Director of Transportation necessary to complete the above described project.

**SECTION 6.** That this Ordinance shall go into effect at the earliest date permitted by law.

PASSED

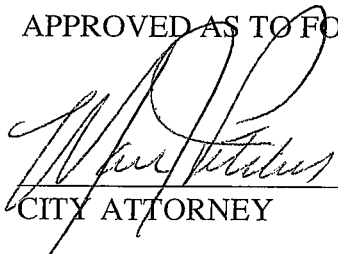
October 25, 2006

  
CHAIRPERSON OF COUNCIL

ATTEST:

  
CLERK OF COUNCIL

APPROVED AS TO FORM:

  
CITY ATTORNEY