ORDINANCE NO. _*138-12*_

AN ORDINANCE AUTHORIZING TO PROCEED WITH
THE IMPROVEMENT OF PARK DRIVE FROM
HIGHLAND PARK DRIVE TO 200' NORTH AND
DECLARING AN EMERGENCY.

ALL BEING ONE CONTINUOUS PROJECT IN THE CITY OF LORAIN, OHIO BY PAVING WITH
PORTLAND CEMENT CONCRETE, GRADING, DRAINING, CURBING AND INSTALLING
DRIVEWAY APRONS, TOGETHER WITH THE NECESSARY APPURTENANCES THERETO AND
DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF
OHIO:

SECTION 1: That this Council determines to proceed with the improvement in the City of Lorain, Ohio, of
Park Drive from Highland Park Drive to 200' North.

*Amended 9-17-12 (delete/insert) No.15-11

SECTION 2. That said street shall be improved in accordance with the provisions of Resolution No. 21-11,
*insert (6/4/12)
passed on October 3, 2011, and with the plans, specifications, estimates, and profiles heretofore approved and
now on file in the Office of the Clerk of this Council by paving with Portland cement concrete, grading,
draining, curbing, and installing driveway aprons together with necessary appurtenances thereto.

SECTION 3. That all claims for damages resulting therefrom that have been legally filed shall be inquired into
before commencement of the proposed improvement, and that the Law Director is hereby authorized and
directed to institute legal proceedings in a court of competent jurisdiction to inquire into claims that have been
so filed.

SECTION 4. That a portion of the cost provided in the above-mentioned Resolution of necessity be assessed in
the manner and the number of installments provided in said Resolution and on the lots and lands described
therein.

SECTION 5. That the estimated assessments heretofore prepared are on file in the Office of the Clerk of this
Council as appointed by Resolution No. 21-11, adopted on October 3, 2011.
        *Amended 9-17-12   15-12   6/4/12.
SECTION 6. The Clerk of this Council is hereby directed to deliver a certified copy of this ordinance to the
County Auditor within fifteen (15) days after its passage.

SECTION 7. Subject to the provisions of Section 727.24 of the Ohio Revised Code, the Safety/Service Director
of the City of Lorain is hereby authorized and directed to advertise for bids for the construction of the
improvement and execute a contract for said improvement with the lowest and best bidder according to law and
the improvement shall be financed as provided in the Resolution of necessity.

SECTION 8. That it is found and determined that all formal actions of this Council concerning and relating to
the passage of this Ordinance were adopted 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 and
in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 9. This Ordinance is hereby declared to be an emergency measure, the nature of the emergency being the immediate preservation of the public welfare, health and safety of the citizens of the City and further reason being that the immediate construction of said improvement is necessary to eliminate existing hazards to pedestrian and vehicular traffic and provide for the safety of the abutting property owners. This Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to City Council, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____ Sept. 17 , 2012

_____
PRESIDENT OF COUNCIL

Attest: _____ Nancy Greer ,Clerk

_____
MAYOR

Approved: _____ September 17 , 2012

I, NANCY A. GREER, CLERK OF COUNCIL OF THE
CITY OF LORAIN, OHIO, CERTIFY THE FOREGOING IS
A TRUE AND ACCURATE COPY OF _____ NO. _____ PASSED
ON THE __17__ DAY OF _____ Sept _____, 19 12 BY COUNCIL
AND TAKEN FROM THE RECORDS IN THE OFFICE OF
THE CLERK.

9-20-12   _____
DATE   CLERK OF COUNCIL