

# RECORD OF ORDINANCES

Ordinance No. 2014- ~~31~~ 32

Passed OCTOBER 27 20 14

**AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH THE FAIRFIELD COUNTY BOARD OF COMMISSIONERS FOR ROAD MAINTENANCE ON A PORTION OF CANAL ROAD NW, UPON ANNEXATION, AND THE DECLARATION OF AN EMERGENCY**

WHEREAS, the Village of Baltimore, Ohio is annexing 3.690 +/- acres of land from Liberty Township (Call Annexation), and a portion of that area includes the right-of-way of Canal Road NW; and,

WHEREAS, the right-of-way of Canal Road NW will alternate between the Village of Baltimore and the Fairfield County Engineer for road maintenance responsibilities, due to the proposed, new corporation line boundary; and,

WHEREAS, both parties desire to provide rational and efficient roadway maintenance for those portions of Canal Road NW which alternate between the Village of Baltimore boundaries and Fairfield County Engineer areas of responsibility; and,

WHEREAS, Section 5557.09 of the Ohio Revised Code provides that a municipal corporation and the Board of County Commissioners may enter into an agreement for the improvement of roadway areas, with improvements being defined as including constructing, reconstructing, grading, draining, curbing, paving, repaving, straightening, widening, and repairing; and,

WHEREAS, the annexation of the 3.690 +/- acres of land to the Village of Baltimore from Liberty Township could cause confusion over maintenance and improvement responsibilities along Canal Road NW that could cause potentially dangerous conditions to the traveling public;

WHEREAS, Service Committee has reviewed the matter and recommends the approval of the agreement referenced herein;

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:

SECTION 1: That the Village Administrator and Fiscal Officer are hereby authorized to enter into an agreement with the Fairfield County Board of Commissioners for the maintenance of a portion of Canal Road NW, upon annexation, as identified in the attached documentation. A copy of the agreement with exhibits shall be attached hereto and incorporated herein.

SECTION 2: For the reasons noted in the preamble, this Ordinance is declared to be an emergency measure necessary for the health, safety and general welfare of the community. Therefore, this ordinance shall become effective immediately upon its passage by Council.



Robert M. Kalish, Mayor

DATE OF PASSAGE: 10-27-2014

EFFECTIVE DATE: 10-27-2014

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ATTEST:

Florence D. Welker  
Florence D. Welker, Fiscal Officer

SPONSOR: Hochradel

APPROVED AS TO FORM:

Jeffrey Feyko  
Jeffrey Feyko, Village Solicitor