

CITY OF CHEVIOT
STATE OF OHIO

ORDINANCE NO. 23-01

TO AFFIRM CONTROL OF CERTAIN AREAS IN CONNECTION WITH IMPROVEMENT OF SIDEWALKS AND CURB RAMPS ON HARRISON AVENUE; AND TO DECLARE AN EMERGENCY.

WHEREAS, the City entered into the LPA Federal Project Agreement with the Ohio Department of Transportation for the construction of a section of Harrison Avenue, which was authorized by Ordinance 22-27; and

WHEREAS, there are properties along in the study area of the HAM-CR 457-14.97 Harrison Ave - PID 114697 project, where the existing sidewalk and curb ramps are outside of the existing right-of-way; and

WHEREAS, the above-described sidewalks and curb ramps have been in public use for more than 21 years; and

WHEREAS, the City has had effective and adequate control over those areas as needed for their reconstruction as shown in the construction plans for the HAM-CR 457-14.97 Harrison Ave - PID 114697 project.

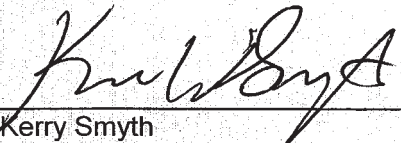
NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, TWO-THIRDS OF ALL MEMBERS THEREOF, CONCURRING, THAT:

Section 1. The sidewalks and curb ramps identified in the study area of the HAM-CR 457-14.97 Harrison Ave - PID 114697 project which fall outside of the right-of-way have been in public use for more than 21 years.

Section 2. The City has had effective and adequate control over sidewalks and curb ramps identified in the study area of the HAM-CR 457-14.97 Harrison Ave - PID 114697 as needed for their reconstruction as shown in the construction plans for the HAM-CR 457-14.97 Harrison Ave - PID 114697 project.

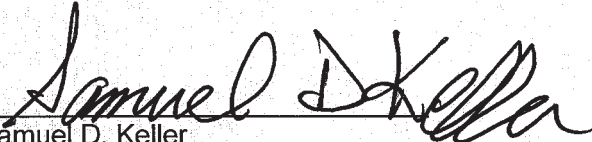
Section 3. The City will continue to maintain the curb ramps after the above-described project is complete.

Section 4. This ordinance shall be an emergency measure for the health, safety, and welfare of the citizens of Cheviot and shall take effect immediately. The emergency is necessary in order to allow the City to keep the streets and sidewalks in the safest condition possible.



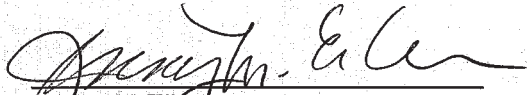
Kerry Smyth
President of Council

1/17/23
Date passed


Samuel D. Keller
Mayor

1-17-23
Date approved

Attest:


Jenny M. Eilermann
Clerk of Council


Approved as to form:


Kimberlee Erdman Rohr
Law Director

CERTIFICATE OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing ordinance, or a succinct summary, was published in the *Cincinnati Court Index*, a newspaper of general circulation in the City of Cheviot, Ohio, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates:

- 1) 1-20, 2023, and
- 2) 1-27, 2023.


Jenny M. Eilermann
Clerk of Council