

**PRELIMINARY LEGISLATION-Consent**

**Ordinance # 22-2021**

**County/Route/Section TUS-259-(1.57-3.52)**

The following Ordinance is enacted by the City of New Philadelphia, Tuscarawas County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

**SECTION I - Project Description**

WHEREAS, the STATE has identified the need for the described project:

**Install bike lane pavement marking and bike lane signing on the paved shoulder of State Route 259 (East High Avenue) beginning at Baltzley Valley Road and suspending at 21<sup>st</sup> Street SE, resuming at University Drive NE and ending at 13<sup>th</sup> Street NE. Since a portion of the project lies within the corporation limits of the City, consent legislation is required.**

NOW THEREFORE, be it ordained by the City of New Philadelphia, Tuscarawas County, Ohio.

**SECTION II - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**SECTION III - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

ODOT shall assume and bear 100% of the necessary costs of the State's highway improvement project. In the event the City requests certain features or appurtenances be included within the State's highway improvement project's design and construction, and which features and appurtenances are determined by the State and FHWA to be not necessary for the State's project, the City shall contribute 100% of the cost of those items.

**SECTION IV - Utilities and Right of Way Statement**

The LPA agrees that all right of way required (if applicable) for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right of way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR and the ODOT Utilities Manual.

**SECTION V – Maintenance**

Upon completion of the project ODOT shall maintain the bike lane pavement markings and the bike lane signing.

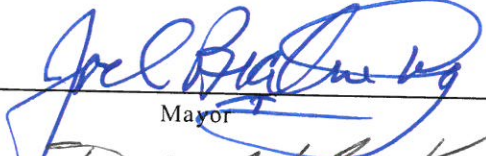

**SECTION VI - Authority to Sign**

The Mayor of said New Philadelphia is hereby empowered on behalf of the City of New Philadelphia to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: \_\_\_\_\_, 20\_\_\_\_.  
Date

Attested: \_\_\_\_\_  
Clerk

Attested: \_\_\_\_\_  
Clerk

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
President of Council

This Ordinance is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and in force from and after the earliest period allowed by law.

Sponsored by: Safety, Health and Services Committee

CERTIFICATE OF COPY  
STATE OF OHIO

City of New Philadelphia of Tuscarawas County, Ohio

I, Julie Courtright, as Clerk of the City of New Philadelphia, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance # 22-2021 adopted by the legislative Authority of the said City of New Philadelphia on the 11 day of October, 2021, that the publication of such Ordinance # 22-2021 has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance # 22-2021 have been taken; and that such Ordinance # 22-2021 and certificate of publication thereof are of record in Ordinance # 22-2021, Page \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 11 day of October, 2021

Julie Courtright  
Clerk  
City of New Philadelphia, Ohio

(Seal Required)  
(or letter stating no seal)

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the City of New Philadelphia, Ohio.

Attest: Julie Courtright Clerk, Jack B... (Mayor) Contractual Officer (Mayor), Date 10/11/2021

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For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation