

3270B

RECEIVED

EMERGENCY ORDINANCE NO. 8-88
CITY OF CENTERVILLE, OHIO

SEP 28 1988

DANA A. STAMPS

MONTGOMERY COUNTY AUDITOR

SPONSORED BY COUNCILPERSON Jeffrey Siler

ON THE 19th DAY OF SEPTEMBER, 1988

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF WHIPP ROAD IN THE CITY OF CENTERVILLE IN ACCORDANCE WITH RESOLUTION NO. 17-88, PROVIDING FOR THE TAKING OF BIDS FOR SUCH IMPROVEMENT, AND DECLARING AN EMERGENCY.

THE MUNICIPALITY OF CENTERVILLE, STATE OF OHIO, HEREBY ORDAINS:

Section 1. That this ordinance is hereby declared to be an emergency ordinance necessary to meet a public emergency affecting health, safety, morals or the public welfare, the specific facts necessitating the emergency character of this ordinance being that the improvement provided for herein must be commenced without delay in order to obtain the public benefits to accrue therefrom at the earliest possible date.

Section 2. That it is hereby determined to proceed with the improvement of Whipp Road in the City of Centerville, Ohio, all as set forth in Resolution No. 17-88, duly passed by this Council on August 15, 1988.

Section 3. That such improvement shall be made in accordance with the provisions of said Resolution No. 17-88, duly passed by this Council on August 15, 1988, and with the plans, specifications, estimates and profiles heretofore approved and now on file in the office of the Clerk of Council.

Section 4. That all claims for damages resulting from such improvement which shall have been legally filed shall be inquired into after completion of such improvement, and the Municipal Attorney is hereby authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into any claims which shall have been so filed.

Section 5. That the portion of the cost of such improvement, as provided in Resolution No. 17-88 to be assessed, shall be assessed in the manner and in the number of installments provided in said resolution and on the lots and lands described therein.

Section 6. That the estimated assessments heretofore prepared and filed in the office of the Clerk of Council be and the same are hereby adopted.

Section 7. That the Clerk of Council is hereby directed to deliver a certified copy of this ordinance to the County Auditor of the County of Montgomery, Ohio, within fifteen days after its passage.

Section 8. That the Manager is hereby authorized to advertise for bids for such improvement in the manner prescribed by law, and to award one or more contracts therefor (subject to the provisions of Sections 727.24 and 5705.41 of the Ohio Revised Code).

Section 9. That this ordinance shall be effective immediately upon its adoption, as provided by Section 5.05 of the Charter of the Municipality.

Adopted by Council this 19th day of September, 1988.

ATTEST:

Shirley F. Heintz
Mayor, City of Centerville, Ohio

Maui J. McLaughlin
Clerk of Council of the
City of Centerville, Ohio

RECEIPT

The undersigned does hereby acknowledge receipt on the date set forth below of a certified copy of Emergency Ordinance No. 8-88 of the City of Centerville, Ohio.

COUNTY AUDITOR
COUNTY OF MONTOMERY, OHIO

Sept 28, 1988

By Katherine R. Cobain
Deputy County Auditor