

## RECORD OF ORDINANCES

Ordinance No. 12-75- 2014

Passed 12-16- 2014

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO REQUEST QUOTES AND ENTER INTO AGREEMENTS TO FACILITATE THE REPAIR AND REPLACEMENT OF SIDEWALKS CONTAINED WITHIN THE DOWNTOWN BUSINESS DISTRICT, AND TO ENTER INTO A COST-SHARING ARRANGEMENT WITH VARIOUS PROPERTY OWNERS FOR THE COST OF SAID WORK AND DECLARING AN EMERGENCY.**

**WHEREAS**, the condition of some existing sidewalks in the Downtown Business District are in need of repair and the improvements are being made to replace or repair the tree wells and surrounding concrete; and

**WHEREAS**, the coordination of these repairs are best facilitated by the Department of Public Service to provide consistency throughout the Downtown Business District and the protection of public right-of-ways and underground utilities, and

**WHEREAS**, the responsibility of sidewalk maintenance solely rests with the individual property owners, but the city recognizes the need to maintain improvements from the previous downtown revitalization projects;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Circleville, County of Pickaway, State of Ohio, as follows:

**SECTION I.** Council has determined it necessary to improve sidewalks within the Downtown Business District in conjunction with the original design intent of the former downtown revitalization projects.

**SECTION II.** That the necessary repair work involve sidewalks, curbs, tree grates, and includes possible tree removal and tree replacement. The necessary scope of work will be determined on an individual, case-by-case basis, in consultation with the property owner.

**SECTION III.** The cost of said work shall be borne on an equal basis between the city and the property owner. The cost-sharing arrangement and estimate of work shall be agreed to prior to work commencing by the signing of an agreement between both parties.

**SECTION IV.** The cost associated with the project are to be paid out of the Capital Improvement Fund, Account #306.0633.53665. The property owner shall reimburse the City within thirty days of the completion of the work for the owner's share of the project cost. The contribution of City labor, equipment, and materials shall be charged to the project at current rates maintained by the Service Department. Said payment shall be reallocated into the same fund by a future housekeeping ordinance.

**SECTION V.** This cost-sharing arrangement shall be extended to all property owners within the original designation of the downtown revitalization plan, first executed in 1992, and described further in the attached map. Properties fronting on Court Street shall be given priority, beginning on South Court Street, followed by properties fronting on Main Street, beginning on West Main Street. The offer shall remain open until funds designated for the work have been exhausted on a yearly basis.

**SECTION VI.** That this ordinance is hereby declared to be an emergency measure, necessary for the preservation of the health, safety and welfare of the citizens of the City of Circleville, so that this ordinance shall take effect and be in force immediately after its passage and approval by the Mayor.

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DATE

David M. Spill  
PRESIDENT OF COUNCIL

ATTEST : Linda M. Chong  
CLERK OF COUNCIL

APPROVED : 12/16/2014  
DATE

William R. McHenry  
MAYOR

APPROVED AS TO FORM:

Gary Kenworthy  
GARY KENWORTHY, CITY LAW DIRECTOR

REVIEWED BY LAW DIRECTOR  
AND APPROVED AS TO FORM