

VILLAGE OF BEAVERDAM
ALLEN COUNTY, OHIO

Ordinance Number 2020-08

Passed February 18, 2020

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NOTICE OF INTENT TO ACQUIRE, A PERMANENT AND/OR TEMPORARY INTEREST IN CERTAIN REAL PROPERTY, TO FILE AN APPROPRIATION ACTION AND TO TAKE ALL OTHER NECESSARY ACTIONS AS PART OF THE BEAVERDAM AMERICANS WITH DISABILITIES ACT SIDEWALK PROJECT AND TO DECLARE AN EMERGENCY.

WHEREAS, Council finds that it is necessary to acquire a permanent and/or temporary interest in certain property as part of the Beaverdam Americans with Disabilities Act (ADA) Compliance Sidewalk Project, which Council finds to be for a public purpose; and,

WHEREAS, the Village is required to issue a Notice of Intent to Acquire the property in accordance with Ohio Revised Code § 163.04 and 163.041; and,

WHEREAS, the Village and its representatives have been unable to reach an agreement with the property owners necessitating the filing of an appropriation action; and,

WHEREAS, this ordinance is necessary because of the immediate need to acquire said property in order to meet project deadlines, and that in order to preserve the public peace, property, health and safety of the community, and to provide for the safe travel of those individuals with disabilities, and by reason thereof, this Ordinance shall take effect immediately upon its passage;

Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLGE OF BEAVERDAM, OHIO, WITH AT LEAST TWO THIRDS OF THE MEMBERS ELECTED THERETO CONCURRING:

Section 1. The Mayor, Village Administrator, Solicitor and all Village officials or persons acting on their behalf are authorized to issue a Notice of Intent to Acquire interests in the real property located at 317-319 East Main Street, Beaverdam, Allen County, Ohio, as referenced above, and to take all actions thereunder as they may determine to be necessary, including the filing of an action to appropriate the real property on behalf of the Village for said public improvement project, if necessary.

Section 2. The Fiscal Officer is hereby authorized and directed to issue their warrant or warrants against the proper appropriation item in payment of the obligation herein authorized and required, including but not limited to filing fees and deposit for the appraised amount of damages, upon presentation of the proper voucher or vouchers therefor.

Section 3. The Fiscal Officer is hereby authorized and directed to cause proper publication of this Ordinance to be made as required by the Ohio Revised Code.

Section 4. Council finds and determines that all formal actions of this Council any of its committees concerning and relating to the adoption of this Ordinance were taken in an open meeting and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings held in compliance with the law.

Section 5. This ordinance shall take effect and be in force forthwith upon passage by an affirmative vote of at least two-thirds of the members elected to council at the first reading hereof. If it shall not so pass it shall take effect and be in force forthwith upon passage by an affirmative vote of at least two-thirds of the members elected to council at the second reading hereof. If it shall not so pass at second reading then it shall take effect and be in force forthwith upon passage by an affirmative vote of at least a majority of the members elected to council at the third reading hereof. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

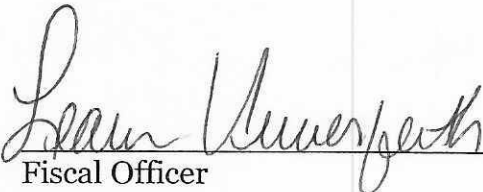
Vote: 6 For 0 Against

Passed: February 18, 2020

Approved: February 18, 2020

Attest:


Pam LePine, Mayor


Fiscal Officer