

TEMPORARY ORDINANCE NO. 7-23

PERMANENT ORDINANCE NO. 6-23

AN ORDINANCE TO ENTER INTO A TEMPORARY CONSTRUCTION EASEMENT AND A PERMANENT GENERAL UTILITY EASEMENT WITH THE LANCASTER PORT AUTHORITY FOR THE LATERAL D TRUNK SEWER PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the City of Lancaster Water Pollution Control Department needs to add utility infrastructure to accommodate industrial development in the U.S. 33 service area; and

WHEREAS, the Lateral D Trunk Sewer Project was engineered for that purpose and will cross over and through real property owned by the Lancaster Port Authority and is about to be constructed; now, therefore,

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO

SECTION 1. That the Mayor is hereby authorized to enter into a Temporary Construction Easement and a Permanent General Utility Easement with the Lancaster Port Authority to allow for the construction of city sanitary sewer infrastructure and to execute all documents necessary to complete said transaction.

SECTION 2. The Temporary Construction Easement and ancillary documents and the Permanent General Utility Easement and ancillary documents in the form presently on file with the Clerk of Council are hereby approved and authorized with changes therein not inconsistent with this Ordinance and not substantially adverse to the City and which have been tentatively approved by the Mayor. The Mayor for and in the name of the City, is hereby authorized to execute these Easements and documents in this matter, provided further that the approval of changes thereto by the Mayor, their character not being substantially adverse to the City, shall be evidenced conclusively by the execution thereof. This Council further authorizes the Mayor for and in the name of the City, to execute any amendments or changes to the final documents, which amendments are not inconsistent with this Resolution and not substantially adverse to the City.

SECTION 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the Municipality and its inhabitants, and for the further reason that this infrastructure is crucial to accommodate on-going construction and economic development in the U.S. 33 service area; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: 3/27/23 after 1st reading. Vote: Yeas 9 Nays 0

Date Approved: 3/27/23

Clerk: Teresa Lee Sandy

Offered by: Thomas A. James

Second by: _____
Requested by Public Works Committee

Thomas A. James
President of Council
David Sheffer
Mayor

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2023 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council