

**ORDINANCE NO. 38-14**

**AN ORDINANCE DECLARING THE INTENTION OF THE CITY TO PARTICIPATE  
IN THE BRIDGE INSPECTION PROGRAM SERVICES BEING IMPLEMENTED BY  
THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT)  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Avon has determined the need for the Bridge Inspection Program Services, including but not limited to bridge load rating calculations, scour assessments, bridge inspections, and fracture critical plan development; and

**WHEREAS**, Council has determined that it is in the best interests of the health safety and welfare of the citizens of Avon to consent to the Director of the Ohio Department of Transportation to complete the bridge inspection project within the municipality.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:**

Section 1 – That the City of Avon does hereby give consent to the Director of Ohio Department of Transportation (ODOT) to move forward with Bridge Inspection Program Services which include, among other things, bridge load rating calculations, scour assessments, bridge inspections, and fracture critical plan development.

Section 2 - The City of Avon shall cooperate with the Director of Transportation in the above described project as follows:

*The State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract attached hereto and incorporated herein as Exhibit A.*

*The City of Avon agrees to pay 100% of the cost of those features which are not included in Exhibit A.*

Section 3 - The City of Avon agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

Section 4 - That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Ordinance were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 5 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to participate in bridge inspection services offered by ODOT; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

\_\_\_\_\_  
Ellen R. Young  
Clerk of Council

Posted: \_\_\_\_\_  
In Five Places as  
Provided by Council

Prepared By:

John A. Gasior, Esq.  
Law Director