

**ORDINANCE NO. 115-22**

**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**, similar legislation proposed in Ordinance No. 73-19 passed on August 12, 2019; 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 required bridge inspection services within the municipality for 2023.

**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, but are not limited to, routine inspections, element level inspections, critical findings report, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed. within the City of Avon.

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 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 LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the municipality As of October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.*

Ordinance No. 115-22 (Con't)

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, including Section 121.22 of the Ohio Revised Code.

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: \_\_\_\_\_  
Brian Fischer, Council President

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

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

APPROVED AS TO FORM:

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

ATTEST:

\_\_\_\_\_  
Barbara Brooks, Clerk of Council

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

Prepared By:  
John A. Gasior, Esq.  
Law Director