

# RECORD OF ORDINANCES

Ordinance No. 2001-07

Passed

February 20 YEAR 2001

**AN ORDINANCE PERMITTING EXPANDED HOURS FOR CONSTRUCTION OPERATIONS FOR THE JEWETT ROAD PROJECT AND TEMPORARILY SUSPENDING PORTIONS OF SECTION 1337.02 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF POWELL AND DECLARING AN EMERGENCY.**

**WHEREAS**, Codified Ordinance Section 1337.02 regulates certain hours for construction operations within the Municipality, all as more particularly set forth therein and,

**WHEREAS**, the Delaware county Commissioners and Board of Liberty Township Trustees have jointly entered into a project for the improvement of Jewett Road, some portions of which are within the Municipality, and the improvement of which will benefit the residents of the Municipality, and

**WHEREAS**, Council has determined to permit on a temporary basis expanded construction hours for this particular project to allow the project to be brought to a more rapid conclusion.

**NOW THEREFORE BE IT ORDAINED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:**

Section 1: That Section 1337.02 (a) of the Codified Ordinances of the Municipality of Powell regulating hours for construction operations, a copy of which is attached hereto and incorporated herein by reference, is herewith temporarily suspended for the Jewett Road construction project with the following conditions:

1. That an enclosure be erected around the compressor.
2. That a 55-gallon trash bin be located on the construction site for proper disposal of trash materials.
3. That employee parking is provided within a fenced location.
4. That construction lights be shielded from residences.
5. That the contractors mail a letter to affected residents 7 days prior to beginning work on a 20-hour basis notifying them of the construction schedule.
6. That Village Staff is provided such telephone numbers to provide 24-hour access to contractors and subcontractors working on the project.

Section 2: The Village Manager in conjunction with the Village Engineer shall issue such permits as deemed appropriate regulating the hours of construction for the Jewett Road construction project. The Manager and Engineer are authorized to issue stop work orders if the conditions of this ordinance are not met.

Section 3: That this Ordinance is designed to specifically apply to the Jewett Road project undertaken by the Delaware county Commissioners and board of Liberty Township Trustees and no other projects within the Municipality. Section 1137.02 (a) shall remain in full force and effect for any other projects in the Municipality.

Section 4: That this Ordinance providing for the temporary suspension of Section 1337.02 (a) shall terminate six (6) months from this date unless the Village Manager in the Village Manager's sole discretion determines that the subject project is complete earlier, and there upon the provisions of this Ordinance shall terminate.

Section 5: It is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 6: That Council hereby finds and determines that an emergency exists affecting the health, safety and welfare of the residents of the Municipality of Powell consisting of the necessity of completion of the project as soon as possible to alleviate traffic congestion in the area and to take advantage of an early construction season and therefore determine that this Ordinance shall take effect immediately upon its passage.

**VOTE ON RULE SUSPENSION:**

Y 6 N 0

**VOTE ON ORDINANCE 2001-07:**

Y 6 N 0

Mark Klein 3/6/01  
MARK KLEIN DATE  
MAYOR, VILLAGE OF POWELL

Dawn Nauman 3/6/01  
DAWN NAUMAN DATE  
CLERK OF COUNCIL

This ordinance or resolution has been posted in three (3) public places as defined in ordinance 04-11 dated 4-3-01 on this date 3/6/01

Nauman  
Clerk of Council