

ORDINANCE NO. 2003-69
Passed November 18, 2003

AN ORDINANCE APPROVING THE INSTALLATION OF THE PERRY-TAGGART SANITARY SEWER IMPROVEMENTS, A SEWER TRUNK LINE BY DELAWARE COUNTY, OHIO WITHIN THE DELAWARE COUNTY SEWER DISTRICT AND THE MUNICIPAL BOUNDARIES OF THE CITY, AND DECLARING AN EMERGENCY.

WHEREAS, this Council, by passage of Ordinance No. 80-3 on January 29, 1980, has heretofore consented and agreed that all territory within the municipal boundaries of the City of Powell, Ohio (the "City") shall be included within the Delaware County Sewer District (the "Sewer District"), subject to the right of first approval by this Council of the location, detailed plans, specifications and design of all main sanitary sewers, tributary sewers and residential sewers constructed by others within the City and the non-exclusive right of engineering supervision and inspection of the construction of such sewers; and

WHEREAS, the City has received the plans, specifications and design for the Perry-Taggart Sanitary Sewer Improvements (the "Sewer Improvement") to be constructed by the Sewer District, a portion of which will be located within the municipal boundaries of the City (the "Sewer Improvement"), which have been approved by the Board of Commissioners of Delaware County, Ohio, and which are now on file with the Clerk of Council of the City; and

WHEREAS, this Council has determined that the acquisition, construction, maintenance, and operation of the Sewer Improvement by the Sewer District within the municipal boundaries of the City will preserve and promote the health and welfare of the City;

WHEREAS, the Powell Planning and Zoning Commission has reviewed the proposed Perry-Taggart Sanitary Sewer Improvement within the corporate limits of Powell and approved such plan on July 23, 2003; and

WHEREAS, Council has determined that an emergency exists, in the means to permit the County to initiate this project immediately upon completion of securing the easements.

I hereby certify that this Ordinance is correct and true as the same appears in the original as filed in the office of the Clerk of Council of the City of Powell, Ohio.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Powell, County of Delaware, State of Ohio, that:

Section 1. Sewer Improvements Approved. This Council hereby approves the plans, specifications and design for the Sewer Improvement and approves the construction of that Sewer Improvement as described in those plans, specifications and design within the municipal boundaries of the City.

Section 2. Actions Authorized and Ratified. The Mayor, the City Engineer and other City officials, as appropriate, are each authorized and directed to sign any documents and instruments and to take such actions as are necessary or appropriate to authorize the construction and installation of the Sewer Improvement. Furthermore, this Council hereby approves, ratifies and confirms any documents or instruments heretofore signed by or actions taken by any City officials in connection with the construction and installation of the Sewer Improvement prior to the passage of this Ordinance.

