



City of Powell, Ohio

RESOLUTION 2008-12

Adopted July 1, 2008

A RESOLUTION TO GRANT CONSENT TO MACA CAFÉ FOR USE OF ROAD RIGHT-OF-WAY FOR AN OUTDOOR PATIO.

WHEREAS, pursuant to Section 4939.03 of the Ohio Revised Code, no person shall occupy or use the road right-of-way without first obtaining the requisite consent of the municipal corporation owning and/or controlling the right-of-way; and

WHEREAS, the City of Powell has received a request for consent from Maca Café to use a portion of the road right-of-way for an outdoor patio; and

WHEREAS, Council has reviewed the specifics of this request. Council desires to consent to such use of the right-of-way, subject to certain terms and conditions to protect the public health, safety, and welfare.


NOW THEREFORE BE IT RESOLVED BY THE CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That Council hereby grants consent to Maca Café for use of the Olentangy Street road right-of-way as set forth on the schematic attached hereto as Exhibit A and incorporated herein by reference, subject to and conditioned upon compliance with the terms and conditions set forth in the list attached hereto as Exhibit B and incorporated herein by reference.

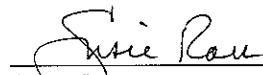
Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the City of Powell which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

Section 3: That this Resolution shall take effect immediately upon its adoption.

By unanimous consent, Resolution 2008-12 was adopted.


Tom Counts
Mayor

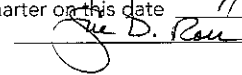
7/15/08
Date

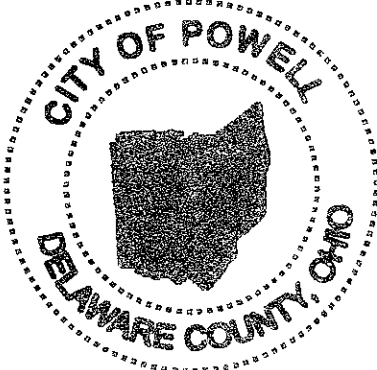

Susie Ross
City Clerk

7/15/08
Date

EFFECTIVE DATE: July 1, 2008

This legislation has been posted in accordance with the City Charter on this date 7/16/08.

 Susie D. Ross
City Clerk



City Council

Tom Counts, Mayor

Richard Cline

Don Grubbs

Jim Hrivnak

Elmer Meider

Art Schultz

Dan Wiencek