

IN THE COUNCIL OF THE VILLAGE OF NEW CONCORD, OHIO

ORDINANCE NO. D-3-94-1

AN ORDINANCE AUTHORIZING COOPERATIVE AGREEMENT FOR CONSTRUCTION OF A STATE WATER PROJECT BETWEEN THE VILLAGE OF NEW CONCORD AND THE OHIO WATER DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY.

WHEREAS, the Village of New Concord (hereinafter referred to as the "LGA") has determined the need for the construction of certain water facilities as described in the exhibit to exhibit A attached hereto and made a part hereof; and

WHEREAS, the LGA desires to cooperate with the Ohio Water Development Authority (hereinafter referred to as the "OWDA") in the construction of such facilities through the OWDA's Local Government Agency Program, instituted pursuant to Regulations adopted by the OWDA on December 6, 1979, as amended, under the provisions, terms and conditions set forth in Exhibit A; and

WHEREAS, the OWDA has stated its desire to cooperate in the construction of such facilities under the provisions, terms and conditions set forth in Exhibit A; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of New Concord, Ohio:

Section 1. That the LGA hereby approves the conditions set forth in the "Cooperative Agreement for construction, maintenance and operation of State Water Project" as set forth in exhibit A and hereby authorize the Chief Executive Officer and the Chief Fiscal Officer and the LGA to execute such an agreement with the OWDA substantially in the form set forth in Exhibit A.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of said Village for the reason that the immediate construction of the water facilities at the earliest possible time is necessary in order to protect the health of the inhabitants of the LGA by providing the adequate supply and distribution of water; wherefore, this ordinance shall be in full force and effect from and immediately after its passage and approval by the mayor.

PASSED: March 28, 1994



President of Council

APPROVED: March 28, 1994



Mayor

ATTEST: Beryl L. Hammer
Clerk

I hereby certify that the above Ordinance No. D-3-94-1 was posted per Ordinance No. L-1-84-1 from march 31, 1994 to May 26, 1994.

Beryl L. Hammer, Clerk