



OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 5, 9600 JACKSONTOWN ROAD S.E., P.O. Box 306, JACKSONTOWN, OHIO 43030-0306

March 24, 1997

R. Gregory Adams
Mayor
Village of New Concord
P.O. Box 31, 2 W. Main Street
New Concord, Ohio 43762

RE: Preliminary Legislation

Dear Mr. Adams:

The Ohio Department of Transportation has determined that the following proposed actions as necessary:

Traffic signal control system upgrade within the Village of New Concord.

Since the proposed action will be associated with the **Village of New Concord** enclosed herein are three (3) sets of proposed consent legislation documents. Please review this legislation, and if it meets your approval, please submit it to Council for execution.

After this legislation has been executed, please return two (2) original signed sets of the document to this office for further processing. Please complete all areas marked with an "X."

If further information is required, please contact Randy Comisford at (614)323-5184.

Respectfully,

A handwritten signature in cursive script that reads "Randy Comisford".

Randy Comisford
District 5 Planning

Enclosures (3)

CS-2 Rev. 4/9/92

NAME OF STREET _____ ORDINANCE NO. G-3-97-1
 ROUTE NO. US40 DATE OF ENACTMENT, March 10, 1997

An emergency ordinance enacted by the Village of New Concord, Muskingum County, Ohio, in the matter of the hereinafter described improvement, and to request cooperation by the Director of Transportation.

WHEREAS, the Village has identified the need for and proposes the improvement of a portion of the public highway which is described as follows:

Upgrade of four (4) traffic signals on US Route 40 and related work.

said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement, and

WHEREAS, the Village further desires cooperation from the Director of Transportation in the planning, design and construction of said improvement.

NOW THEREFORE, Be it ordained by the Council of the Village of New Concord, Ohio:

SECTION I (Cooperation)

That said Village hereby requests the cooperation of the Director of Transportation, in the cost of the above described improvements as follows:

That the consent of the Village be and such consent is hereby given to the Director of Transportation to proceed with the above improvement in accordance with plans, specifications, and estimates as approved by the Director, at no cost to the Village

SECTION II (Consent)

SECTION IV (Maintenance, Traffic Control Signals and Devices, and Parking)

That upon completion of said improvement, said Village will thereafter keep said highway open to traffic at all times, and

- (a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and
- (b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
- © Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and
- (d) Regulate parking in the following manner:
Prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

SECTION V (Right-of-Way, Utility Rearrangement and Damage and Liability Responsibilities)

- (a) That all existing street and public way right-of-way within the Village which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State/Village will acquire any additional right-of-way required for the construction of the aforesaid improvement.
- © That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said Village or the Department of Transportation.

This ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: x March 10, 19 97.

Attest: x Beryl L. Hammer
Clerk

x [Signature]
Mayor

Attest: x [Signature]

x [Signature]
President of Council

CERTIFICATE OF COPY

STATE OF OHIO

Village of New Concord SS

County Muskingum

I, x Beryl L. Hammer, as Clerk of the Village of New Concord, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said Village on the x 10th day of March, 19 97, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in Ordinance Record No N/A, Page x.

(SEAL)

Beryl L. Hammer