

**ORDINANCE NUMBER 24-005**

AN ORDINANCE AUTHORIZING THE CITY OF KENTON, OHIO TO ENTER INTO A HIGHWAY IMPROVEMENT PROJECT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND DECLARING AN EMERGENCY.

PID No. 119796

**Preliminary Legislation**

**Ordinance#** 24-005

**County/Route/Section: HAR SR 67 Sidewalks**

The following is an Ordinance enacted by the City of Kenton, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

**SECTION I - Project Description**

WHEREAS, the LPA has identified the need for the described project:

This project proposes the following work along SR 67:

- Filling sidewalk gaps and extending the network along Columbus Street from Broadway St. to the Kenton Station Senior Villas.

WHEREAS, a portion of described project is located within the City corporation limits.

NOW THEREFORE, be it ordained by the City of Kenton of Hardin County, Ohio.

**SECTION II - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**SECTION III - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA hereby agrees to pay for the entire cost of the improvement, including environmental, preliminary engineering, right-of-way and construction costs, less the amount of State Highway funds allocated to this project by the Ohio Department of Transportation (ODOT). In the event that the LPA requests certain features or appurtenances to be included within the project's design and/or construction, and which features and appurtenances are determined by the State to be not necessary for the project, the LPA shall contribute 100% of the cost of those items.

**SECTION IV - Utilities and Right-of-Way Statement**

The LPA agrees that all right-of-way required (if applicable) for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 65 and the ODOT Utilities Manual.

**SECTION V - Maintenance**

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S. Code, Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION VI - Authority to Sign**

The Mayor of said City of Kenton is hereby empowered on behalf of the City of Kenton to enter into agreements with the Director of Transportation necessary to complete the above described project.

Passed: 2/26, 2024.  
(Date)

Attested: Emma Nelson  
(Clerk)

[Signature]  
(Mayor)

Attested: Emma Nelson

[Signature]  
(President of Council)

This Ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Emma Nelson  
Clerk of the City of Kenton,  
hereby certify the foregoing Ord 24-005  
is a true & correct copy adopted by Council  
on 2/26/24, and approved by the Mayor  
on 2/26/24, and which was published  
according to law at [www.cityofkenton.com](http://www.cityofkenton.com)  
as of 2/27/24