

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 05-76

INTRODUCED BY: Willey

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH OWNERS OF REAL ESTATE LOCATED AT 10983 ABBEY ROAD, NORTH ROYALTON, OHIO, FOR A GRINDER PUMP TO BE LOCATED ON SAID PARCEL, AND DECLARING AN EMERGENCY

WHEREAS: As authorized by the Ohio Constitution, Article XVIII, Section 3 and 4, the City of North Royalton operates and maintains a sanitary sewer system within its boundaries and has adopted ordinances compelling accessible property owners to connect to said sewer system; and

WHEREAS: The city has required that the property at 10983 Abbey Road be connected to the sanitary sewer system but in order to connect, the property requires use of a grinder pump; and

WHEREAS: The city has purchased a grinder pump according to the specifications of the city and will give the ownership and title of the pump to the property owners, on the condition that the cost of the installation, operation, repair, maintenance and replacement of same is assumed and paid for in the future by the owners.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Council of the City of North Royalton hereby authorizes the Mayor to enter into a contract with Michael J. and Virginia E. Nowacki, owners of real estate located at 10983 Abbey Road, North Royalton, Ohio, to provide a grinder pump to be installed by the property owner according to the specifications and approval of the city and upon condition that the Mayor and the property owner enter and execute an agreement in substantially the same or similar form as the agreement attached hereto and incorporated herein fully by reference and marked as Exhibit A.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to have all the required parcels of land to connect to the sewer system of the city without creating an unusual hardship.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Robert A. Stefanik
PRESIDENT OF COUNCIL

APPROVED: /s/ Cathy Luks
MAYOR

DATE PASSED: June 21, 2005

DATE APPROVED: June 27, 2005

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading June 7, 2005
Second reading suspended
Third reading June 21, 2005
Amended June 21, 2005

YEAS: Stefanik, Bobulsky, Gentile, Willey,
Koch, Zaccardelli, Uffman-Kirsch

NAYS: none