

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 08-189

INTRODUCED BY: Petrusky, Willey, Kasaris

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH KEITH MCMAHAN OWNER OF REAL ESTATE LOCATED AT 11968 EDGERTON ROAD, PPN 483-16-002 FOR THE INSTALLATION, OPERATION, REPAIR, MAINTENANCE AND REPLACEMENT OF A SANITARY SEWER CHECK VALVE LOCATED ON SAID PARCEL, AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton has created and accepted a sewer system within its boundaries and passed ordinances compelling the connection of said sewer system; and

WHEREAS: This Council recognized the unusual hardship created on certain owners of land because of possible back-up of sanitary sewers into the basement; and

WHEREAS: The city purchased a sanitary sewer check valve according to the specifications of the city and will give the ownership and title of the check valve to the owners, providing the cost of operation, repair, maintenance and replacement of same is assumed and paid 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 and directs the Mayor to enter into a contract with Keith McMahan, owner of real estate located at 11968 Edgerton Road, PPN 483-16-002 for the installation of a check valve installed according to the specifications and approval of the City, and further according to the terms of the contract, a copy of which is attached to this Ordinance marked Exhibit A and made a part hereof, as if fully rewritten herein.

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/ Vincent A. Gentile  
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik  
MAYOR

DATE PASSED: September 16, 2008

DATE APPROVED: September 17, 2008

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

First reading suspended  
Second reading suspended  
Third reading September 17, 2008

YEAS: Gentile, Nickell, Petrusky, Willey,  
McKee, Antoskiewicz, Kasaris

NAYS: none