

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF CERTAIN CURBS, GUTTERS AND SIDEWALKS ON WOODROW AVENUE N.W. AND THE WEST SIDE OF MARQUARDT AVENUE N.E. BETWEEN CERTAIN TERMINI IN THE CITY OF NORTH CANTON, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of North Canton on February 26, 1979, duly adopted Resolution No. 31-79 declaring the necessity of constructing certain curbs, gutters and sidewalks on Woodrow Avenue N.W. and the west side of Marquardt Avenue N.E. in the City and requiring that abutting property owners construct the same; and

WHEREAS, the City will cause to be constructed, and assess the cost of constructing such curbs, gutters and sidewalks against abutting property whose owners fail to construct the curbs, gutters and sidewalks described in Resolution No. 31-79 in accordance with the notice received by them; and

WHEREAS, this Council heretofore authorized and directed the advertising for bids for the construction of curbs, gutters and sidewalks not constructed by the owners of abutting property in accordance with the plans and specifications approved by Resolution No. 31-79, adopted February 26, 1979, and now on file in the office of the Clerk of Council, and bids for such construction have heretofore been received;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, STARK COUNTY, OHIO:

Section 1. That the Mayor is hereby authorized and directed as soon as the funds therefor are available to make and execute a contract, subject to the approval of such contract by the Board of Control, with the lowest and best bidder for the construction of curbs, gutters and sidewalks on Woodrow Avenue N.W. and the west side of Marquardt Avenue N.E. not constructed by the owners of abutting property in accordance with Resolution No. 31-79, adopted February 26, 1979, and the notice received by them.

Section 2. That the Clerk of Council is hereby directed to deliver a certified copy of this ordinance to the Auditor of Stark County within 15 days after its passage.

Section 3. 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 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 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of said City, and for the further reason that the immediate construction of such curbs, gutters and sidewalks is urgently required

to permit safe passage by persons using said streets and to eliminate existing hazards to pedestrian and vehicular traffic; wherefore, this ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

North Canton, Ohio  
Passed: May 14, 1979

Approved: May 15, 1979

Attest:

*Marion J. Wilson*  
Clerk of Council

*Dennis Grady*  
Mayor

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*Marion J. Wilson*  
CLERK OF COUNCIL