

VILLAGE OF TONTOGANY, WOOD COUNTY, OHIO

RESOLUTION NO. 938-21

**RESOLUTION DECLARING NECESSITY TO REPAIR AND/OR REPLACE VILLAGE
SIDEWALKS, AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Tontogany is a statutory municipality located in Wood County, Ohio, with powers of local self-government pursuant to Ohio Constitution Article XVIII, section 3, and the power to regulate sidewalks and assess the costs of sidewalk improvements within the village pursuant to R.C. Ch. 729,

WHEREAS, as a result of deteriorating sidewalks being present throughout the Village, the Village Council has determined repairing and/or replacing sidewalks within the Village is necessary, and has accepted bids for such work, and

WHEREAS, the Village of Tontogany desires to repair or replace deteriorating sidewalks in a voluntary, uniform manner that is economically considerate to the residents of the Village. This voluntary program shall be known as the Village Sidewalk Program, and

WHEREAS, the Village of Tontogany has received and accepted as the winning bid a proposal from Powell Creek Tree and Concrete Service for village sidewalk repair and replacement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Tontogany, that:

1. It is hereby deemed necessary to construct, repair or replace deteriorating sidewalks in the Village. Further, there is hereby created a voluntary program for sidewalk repair and replacement known as the Village Sidewalk Program, whereby the village shall accept voluntary participation by residents of the Village to contribute one-half the cost of residents' respective sidewalk repair or replacement.
2. The Village Fiscal Officer is hereby directed to accept voluntary agreements from residents to participate in the Village Sidewalk Program, and to accept residents' payments toward such program, consistent with a contract between the resident and the Village, and to segregate such payments so to properly give credit to the participating residents.
3. The Village Fiscal Officer is hereby directed to publish this Resolution on the Village website and at the five locations in the Village previously approved by Council.
4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and its residents for the reason that safe sidewalks is necessary to assure residents can walk throughout the village safely, and the time available to install new sidewalks is limited in light of the change of seasons.

5. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and or any other committees that results in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Revised Code of Ohio.

Vote on Emergency Ayes 5 Nays 0 Abstain 0

Vote On Measure: Ayes 5 Nays 0 Abstain 0

Passed this 20 day of SEPT., 2021.


MAYOR


PRES. OF COUNCIL

ATTEST:


FISCAL OFFICER