

RECORD OF ORDINANCE

Ordinance No. 33-17

Date Passed 20

GIVING CONSENT OF THE VILLAGE TO THE PLOWING OF SNOW UNDER THE SUPERVISION OF THE FAIRFIELD COUNTY ENGINEER PURSUANT TO OHIO REVISED CODE SECTION 5501.41, AND DECLARING AN EMERGENCY.

WHEREAS, the Fairfield County Engineer is considering the matter of the plowing of snow (no other treatment) under his supervision, on County Road Extensions in or through incorporated villages, in accordance with the provisions of Section 5501.41, Ohio Revised Code, and

WHEREAS, it is proposed that personnel of the Fairfield County Engineer's Office plow the snow for the 2017/2018 winter season on County Road Extensions within the Village of Lithopolis, in accordance with the provisions of this Ordinance, to wit:

- a. The County Snow Plow Truck can plow the snow on the County Road Extensions within the Village, when, as, and if the said County Snow Plow Truck is being driven through the said Village.
- b. The County Snow Plow Truck will not place salt nor abrasives on the County Road Extension within the Village Corporation Limits.
- c. The County Snow Plow Truck will not remove the snow from driveways, parking areas, nor intersecting roads or streets within the corporate limits of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LITHOPOLIS, FAIRFIELD COUNTY, STATE OF OHIO;

Section 1. That it is declared to be in the public interest that the consent of said Village be, and such consent hereby is, given that said plowing of snow may be done when, as, and if the County Snow Plow Truck is driven through the Village on a County Road Extension; that no salt or abrasives will be applied nor will snow be removed from driveways, parking areas, or intersecting roads or streets within the Corporate Limits of the Village. The Village Council understands and agrees that the plowing of snow completed herein will be accomplished in conjunction with the plowing of County Roads leading into the Village with no priority being given to the plowing of snow within the Village.

Section 2. That Fairfield County, its agents and representatives, shall be, to the extent permitted by law and funded, indemnified and held harmless by the Village of Lithopolis, regarding any and all liabilities, injuries, or damages, resulting from the removal of snow from the County Road Extensions within the Village Corporate Limits by the County Snow Plow Truck as it travels through the Village on County Road Extensions.

Section 3. That the Clerk be, and he/she hereby is, directed to furnish the County Engineer and the Board of Fairfield County Commissioners with two certified copies of this Ordinance immediately upon the taking effect thereof.

Section 4. That this Ordinance is immediately necessary for the preservation of the public health, safety, and welfare by providing for snow plowing in Lithopolis which may be required within 30 days or less, is hereby declared an emergency measure, and shall take effect and be in force immediately upon passage and signing by the Mayor.

DATE PASSED: Oct 24th, 2017

ATTESTED: [Signature]

CLERK

SIGNED: [Signature]

MAYOR

APPROVED AS TO FORM: [Signature]

VILLAGE SOLICITOR