

ORDINANCE NO. 16-12
SECTION 5501.41 OHIO REVISED CODE

GIVING CONSENT OF THE VILLAGE TO THE PLOWING OF SNOW UNDER THE SUPERVISION OF
THE FAIRFIELD COUNTY ENGINEER

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 2012/2013 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 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 Villages.

NOW THEREFORE,

Be it ordained by the Council of the Village of Lithopolis, 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 contemplated 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 totally 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 shall take effect only for the 2012/2013 winter season and be in force from the earliest period allowed by law.

Date passed: 11-27-2012
Attest: Jacinta Seagraves
Clerk

[Signature]
Mayor

CERTIFICATE OF COPY

Village of Lithopolis)
County of Fairfield, Ohio) ss:

I, Jacinta Seagraves, as Clerk of the Village of Lithopolis Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Council of said Village on the 27th day of November, 2012; that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and the certificate of publication thereof are of record in Ordinance No. 16-12
Page _____.



Fairfield County Engineer

3026 West Fair Avenue
Lancaster, Ohio 43130-8993
Telephone (740) 652-2300
FAX (740) 687-7055

JEREMIAH D. UPP, P.E., P.S.
FAIRFIELD COUNTY ENGINEER

September 28, 2012

Village of Lithopolis
Post Office Box 278
Lithopolis, Ohio 43136

ATTN: Mayor Eric P. Sandine

Dear Mayor Sandine:

Every year prior to snow season here in Fairfield County, the County Engineer's Office requires that you execute the enclosed Ordinance. This Ordinance allows the County to plow snow within your village limits on those roads that are extensions of county roads not already covered by maintenance agreements.

If you would like the County to plow snow within your village limits, please return the executed Ordinance to our office to the attention of Cheryl Downour.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremiah D. Upp", written over a horizontal line.

Jeremiah D. Upp, P.E., P.S.
Fairfield County Engineer

enclosure