

ORDINANCE NO. 32 (24-25)

An Ordinance to authorize Beth Lepore to make certain improvements upon the street right-of-way in front of 516 Second Street in the City of Marietta, Ohio, upon the express condition that Beth Lepore indemnify and hold harmless the City of Marietta, Ohio, its officers, employees, agents, successors and assigns from any and all liability arising out of the construction or use of said street right-of-way, and to authorize the construction of the improvements pursuant to the application to work within the public right-of-way, and declaring an EMERGENCY.

WHEREAS, Beth Lepore is the owner of certain real property located at 516 Second Street, in the City of Marietta, Ohio; and,

WHEREAS, Beth Lepore proposes to make certain improvements, specifically, constructing a three feet (3') wide concrete walk between the existing concrete sidewalk and the curb line of Second Street in front of 516 Second Street, Marietta, Ohio; and,

WHEREAS, this Council wishes to authorize the construction of the improvements in question and to establish certain terms and conditions in regard thereto; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARIETTA, OHIO:

Section 1: That Beth Lepore shall be and is hereby authorized to construct a three feet (3') wide concrete walk between the existing concrete sidewalk and the curb line of Second Street, upon the street right-of-way in front of 516 Second Street in the City of Marietta, Ohio, according to the application and plans and specifications attached hereto as Exhibit "A", which application and plans and specifications are hereby adopted and approved.

Section 2: That the authorization herein granted is subject to unilateral revocation by the City of Marietta, Ohio, pursuant to the passage of an Ordinance so provided by this Council, and is further granted upon the express condition that Beth Lepore indemnify and hold harmless the City of Marietta, Ohio, its officers, employees, agents, successors and assigns from any

and all liability arising out of the construction or use of said improvements upon said street right-of-way.

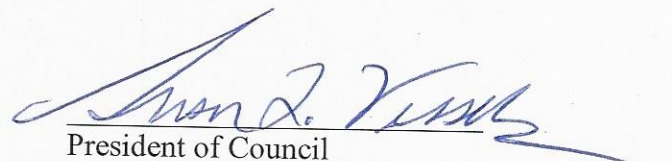
Section 3: That Beth Lepore shall be and is hereby further authorized to proceed with the construction of the improvements called for herein pursuant to the application to work within the public right-of-way and upon the issuance of proper permits by the City of Marietta, Ohio.

Section 4: That this Ordinance shall be and is hereby declared to be an EMERGENCY measure necessary for the immediate preservation of the public peace, health and safety of the City of Marietta, Ohio, and for the further reason that this project needs to commence immediately so that the project may be completed during the construction season. WHEREFORE, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

Introduced by the Streets and Transportation Committee, William Gossett, Chairman.

  
Chairman

Passed this 21<sup>st</sup> day of March, 2024.

  
President of Council

ATTEST:

Michelle Newbanks  
Clerk of Council

Approved this 21<sup>st</sup> day of March, 2024.

  
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Mayor

First Reading March 21, 2024

Second Reading Suspended

Third Reading Suspended