

ORDINANCE NO. 46 (24-25) [AS AMENDED]

An Ordinance to authorize Jonathan Brier to make certain improvements upon the street right-of-way in front of 622 North Seventh Street in the City of Marietta, Ohio, upon the express condition that Jonathan Brier 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 called for herein, upon the issuance of proper permits therefor by the Director of Public Safety and Service, and declaring an EMERGENCY.

WHEREAS, Jonathan Brier is the owner of certain real property located at 622 North Seventh Street, in the City of Marietta, Ohio; and,

WHEREAS, Jonathan Brier proposes to make certain improvements, specifically, placing an Electric Vehicle (EV) charging station in the City's right-of-way, next to the existing parking pad, at 622 North Seventh Street; 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 Jonathan Brier shall be and is hereby authorized to place an Electric Vehicle (EV) charging station upon the street right of way, next to the existing parking pad at 622 North Seventh 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.

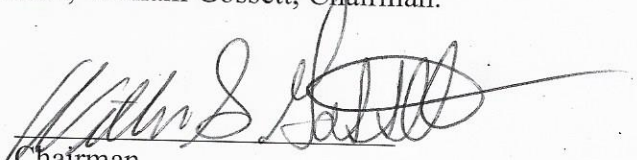
Section 2: That the authorization herein granted is subject to unilateral revocation by the City of Marietta, Ohio, pursuant to the passage of an ordinance so provided by this Council, and is further granted upon the express condition that Jonathan Brier indemnify and hold harmless the City of Marietta, 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.

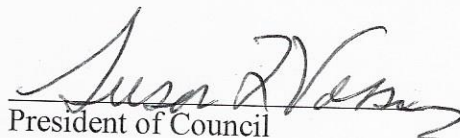
Section 3: That Jonathan Brier shall be and is hereby further authorized to proceed with the construction of the improvements called for herein upon the issuance of proper permits therefor by the Engineer and Director of Public Safety and Service of the City of Marietta, Ohio.

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.

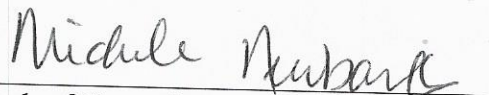
Introduced by the Streets and Transportation Committee, William Gossett, Chairman.


Chairman

Passed this 4th day of April, 2024.


President of Council

ATTEST:


Clerk of Council

Approved this 4th day of April, 2024.



Mayor

First Reading April 4, 2024

Second Reading Suspended

Third Reading Suspended