

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0007

Sponsored by: County Executive FitzGerald/Department of Public Works Co-sponsored by: Councilmember Miller	An Ordinance establishing the Cuyahoga Countywide Inspection Program, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Ohio Revised Code 5591.02 provides: “the board of county commissioners shall construct and keep in repair all necessary bridges in municipal corporations on all county roads and improved roads that are of general and public utility, running into or through the municipal corporations, and that are not on state highways;” and,

WHEREAS, Cuyahoga County Charter Section 3.09, Subsection 8 provides that the powers of the County Council include the ability to adopt legislation “to cooperate or join by contract with any municipality, county, state or political subdivision or agency thereof, for the planning, development, construction, acquisition or operation of any public improvement or facility, or for providing a common service, and to provide the terms upon which the County shall perform any of the services and functions of any other county or any municipality or other political subdivision;” and,

WHEREAS, through the Cuyahoga Countywide Inspection Program, the County will perform certain inspection services relating to bridges, culverts and other structures as outlined in the agreement with participating municipalities; and,

WHEREAS, the services provided under the Cuyahoga Countywide Inspection Program shall include, but not necessarily be limited to, the following tasks: site visit; field inspection; review of existing plans and reports; inventory setup and control; development of preliminary sketches and details; recommendations for repairs and preventive maintenance; traffic control; and preparation of reports; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can commence and continue on behalf of the various municipalities within the County’s jurisdiction.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. There is hereby established the Cuyahoga Countywide Inspection Program to provide inspection services relating to bridges, culverts, and other structures. The Department of Public Works shall administer the program.

SECTION 2. The services provided under the Cuyahoga Countywide Inspection Program shall include, but not necessarily be limited to, the following tasks: site visit; field inspection; review of existing plans and reports; inventory setup and control; development of preliminary sketches and details; recommendations for repairs and preventive maintenance; traffic control; and preparation of reports. **Participating municipalities shall reimburse the County for all the services provided under the Countywide Inspection Program.**

SECTION 3. All contracts and agreements under the Cuyahoga Countywide Inspection Program shall be reviewed and approved by the appropriate approval authority depending on the monetary threshold of each such contract or agreement in accordance with the Cuyahoga County Contracting and Purchasing Procedures Ordinance.

SECTION 4. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 5. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Miller, seconded by Mr. Rogers, the foregoing Ordinance was duly enacted.

Yeas: Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell and Connally

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 12, 2013
Committee(s) Assigned: Public Works, Procurement & Contracting

Committee Report/Second Reading: February 26, 2013

Legislation Amended on the Floor: March 12, 2013

Additional Sponsorship Requested on the Floor: March 12, 2013

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