

**RESOLUTION NO. R19-16**

**A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR  
CONSTRUCTING OF CURBS IN THE VILLAGE OF COVINGTON, OHIO AND  
DECLARING THE SAME AN EMERGENCY**

WHEREAS, Council for the Village of Covington, Ohio ("Council") has deemed it necessary to require construction and/or repair of the curbs abutting the property located in the Village of Covington and as more fully described in attached "Exhibit A" by address and parcel numbers; and

WHEREAS, pursuant to Ohio Revised Code Section 729.02, the Council directed the Village Administrator to cause plans, specifications, and estimates of the costs of such construction and/or repair to be prepared, showing the location and dimensions of such curbs and the specifications for the construction or repair thereof, and to file these in the office of the Village Fiscal officer; and

WHEREAS, the plans, specifications, and estimates of the costs of such construction and/or repair have been filed in the office of the Village Fiscal Officer, and the Council declares it necessary for the construction and/or repair of the curbs identified herein to be made pursuant to the adoption of the Resolution of Necessity.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Covington, Miami County, Ohio:

Section 1. That Council approves the plans, specifications, and estimate of cost on file in the office of the Village Fiscal Officer for the proposed construction and/or repair of the curbs abutting the properties located in the Village of Covington and described by address and parcel number in "Exhibit A".

Section 2. That the lots and land abutting upon the curbs to be constructed and/or repaired are described in attached "Exhibit A".

Section 3. That the owners of said lots and land shall construct and/or repair the curb located on said lots and described herein in accordance with the specifications on file in the office of the Village Fiscal Officer.

Section 4. That the curb shall be constructed and/or repaired by the owners of the property listed in Exhibit A within thirty (30) days from the date of service of notice to be served by the Village Fiscal Officer upon them in accordance with Ohio Revised Code Section 729.03.

Section 5. In the event such curb is not constructed and/or repaired by the owner in accordance with the plans and specifications and within the time prescribed in this resolution, the Village of Covington will so construct and/or repair the curb and assess the costs thereof against the lots and lands abutting such curb.

Section 6. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the 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.

Section 7. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the Village is in immediate need of having all the curbs subject to the resolution repaired and/or constructed for the well being and safety of the residents and this Resolution shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this 2<sup>nd</sup>. day of May, 2016.

APPROVED:

  
Edward L. McCord, Mayor

  
R. Scott Tobias, President of Council

  
Brenda Carroll, Clerk/Fiscal Officer

## Steven Street Curb Replacements

300 Steven 11',  
301 Steven 30',  
302 Stevens 30',  
303 Stevens 15',  
305 Stevens 20',  
308 Stevens 9',  
312 Stevens 11',  
314 Stevens 11'

137' curb @ 29.50 per = \$4,041.50 (\$4.50 removal + \$25 replacement)

Curb to be bid on a per foot basis. Contractor will be paid on the actual length of curb removed and replaced.