

ORDINANCE NO.

AN ORDINANCE TO ENACT CHAPTER 733 OF THE CODIFIED ORDINANCES OF THE CITY OF PAINESVILLE, OHIO PERTAINING TO FOOD TRUCK STANDARDS and DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Painesville, Ohio, has determined that it is necessary to update the Codified Ordinances pertaining to food truck standards of the City of Painesville.

NOW, THEREFORE, BE IT ORDAINED that the Council of the City of Painesville, Lake County, Ohio hereby enacts the following provisions pertaining to the vending and sale of food and related products within the City of Painesville.

Section I. That Chapter 733 of the Codified Ordinances is hereby enacted as follows:

733.01 PURPOSE AND INTENT.

The purpose of this ordinance is to promote and protect the public safety, convenience, comfort, prosperity, and general welfare by regulating food truck activities throughout the City of Painesville under the conditions set forth in this Chapter.

733.02 DEFINITIONS.

- (a) "Event Holder" means a person, group, or organization responsible for the hosting or operation of a Permitted Event.
- (b) "Food" shall mean a raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.
- (c) "Food Service Operation" means, for the purposes of a mobile food vending permit, a place, location, site, or separate area where food intended to be served in individual portions is prepared or served for a charge or required donation. As used in this division, "served" means a response made to an order for one or more individual portions of food in a form that is edible without washing, cooking, or additional preparation and "prepared" means any action that affects a food other than receiving or maintaining it at the temperature at which it was received.
- (d) "Food Truck" means a motorized vehicle or mobile food unit which is temporarily located on a premise to sell food items to the general public.
- (e) "Health License" means an official document issued by a department of health pursuant to Section 3701 of the Ohio Revised Code. Such document shall be an annual health license.
- (f) "Ice Cream Truck" means motor vehicles from which ice cream, popsicles, ice sherbets, frozen desserts, or other similar items are sold.
- (g) "Licensing Period" means the calendar year and all licenses granted under this section shall expire on the last day of the calendar year following their issuance.
- (h) "Mobile Food Vending Permit" means an official document issued by the Community Development Department authorizing operation of a mobile food vending unit within the corporate limits of the City of Painesville.
- (i) "Mobile Food Vending Unit" means a food service operation or retail food establishment that is operated from a food truck. For the purpose of a mobile food vending permit, "mobile food vending unit" excludes food delivery operations and vending machines, as defined in Ohio Revised Code 3717.01 (L).
- (j) "Mobile Food Vendor" means every corporation, association, joint stock association, person, firm or partnership, their lessees, directors, receivers, trustees, appointees by any court whatsoever, or the heirs, executors, administrators, or personal representatives or assignees of any deceased owner, owning, controlling, operating or managing any mobile food vending unit.
- (k) "Non-Incorporated Children's Stands" shall mean a non-incorporated business that is commonly owned and operated by a child or children to sell lemonade or other beverages (e.g. iced tea, coffee, hot chocolate, etc.) and snack foods (e.g. cookies, etc.)

(l) "Operator" means the individual who manages one (1) or more mobile food vending units whether as the owner, an employee of the owner or as an independent contractor.

(m) "Permanently revoke" means to terminate all rights and privileges under a mobile food vending permit for a period of ninety (90) days or greater and to render the holder of the permit ineligible to reapply for said permit.

(n) "Permitted Events" means events as approved by the City Manager under Section 735.11(e).

(o) "Public Event" means any public activity or gathering or assemblage of people, other than a special event, that is open to the general public and requires the issuance of a health license or temporary health license pursuant to Ohio Revised Code 3717.01 for participating mobile food vendors. "Public event" includes, by way of example and not by way of limitation, a sporting event at an arena or stadium, a state fair, a concert, or a theatre production.

(p) "Revoke" means to terminate all rights or privileges under a mobile food vending permit for a period not to exceed ninety (90) days after which the individual must reapply for a permit.

(q) "Special Event" means any activity or gathering or assemblage of people upon public property or in the public right-of-way for which a street closure, race event, parade permit, community market, or other like permit has been issued by the City of Painesville.

(r) "Suspend" means to temporarily deprive a permittee of rights or privileges under a permit for a period not to exceed ninety (90) days.

(s) "Vending" shall mean the sale of food to a person who is the ultimate consumer. Such sales do not include those from a vending machine, as defined in Ohio Revised Code 3717.01 (L).

733.03 PERMIT REQUIRED FOR OPERATION.

(a) No individual or organization shall operate, or cause to be operated, any mobile food vending unit within the corporate limits of the City of Painesville without a current and valid Mobile Food Vending Permit and applicable health license issued in accordance with laws, rules and regulations established in the Ohio Revised Code, the Ohio Administrative Code, or the City of Painesville Codes, whichever is applicable.

(b) Mobile Food Vending units, to be located on private property, that only operate as part of a special event or public event shall not require a mobile food vending permit. Such units must comply with any health licensing requirements of the State of Ohio.

(c) Nothing in this chapter shall be construed as superseding, supplanting, or otherwise replacing any duty imposed by Ohio Revised Code Chapter 3701 or 3717, or rules or regulations promulgated thereunder, upon an application for a health license, or upon a department of health in the conduct of its responsibilities relative to mobile food vending units.

733.04 APPLICATION FOR PERMIT.

(a) An application for a Mobile Food Vending permit must be submitted by the owner of the unit or owner of the business to the City of Painesville Community Development Department. A separate application must be submitted for each unit. Application for a Mobile Food Vending permit shall be on a form prescribed by the Community Development Department and shall substantially comply with subsection (b) of this section.

(b) Application for a Mobile Food Vending permit shall be made under oath and shall contain the following information and/or material:

1. Name, permanent address, telephone number, electronic mail address, date of birth, and driver's license number of the mobile food vending unit owner;
2. Business name or DBA, permanent address, and telephone number, if different from the owner information;
3. Proof of Ohio Department of Taxation Itinerant Vendors License, if required; (when required)
4. A physical description of the unit proposed to be licensed for mobile food vending;

5. Current and valid state vehicle registration information for the unit proposed to be permitted for mobile food vending;
6. A certificate of insurance showing that the applicant is carrying the following minimum amount of insurance: a combined single limit of \$500,000 for public liability and property damage for injuries, including those resulting in death from any one occurrence and on account of any one accident, and property damage insurance for damages on account of any one accident or occurrence. Certificates shall contain an agreement signed by the insurance company that prior to modification, cancellation or termination of the subject policy, written notice shall be sent to the City Manager or designee by the insurance company.
7. Proof of a City of Painesville income tax filing number or exemption from the City of Painesville division of income tax through RITA;
8. Proof that the applicant is current and compliant in the payment of any City of Painesville taxes on payroll and net profits at the time such proof is submitted; or if the applicant is not current and compliant in the payment of any City of Painesville taxes on payroll and net projects, that the applicant has entered into an agreement to pay any delinquency and is abiding by the terms of the agreement at the time such proof is submitted;
9. Proof of a filing number or exemption from the Ohio Department of Taxation;
10. Affirmation that, upon issuance of a permit, the applicant will provide to the Community Development Department written documentation of any change in the information required by this chapter, as well as written documentation of any modification, damage, destruction, or decommissioning of the unit, within thirty (30) calendar days of any such change; and
11. Location of the proposed operation of business. If private property, letter of support from the property owner shall be submitted with the application.
12. Payment of a mobile food vending permit annual fee of \$500.00. If a mobile food vending permit is applied for on or after August 15th of any calendar year the permit fee shall be prorated to \$250.00.

(c) The Community Development Department must examine all applications for a Mobile Food Vending permit under this chapter and make, or cause to be made, any further investigation into the application as is deemed necessary in order to make a timely determination regarding the application.

(d) The Community Development Department shall provide a written determination to each applicant. If a complete application for a mobile food vending permit is not approved, any reason(s) for that determination must be provided to each applicant in writing.

733.05 OPERATING REQUIREMENTS.

(a) Mobile Food Trucks shall obtain all applicable approvals and permits, and shall follow all applicable processes as required by the City of Painesville and/or the Event Holder.

(b) Mobile Food Trucks shall comply with all local, state, and federal laws, regulations and ordinances.

(c) Mobile Food Trucks shall be permitted as follows:

1. Shall be permitted only within the commercial and industrial zoning districts:
2. Shall be located on a lot containing a principal building, must be parked on a hard surfaced area and the maximum number of food trucks per lot is limited as follows:
 - a. Maximum of 1 food truck on lots between one-quarter acre and 1 acres; and
 - b. Maximum of 2 food trucks on lots greater than 1 acre.
 - c. For purposes of the limitations in this Section, adjacent lots under common ownership shall be considered as a single lot.

(d) Site requirements:

1. Shall be located at least 250 feet from the main entrance to any eating establishment or similar food service business, 250 feet from any outdoor dining area as measured from the designated location on the lot accommodating the food truck. In the event that one or more of the aforementioned uses locates within the minimum separation requirement subsequent to the food truck location being approved, the approved Mobile Food Truck may continue to operate at the approved location until the food truck permit has expired.
2. Shall be located at least 5 feet from the edge of any driveway or public sidewalk, utility boxes and vaults, handicapped ramp, building entrance, exit or emergency access/exit way, or emergency call box and must not locate within any area of the lot that impedes, endangers, or interferes with pedestrian or vehicular traffic. Food trucks must be located a minimum distance of 25 feet in all directions from any fire hydrant(s).
3. The Mobile Food Truck must not occupy parking spaces required to fulfill the minimum requirements of the principal use.
4. All parking required by the addition of the Mobile Food Truck to the property must be fulfilled on-site, must be hard surfaced, and must be in addition to any required parking spaces for the principal use, unless the principal use's hours of operation do not coincide with those of the food truck.
5. Associated seating must not occupy parking spaces required to fulfill the minimum requirements of the principal use, unless the principal use's hours of operation do not coincide with those of the food truck business.
6. Associated seating must not occupy parking spaces that may be leased to other businesses and used to fulfill their minimum parking requirements.
7. Associated seating must be removed from all permitted locations during impermissible house of operation and must not be stored, parked, or left overnight on any public street or sidewalk.
9. Associated seating areas must not occupy any handicap accessible parking spaces.
10. The Mobile Food Truck vendor is responsible for the proper disposal of waste and trash associated with the operation. City of Painesville trash receptacles shall not be used for this purpose. Vendors must remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. The vendor must keep all areas within 5 feet of the truck and associated seating area clean of grease, trash, paper, cups, or cans associated with the vending operation.
11. No liquid waste or grease is to be disposed of in tree pits, storm drains or onto the sidewalks, streets, or other public space. Under no circumstances can grease be released or disposed of in the City of Painesville's sanitary sewer system.
12. No free-standing signage or audio amplification is allowed as part of the food trucks vending operation. Mobile food trucks are otherwise exempt from signage regulations in Painesville Codified Ordinance Chapter 1341.
13. Hours of operation are limited to the hours between 7:00 a.m. and 10:00 p.m. unless approved by the City Manager. Mobile food trucks are required to be removed from the premises during non-business hours.
14. Operator or their designee must be present at all times except in cases of an emergency.

(e) The following activities shall be exempted from the chapter within the City of Painesville:

1. Ice Cream Trucks; and
2. Non-Incorporated Children's Stands.

733.06. SPECIAL EVENTS AND PUBLIC EVENTS, PERMITS NOT REQUIRED.

(a) No mobile food vending permit shall be required for any mobile food vending unit that operates exclusively as a subset of a City of Painesville approved Special Event, within the approved areas and time frames.

(b) No mobile food vending permit shall be issued within the right-of-way or on City of Painesville property, unless part of a Special Event.

733.07 OPERATION ON PRIVATE PROPERTY ONLY.

(a) Individuals or organizations shall be permitted to operate or cause to be operated any Mobile Food Vending Unit on private property within the corporate limits of the City of Painesville after meeting the permit and fee requirements of this chapter, unless otherwise exempted by this chapter.

(b) Operation of a Mobile Food Vending Unit on private property must be in compliance with all applicable zoning requirements related to commercial activity on private property.

733.08 EXPIRATION AND RENEWAL OF PERMIT.

(a) All licenses granted under this section shall expire on the last day of the calendar year following their issuance.

(b) Each permittee must comply with the application and inspection requirements of this chapter to receive a new permit for the succeeding permit period.

733.09 TRANSFER OF PERMIT PROHIBITED.

No Mobile Food Vending Permit issued under this chapter shall be transferred or assigned by the named permittee to any other individual or organization, or to any other Mobile Food Vending Unit. Should a change in ownership of a Mobile Food Vending Unit occur at any time, the succeeding owner must comply with the application, inspection, and fee requirements of this chapter.

733.10 PERMIT SUSPENSION, REVOCATION.

(a) Permits issued under this chapter may be suspended or revoked by the City of Painesville for one or more of the following reasons:

1. Fraud, misrepresentation or bribery in securing a permit or during the course of business; or
2. Violation of any provision of this chapter; or
3. Failure to display the Mobile Food Truck permit as issued; or
4. Failure to have valid permits or licenses required by the Lake County General Health Department or any other City of Painesville, state or federal agency; or
5. Conviction of any criminal or traffic offense while using a Food Cart or Mobile Food Truck or conviction of any criminal offense involving theft or fraud; or
6. For any of the reasons which could have been grounds for refusing to issue the original license; or
7. Knowingly allowing another person to use a Mobile Food Truck in violation of any provision of this chapter.
8. For other good cause at the discretion of the City Manager.

733.11 APPEALS.

Any individual or organization who has been refused a permit or renewal of a permit under this chapter or has had a permit issued under this chapter suspended or revoked, may appeal such decision shall have the right to appeal to the Safety Director of the City. An appeal shall be filed within thirty days after the receipt of notice of the decision.

733.12 SEVERABILITY CLAUSE.

If any particular portion of this chapter is declared to be invalid by a court of competent jurisdiction, such declaration of invalidity shall be limited to the particular portion declared invalid. This declaration of invalidity shall not affect or impair the remainder of this chapter, and to this end, the provisions are severable.

733.13 PENALTY.

- (a) A violation of any section of this chapter shall be deemed a criminal violation as follows:
 1. Whoever violates Section 733.03 shall be guilty of a misdemeanor of the first degree. Any such violation shall constitute a separate offense on each successive day continued. Strict liability is intended to be imposed for a violation of this section.
 2. Whoever violates any other section of Chapter 733 shall be guilty of a minor misdemeanor Strict liability is intended to be imposed for a violation of these sections.
 3. A violation of any section of chapter 733 may be grounds for the suspension, revocation or permanent revocation of the Mobile Food Truck permit or in the case of a new application may be grounds to refuse to issue such permit for a determinate period of time up to ninety {90} days or permanently, in addition to any other penalties established for such violation in applicable section of the City of Painesville Codes.

Section II. That this Ordinance is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being the proposed change is necessary to allow regulations to be put into place to regulate the mobile food truck industry within the city limits, and therefore this ordinance shall become effective immediately upon it, passage.

PASSED:

ATTEST:

VALERIE VARGO
CLERK OF COUNCIL

PAUL W. HACH, II
PRESIDENT OF COUNCIL

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MARIANA PROPERTIES FOR A LICENSE AGREEMENT FOR THE PURPOSE OF A LAY DOWN AREA.

WHEREAS, the City of Painesville is desirous of obtaining a license agreement; and

WHEREAS, said Mariana Properties, Inc., a Delaware Corporation with an address of 5 Greenway Plaza, Suite 110, Houston, Texas 77046, is desirous of granting said license agreement for the sum of \$10.00 per year; and

WHEREAS, said property is desirous by the City of Painesville for a lay down area for water, sewer, electric and public works equipment and material.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION 1. That the City Manager be and is hereby authorized and directed to enter into an agreement with the Mariana Properties to obtain a license agreement.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and 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.

SECTION 3. That this Resolution is hereby declared to be and is passed as an emergency measure for the immediate preservation of the public peace, health, safety and general welfare of the citizens of the City of Painesville, the emergency being that the immediate passage is necessary so as to meet filing deadlines, and therefore, this Resolution shall become effective immediately upon its passage.

PASSED:

Paul W. Hach II
President of Council

ATTEST:

Valerie Vargo
Clerk of Council

RESOLUTION NO.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT, INCLUDING ANY AND ALL ENSUING CHANGE ORDERS, WITH THE LOWEST AND BEST BIDDER FOR THE 2018 ROAD IMPROVEMENT PROGRAM, AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION I. That the City Manger be and he is hereby authorized and directed to advertise for bids and enter into a contract, including any and all ensuing change orders, with the lowest and best bidder for the 2018 Road Improvement Program, in accordance with specifications on file in the office of the City Manager, for the Engineering Department. The 2018 Road Improvement Program includes the resurfacing of Transit Street, and Pearl Street. This project will consist of the planing of existing asphalt concrete, the overlaying of asphalt concrete, and pavement markings.

SECTION II. That this Resolution is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to repave various streets within the City in order to improve safety and decrease the costs of maintenance and repair along with associated labor costs and, therefore, this Resolution shall become effective immediately upon its passage.

PASSED:

Paul W. Hach II
President of Council

ATTEST:

Valerie Vargo
Clerk of Council

RESOLUTION NO.

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LAKE COUNTY BOARD OF COMMISSIONERS AND OTHER PERTINENT PARTIES TO EXTEND THE CITY OF PAINESVILLE'S SEWERAGE SERVICES TO THE BENEFITTED LOTS OF THE ASBURY POINT DEVELOPMENT IN LAKE COUNTY, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the Developer seeks domestic sanitary sewer service for its Asbury Point Development on the border of Painesville Township and Concord Township, as further identified in Exhibit "A" attached hereto and incorporated herein;

WHEREAS, the most feasible and effective approach to provide residential sewage treatment for said area is to be connected into the City's sanitary sewerage system in the adjacent City area; and

WHEREAS, City seeks to expand its utility customer base by providing residential sewage treatment for said area which is within the Painesville Facility Planning Area (FPA), as designed by the Northeast Ohio Areawide Coordinating Agency's (NOACA) Clean Water 2000 Plan, under the provisions of Section 208 of the Federal Clean Water Act.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PAINESVILLE, COUNTY OF LAKE STATE OF OHIO:

Section 1. That the City Manager is hereby authorized and directed to execute and enter into an agreement with the Lake County Board of Commissioners and other pertinent parties to extend the City of Painesville's sewer services to the benefitted lots of the Asbury Point Development in Lake County, Ohio pursuant to terms and conditions the same or similar to that set forth Exhibit A of this Resolution and the proposed Agreement on file in the City Manager's office, with such changes, insertions, deletions and substitutions therein, if any, as shall be deemed necessary and advisable.

Section 2. That this Resolution is passed as an emergency measure for the immediate preservation of public peace, health, safety and general welfare of the citizens of the City of Painesville, the emergency being that the immediate passage is necessary so as to meet filing deadlines, and therefore, this Resolution shall become effective immediately upon its passage.

PASSED: _____, 2018.

PAUL W. HACH II
President of Council

ATTEST:

VALERIE VARGO
Clerk of Council

RESOLUTION NO. _____

RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT, INCLUDING ANY AND ALL ENSUING CHANGE ORDERS, WITH THE LOWEST AND BEST BIDDER FOR THE RECONSTRUCTION OF WALNUT STREET, AND DECLARING AN EMERGENCY.

WHEREAS, the reconstruction of Walnut Street has been identified as a necessary road project in the City; and

WHEREAS, the City desires to move forward with reconstruction of Walnut Street so as to benefit the residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PAINESVILLE, COUNTY OF LAKE AND STATE OF OHIO, AS FOLLOWS:

Section 1. That the City Manager be and is hereby authorized and directed to advertise for bids and enter into a contract, including any and all ensuing change orders, with the lowest and best bidder for the Reconstruction of Walnut Street from the intersection with Levan Drive to Mentor Avenue (US 20), in accordance with specifications on file in the office of the City Manager, for the Engineering Department.

Section 2. That this Resolution is passed as an emergency measure necessary for the protection and preservation of the peace, health, safety and welfare of the inhabitants of the City of Painesville, the emergency being the immediate necessity to repave various streets within the City in order to improve safety and decrease the costs of maintenance and repair along with associated labor costs and, therefore, this Resolution shall become effective immediately upon its passage.

WHEREFORE, this Resolution shall be in full force and effect immediately upon its passage by Council.

Paul W. Hach II
President of Council

ATTEST:

Valerie Vargo
Clerk of Council

RESOLUTION NO.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE RESURFACING OF RICHMOND STREET (SR-283) IN THE CITY OF PAINESVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, the public interest demands that Richmond Street (SR-283) in the City of Painesville, be improved; and

WHEREAS, on **19TH day of June, 2017**, the City of Painesville (LPA) enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of resurfacing Richmond Street (SR 283) from the west corporation line to Erie Street (US 20) and Richmond Street (SR 535) from SR 283 to the east corporation line, lying within the City of Painesville; and

WHEREAS, the City of Painesville shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-Aid funds, set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of **Two Hundred Ninety Four Thousand Two Hundred Eighteen and ----00/100 Dollars, (\$294,218.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PAINESVILLE, LAKE COUNTY, OHIO:

SECTION I. That the estimated sum of **Two Hundred Ninety Four Thousand Two Hundred Eighteen and ----00/100 Dollars (\$294,218.00)** is hereby appropriated for the improvement described above and the City Manager is hereby authorized and directed to issue an order on the Finance Director for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.

SECTION II. The City of Painesville (LPA) hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION III. The City of Painesville (LPA) enter into a contract with the State, and that City Manager be, and is hereby authorized to execute said contract; providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

SECTION IV. The City of Painesville (LPA) transmit to the Director of Transportation a fully executed copy of this Resolution.

SECTION V. That this Resolution is passed as an emergency measure for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Painesville, the emergency being to expedite the highway project and to promote highway safety immediate passage is necessary so as to meet filing deadlines, and therefore, this Resolution shall become effective immediately upon its passage.

PASSED:

Paul W. Hach II
President of Council

ATTEST:

Valerie Vargo
Clerk of Council