

ORDINANCE NO. 2020-05

AN ORDINANCE AUTHORIZING OLIO DEVELOPMENT GROUP A WATER TAP-IN FOR THE NEW ARBY'S FAST FOOD RESTAURANT WHICH WILL BE RE-LOCATING FROM 1630 EAST MAIN STREET TO 1821 ST. ROUTE 59, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY.

WHEREAS, OLIO Development Group is requesting water service outside the City of Kent for the new Arby's fast food restaurant which is re-locating from 1630 East Main Street to 1821 East Main Street In Franklin Township (the "Property"); and

WHEREAS, the Property is within the Kent-Franklin JEDD Contract area and the previous owner has not signed the contract, therefore, per KCO 913.09, the Property is subject to a 50% water surcharge; and

WHEREAS, the City Division of Engineering recommends approving the water tap-in.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1: Council does hereby authorize the water tap-in to the Property subject to KCO 913.09 and the City water rules and regulations.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this 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 of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: January 22, 2020
Date

J. Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: January 22, 2020
Date

ATTEST: Amy Wilkens
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL