

RECORD OF ORDINANCES

Ordinance No. 3-11

Passed February 14, 2011

1/5/11-gmk
(Ordinance, Rules & Claims)

Ordinance No. 3-11

An ordinance amending Chapter 907 Street Excavations, specifically 907.03 DEPOSIT REQUIRED, of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON,
COUNTY OF STARK, STATE OF OHIO:

Section 1. That Chapter 907 Street Excavations, specifically 907.03 DEPOSIT REQUIRED, of the Codified Ordinances of the City of North Canton, be and the same is hereby amended to read as follows:

"907.03 DEPOSIT REQUIRED

- (a) All persons, firms or corporations, except franchised utility companies and the City of North Canton, upon obtaining a street opening permit wherein cuts will be made in pavements, or sidewalks, shall make the following cash deposits which will ensure the replacement of permanent pavement and sidewalks in the manner described in this chapter. No opening of streets shall be permitted until a street opening permit is obtained from the Superintendent of Permits and Inspection.
- (1) Brick pavements, concrete pavements and blacktop streets: two hundred dollars (\$200.00) per cut in pavement where it does not exceed two square yards and fifty dollars (\$50.00) per square yard for all over two square yards.
 - (2) Sidewalks: seventy-five dollars (\$75.00) per cut in sidewalk where it does not exceed one square yard and ten dollars (\$10.00) for each square foot for all over one square yard.
 - (3) Curb or curb and gutter: seventy-five (\$75.00) where it does not exceed two linear feet and twenty dollars (\$20.00) for each additional foot.
 - (4) Surface treated macadam or other flexible pavements: fifty dollars (\$50.00) per square yard for all over two square yards.
- (b) If any opening is not returned to its original condition within twenty-four (24) hours after being notified by the Division of Permits and Inspection, all deposits shall be forfeited to the City and the work completed by the Service Department. The forfeiture of a deposit shall not prejudice the City from pursuing any additional cost to the City.
- (c) Cash deposits shall be held for ninety (90) days after final inspection to insure quality of work.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

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Dayton Legal Blank, Inc.

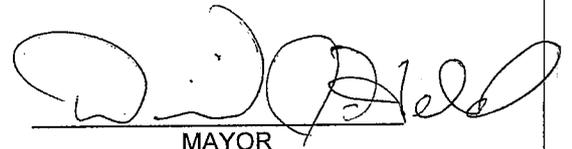
Form No. 30043

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Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely implementation of fee increases for street excavations; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

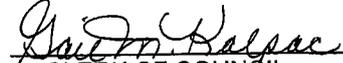
North Canton, OH
Passed: 2/14/11



MAYOR

SIGNED: 2-14, 2011

ATTEST:



CLERK OF COUNCIL

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