

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 58-11

Passed May 23, 20 11

5/17/11-gmk  
(Finance & Property)

Ordinance No. 58-11

An ordinance authorizing the Mayor of the City of North Canton to submit a Participation Agreement and request authority for the City of North Canton to participate in the Ohio Department of Transportation's ("ODOT") Contract for the purchase of sodium chloride (rock salt) for the 2011-2012 winter season and declaring the same to be an emergency.

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Board to participate in contract of the of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles.

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

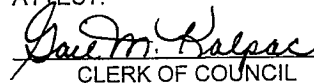
- Section 1. That the Mayor of the City of North Canton, be, and is hereby authorized to submit and request authority for the City of North Canton to Participate in the Ohio Department of Transportation's Contract for the purchase of sodium chloride (rock salt) for the 2011-2012 winter season.
- Section 2. That the Mayor is hereby authorized to agree in the name of the City of North Canton to be bound by all terms and conditions as the Director of Transportation prescribes.
- Section 3. That the Mayor is hereby authorized to agree in the name of the City of North Canton to directly pay vendors, under each such contract of the ODOT in which the City of North Canton participates.
- Section 4. That the City of North Canton agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The City of North Canton releases and forever discharges the Director of Transportation and ODOT from all such claims, actions, expenses, or other damages arising out of its participation in the cooperative purchase program which the City of North Canton may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.
- Section 5. 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.
- Section 7. 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 to meet the submission deadline of the application for the 2011-2012 season; 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: 5/23/11



MAYOR  
SIGNED: 5/23, 2011

ATTEST:

  
CLERK OF COUNCIL