



## Legislation Details (With Text)

**File #:** 1387-2017      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/17/2017      **In control:** Public Service & Transportation Committee

**On agenda:** 6/5/2017      **Final action:** 6/8/2017

**Title:** To repeal Ordinance Number 3313-2016, passed on January 12, 2017, and Ordinance Number 0435-2017, passed on April 3, 2017, in order to allow Ordinance Number 3144-2015 to remain as originally enacted; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/8/2017	1	CITY CLERK	Attest	
6/7/2017	1	MAYOR	Signed	
6/5/2017	1	COUNCIL PRESIDENT	Signed	
6/5/2017	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

The purpose of this legislation is to repeal Ordinance 3313-2016, passed on January 12, 2017, which was intended to amend Ordinance 3144-2015, and Ordinance 0435-2017, passed on April 4, 2017. Ordinance 3144-2015 was submitted in order to transfer the previously reserved Right-of-Way of Pearl Street, east of North High Street between 8<sup>th</sup> and 9<sup>th</sup> Streets. It has been determined that this was unnecessary as was submission of Ordinance 0435-2017. The Department of Public Service requests that Ordinances 3312-2016 and 0435-2017 be repealed, and to allow Ordinance 3144-2015 to remain in full force and effect as originally enacted.

### 2. FISCAL IMPACT

N/A

### 3. EMERGENCY JUSTIFICATION

Emergency action is requested in order to allow this project to proceed as currently scheduled.

To repeal Ordinance Number 3313-2016, passed on January 12, 2017, and Ordinance Number 0435-2017, passed on April 3, 2017, in order to allow Ordinance Number 3144-2015 to remain as originally enacted; and to declare an emergency.

**WHEREAS**, Ordinance 3144-2015, passed on December 14, 2015, in order to transfer a previously reserved right-of-way; and

**WHEREAS**, Ordinance 3313-2016, passed on January 12, 2017, was submitted to amended Ordinance 3144-2015, passed December 14, 2015, to correct the legal description; and

**WHEREAS**, Ordinance 0435-2017, passed on April 3, 2017, was submitted to release a portion of a previously reserved general utility easement; and

**WHEREAS**, it has been determined by The Department of Public Service that the amendment to Ordinance 3144-2015, and Ordinance 0435-2017, were unnecessary actions; and

**WHEREAS**, it is necessary that Ordinance 3313-2016 and Ordinance 0435-2017 be repealed, and that Ordinance 3144-2015, be allowed to remain as originally enacted; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize these actions in order for the project to proceed as scheduled; **now therefore**,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That Ordinance Number 3313-2016, passed on January 12, 2017, and Ordinance Number 0435-2017, passed on April 3, 2017 are hereby repealed.

**SECTION 2.** That Ordinance Number 3144-2015, passed on December 14, 2015, shall remain in full force and effect as enacted.

**SECTION 3.** That for the reasons stated in the preamble thereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.