

ORDINANCE NO. 12-2024

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CHAPTER 901 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW PHILADELPHIA FOR THE PURPOSES OF UPDATING THE SAME AND INCREASING PERMIT FEES FOR EXCAVATION AND CURB CUTTING, AND DECLARING AN EMERGENCY.

WHEREAS, The Council of the City of New Philadelphia, Ohio desires to update the language in Codified Ordinance Chapter 901 and increase fees in the same for Excavation Permit Fees and Curb Cutting Permit Fees.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, THAT:

SECTION 1. Chapter 901 of the Codified Ordinances of the City of New Philadelphia shall be amended to read as follows:

CHAPTER 901
RIGHT-OF-WAY EXCAVATIONS AND CURB CUTS

901.01 EXCAVATION PERMIT AND FEE.

Whoever desires to excavate in any right-of-way within the City shall apply in writing to the Director of Public Service for a permit and shall pay a permit fee of forty dollars (\$40.00).

901.02 FILLING EXCAVATION AND REPLACEMENT PAVEMENT.

The holder of a permit for a right-of-way excavation shall make the excavation specified in his permit, do the necessary excavating and make the proper connection, repairs or other work required, after which he shall make the necessary back filling with approved backfill material.

Should any person fail, refuse or neglect to do all or any part of the work required or fail to do the work in a manner acceptable to the Director of Public service, the Director shall cause the work to be done, and pay for the same out of any fund in his hands and recover the cost and expense of the same from the person by suit or otherwise.

901.03 CURB CUTTING PERMIT AND FEE

No person shall cut any curb on any street without first having secured a permit from the Director of Public Service. The permit fee shall be forty dollars (\$40.00).

901.04 PROTECTING EXCAVATIONS

Any person licensed under the provisions of this chapter shall protect any excavation, opening, pile of debris or other material with sufficient barricades and, from one hour before sunset until one hour after sunrise, shall provide an adequate number of warning lights to warn all pedestrians and vehicles of the existing dangers.

All excavated material must be deposited so as not to unnecessarily inconvenience any pedestrian or operator of a motor vehicle.

SECTION 2. This Ordinance is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City of New Philadelphia, Ohio.

SECTION 3. This Ordinance shall take effect and be in force immediately upon its passage.


PASSED: Mar 25, 2024


DONALD C. KEMP
PRESIDENT OF COUNCIL

ATTEST:


JULIE COURTRIGHT
CLERK OF COUNCIL

APPROVED:


JOEL B. DAY
MAYOR

SPONSORED BY: SPECIAL AND CONTACT COMMITTEE