

Ordinance No. 247-2022

By Council Members Kazy, Bishop and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Works to enter into a license agreement granting Bellaire-Puritas Development Corporation the right to use and occupy City-owned property located within Jefferson Park to maintain and repair eight stone benches for the use and convenience of the general public.

WHEREAS, under Section 183.16 of the Codified Ordinances of Cleveland, Ohio, 1976, the City and Bellaire-Puritas Development Corporation (“Bellaire-Puritas”) entered into a license agreement to construct and maintain eight stone benches installed within Jefferson Park for the use and convenience of the general public; and

WHEREAS, the City and Bellaire-Puritas wish to extend the one-year license authorized under Section 183.16; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That, notwithstanding Section 183.16 of the Codified Ordinances of Cleveland, Ohio, the Director of Public Works is authorized to enter into a license agreement with Bellaire-Puritas granting Bellaire-Puritas the right to use and occupy City-owned property located within Jefferson Park for the maintenance and repair of eight stone benches for the use and convenience of the general public, at a cost of \$1.00 and other valuable consideration.

Section 2. That the term of the license agreement shall be perpetual, automatically renewed from year to year unless terminated by either party.

Section 3. That the license agreement shall be prepared by the Director of Law and shall require that Bellaire-Puritas maintain and repair the benches during the term of the agreement at no cost to the City, remove the benches at no cost to the City when the agreement is terminated, maintain liability insurance during the term of the agreement with the City included as an additional insured.

Section 4. That the Director of Public Works and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other action as may be necessary or appropriate to effect the license agreement authorized by this ordinance.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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REPORT
after second Reading

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READ FIRST TIME on MARCH 7, 2022

REPORTS

and referred to DIRECTORS of Public Works,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Finance Diversity Equity and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES

FILED WITH COMMITTEE

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FINANCE, DIVERSITY, EQUITY
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