C OF C 125-174

Ordinance No. 1037-2026

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

AN EMERGENCY ORDINANCE

To amend Section 129.22 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1548-84, passed October 8, 1984, relating to easement acquisition.

WHEREAS, Section 129.22 of the Codified Ordinances of Cleveland, Ohio, 1976, has not been amended since 1984 and contains monetary limitations that no longer reflect current property values or acquisition costs; and

WHEREAS, the City desires to provide the Department of Public Utilities with the authority to acquire necessary easements without concern that the cost of such easements, permits, licenses and other interest in real property may exceed the dollar threshold established in Section 129.22; 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 Section 129.22 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1548-84, passed October 8, 1984, is amended to read as follows:

> Section 129.22 Easement Acquisition, Permits, Licenses and Other Interests in Real Property
>
> The Director of Public Utilities is authorized to purchase easements, permits, licenses and other interests in real property necessary for the operation of the various divisions of the Department of Public Utilities, provided that the cost of each such easement, permit, license or other interest in real property does not exceed ~~three thousand five hundred dollars ($3,500.00)~~ the fair market value at the time of acquisition, as determined by the Board of Control.

Section 2. That existing Section 129.22 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1548-84, passed October 8, 1984, is repealed.

Section 3. 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.

GB:uo
9-14-26

FOR: Director Keane

Ord. No. 1037-2026

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

AN EMERGENCY ORDINANCE

To amend Section 129.22 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1548-84, passed October 8, 1984, relating to easement acquisition.

READ FIRST TIME on September 14, 2026 **REPORTS**
and referred to DIRECTORS of Public Utilities, Finance and Law;
COMMITTEES on Utilities; Municipal Services and Properties;
Finance, Diversity, Equity and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

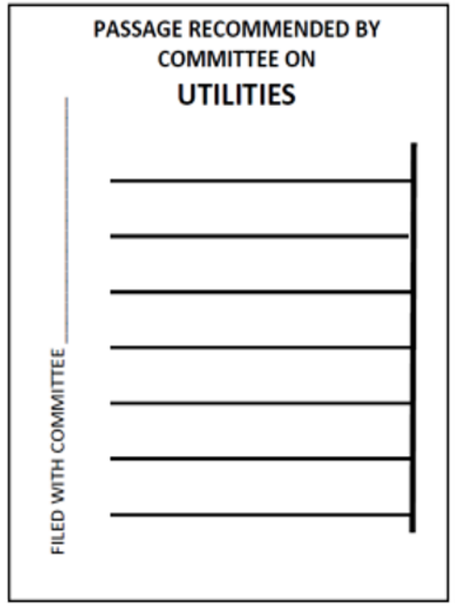
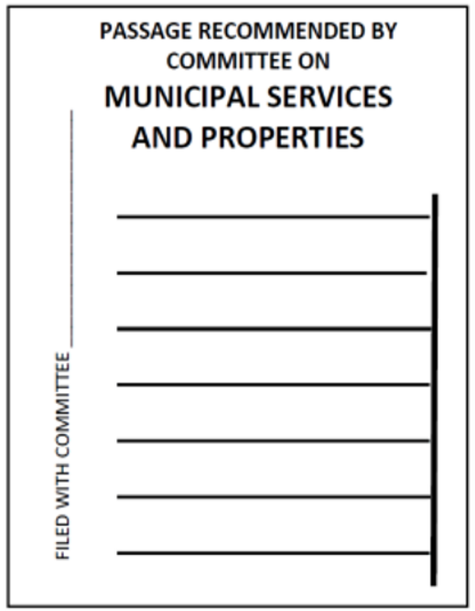
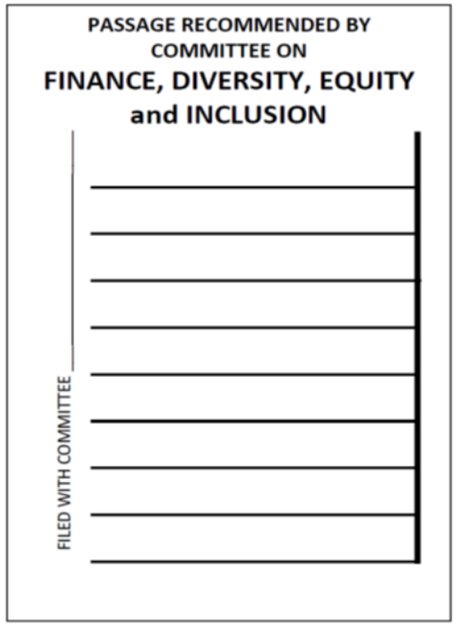
READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **113** Page_____
Published in the City Record _____

REPORT
after second Reading