

TO: Council, Village of Mariemont
FROM: Public Works & Services Committee
DATE: August 20, 2020
SUBJECT: Right of Way ordinance

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The Public Works & Service Committee met on August 6, 2020 at 4:00 PM to discuss the draft of the Right of Way ordinance. In attendance were the Committee Chairperson Kelly Rankin, Committee Member Rob Bartlett, Village Engineer Chris Ertel, Maintenance Supervisor John Scherpenberg and Mayor Brown.

The topic of discussion was the changes to the Marble Cliff, OH ordinance provided to us as an example of a Right of Way document Frost Brown Todd has already implemented for Marble Cliff. The goal of the meeting was to recommend changes/updates to the document to develop a proposed ordinance suitable for the needs of the Village of Mariemont.

Regarding the timeline for the project, Ohio law provides that at least 45 days prior to the date of enactment of a public way ordinance by a municipal corporation, the municipal corporation shall file with the Public Utilities Commission of Ohio (PUCO) a notice that the ordinance is being considered. R.C. 4939.05(E). PUCO has a form for municipalities to complete, and PUCO posts the notice so that utilities and other interested stakeholders can participate in public meetings and discussions regarding potential regulations. The Village would need to alert PUCO at least 45 days before the 3rd reading and potential approval of the ordinance.

The Committee recommends having this draft written by Frost, Brown Todd for the purpose of filing with PUCO and enacting for the Village of Mariemont.

Respectfully submitted,

Kelly Rankin
Chairman

Rob Bartlett
Vice Chair

Avia Graves
Member