

ORDINANCE NO. 2014- 3742

**AN ORDINANCE AUTHORIZING THE MAYOR TO PROCEED WITH THE PROCESS OF REMOVING THE BALLVILLE DAM AND DECLARING AN EMERGENCY**

**WHEREAS**, the Ohio Department of Dam Safety has issued the City a notice of violation to bring the Ballville Dam into compliance with State Safety rules and has established time frames for said compliance,

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FREMONT, STATE OF OHIO:**

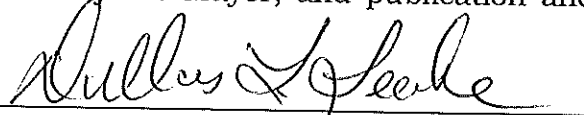
**SECTION 1.** The City Council hereby authorizes the Mayor to proceed with the process of removing the Ballville Dam.

**SECTION 2.** That the Fremont City Council hereby determines that it is in the best interest of the City to remove the Ballville Dam.

**SECTION 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

**SECTION 4.** The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Fremont. Said emergency being the need to comply with time deadlines imposed upon the City by ODNR and United States Fish and Wildlife.

This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.

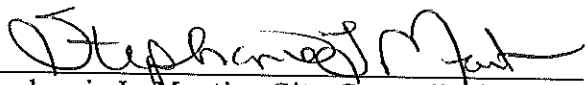



Dallas L. Leake  
President of Council

PASSED: 11-20-14

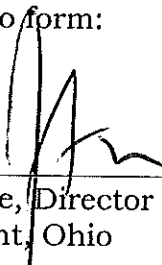
Effective date: 11-20-14

YEAS: 4 NAYS: 3

  
Stephanie L. Martin, City Council Clerk  
James H. Ellis III, Mayor

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Approved as to form:



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James F. Melle, Director of Law  
City of Fremont, Ohio