

Ordinance No. 8453

**AN ORDINANCE CONSENTING TO THE INSPECTION OF A BRIDGE  
WITHIN THE MUNICIPALITY AND PLEDGING COOPERATION WITH  
THE OHIO DIRECTOR OF TRANSPORTATION  
(Preliminary Legislation: ODOT Project ID No. 117554)**

**WHEREAS**, the City is obligated to inspect the Columbus Avenue Bridge over Preston Run that is not maintained by the County Engineer or the Ohio Department of Transportation; and,

**WHEREAS**, the Department of Transportation has established a voluntary program to assist municipalities by contracting with qualified consultants to perform the required inspection services at State expense; and,

**WHEREAS**, Council finds the need for Bridge Inspection Program services, including, but not limited to, routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plans of action, development of fracture critical plans, and underwater dive inspection reports, if necessary; and,

**WHEREAS**, Council finds that maintenance of this bridge promotes the Connectivity Pillar of the Defiance Community Strategic Plan by ensuring the safety of a bridge;

**Now therefore**, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

**Section 1:** Council hereby gives consent for the Ohio Director of Transportation to complete the above-described project.

**Section 2:** The City shall cooperate with the Ohio Department of Transportation ("ODOT") in above-described project in the following manner:

- A. The State shall assume and bear one hundred percent (100%) of the cost for the Bridge Inspection Program services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract now on file in the office of the City Engineer and incorporated herein by reference.
- B. The City shall pay one hundred percent (100%) of the cost of any service or feature that is not included in the Consultant's Scope of Services to be performed under the State Contract including, but not limited to, the purchasing and erecting the recommended weight limits posting signs, the implementation of critical findings reports, and the implementation of scour plans of action.

**Section 3:** The City agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

**Section 4:** The City Administrator is authorized to enter into and execute such agreements with the Ohio Director of Transportation as may be appropriate to secure municipal participation in the program.

**Section 5:** It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

**Section 6:** This Ordinance shall be effective on the earliest date permitted by law.

Passed: October 25, 2022

David McMaster  
President of Council

Attest: Lisa Elders, Clerk

Approved: October 25, 2022

Michael McCann  
Mayor

Attest: \_\_\_\_\_

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Director, ODOT