

ORDINANCE NO. 2002-08

**REPEALING ORDINANCE NO. 2001-217 OF THE CITY OF MASON,
OHIO REGARDING APPROVAL OF THE FINAL PLAT OF
WEATHERSTONE SUBDIVISION, SECTION 4, PHASE A AND
DECLARING AN EMERGENCY**

WHEREAS, the City of Mason adopted Ordinance No. 2001-217 approving the final plat of Weatherstone Subdivision, Section 4, Phase A on December 10, 2001; and

WHEREAS, subsequent to the passage of Ordinance No. 2001-217, the developer's contractor proof-rolled the subbase of the street, which proof-rolling is required in every City subdivision by the City's standard construction drawings before laying curbs and gutters, or paving the street; and

WHEREAS, the subgrade failed, and the City's inspector informed both the contractor and the developer's representative that they may not pave the street in its current condition; and

WHEREAS, on December 20, 2001, the contractor paved the street against advice of the City and added the 402 intermediate course of asphalt without inspection; and

WHEREAS, the performance bond amount included as a part of Ordinance No. 2001-217 does not cover the base course of asphalt or the curb and gutter.

WHEREAS, the City is concerned the asphalt will fail and the bond amount is insufficient to cover the costs needed to make the repairs.


NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, seven members elected thereto concurring:

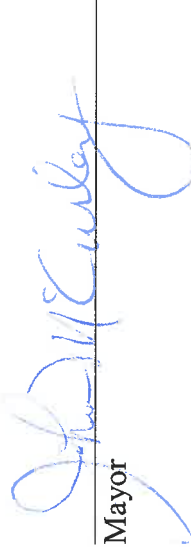
Section 1. That Ordinance No. 2001-217 of the City of Mason, Ohio is hereby repealed.

Section 2. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to avoid any further development which does not meet the established standards for subdivision development in the City of Mason.

Passed this 14th day of January, 2002.

Attest:


Clerk of Council


Mayor