



RESOLUTION 2019-09
Adopted July 16, 2019

A RESOLUTION TO GRANT CONSENT TO THE BEVERAGE REFOUNDRY LTD D/B/A THE DAILY GROWLER FOR USE OF THE ROAD RIGHT-OF-WAY FOR INSTALLATION OF A BOCCIE BALL COURT AND FENCE.

WHEREAS, pursuant to Section 4939.03 of the Ohio Revised Code, no person shall occupy or use a right-of-way without obtaining the requisite consent of the municipal corporation owning and/or controlling the right-of-way; and

WHEREAS, the City of Powell has received a request from The Beverage Refoundry, Ltd., d/b/a The Daily Growler, to use a portion of the road right-of-way for a bocce ball court and fence; and

WHEREAS, Council has reviewed the specifics of this request and Council desires to consent to such use of the right-of-way.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That Council hereby grants consent to The Beverage Refoundry, Ltd, d/b/a The Daily Growler, for use of the road right-of-way to build a bocce ball court and fence as set forth on the plan sheets attached hereto as Exhibit "A", and incorporated herein by reference.

Section 2: The Beverage Refoundry, Ltd, d/b/a The Daily Growler, understands that the location of the above-referenced improvement within the current right-of-way is subject and subordinate to the right of the City. Within thirty (30) days of written notice, any or all of the above-referenced improvements shall be removed from the right-of-way so that the City may implement plans for public use or for any reason deemed necessary.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the City of Powell which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

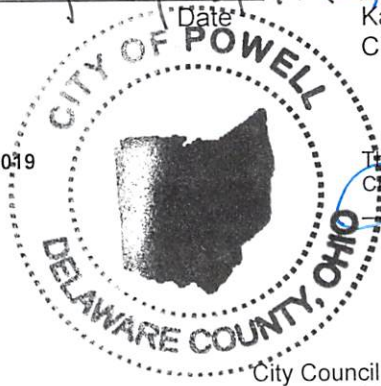
Section 4: That this Resolution shall take effect at the earliest possible date permitted by law.

VOTE ON RESOLUTION 2019-09 Y 7 N 0

Jon C. Bennehoof 7/23/2019
Jon C. Bennehoof
Mayor

Karen J. Mitchell 7/25/2019
Karen J. Mitchell
City Clerk

EFFECTIVE DATE: July 16, 2019



This legislation has been posted in accordance with the City Charter on this date 7/23/2019
City Clerk

- City Council
Jon C. Bennehoof, Mayor
Frank Bertone Tom Counts Brian Lorenz Brendan Newcomb Melissa Riggins Daniel Swartwout