ORDINANCE NUMBER 2026 – 04

AN ORDINANCE AUTHORIZING THE CITY OF ST. CLAIRSVILLE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO COMPLETE WORK ON THE NATIONAL ROAD BIKEWAY TRAIL PROJECT AND DECLARING AN EMERGENCY

PRELIMINARY LEGISLATION
(LPA-ODOT-Let Project Agreement)
(PARTICIPATORY)

Ordinance #:	**2026-04**
PID No.:	**1 2 4 2 6 8**
County/Route/Section:	**BEL National Rd Bikeway Repairs**
Agreement No:	**4 3 7 4 7**

The following is a/an O r d i n a n c e enacted by the City of St. Clairsville of Belmont County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the City of St. Clairsville, Ohio (LPA) has determined the need for the described project:

Rehabilitation/repair of the National Road Bikeway Trail and Trestle structure crossing SR 9 at SLM 16.41. Work will include resurfacing the bikeway and maintenance on the trestle.

NOW THEREFORE, be it ordained by the City of St. Clairsville (LPA) of B e l m o n t County, Ohio.

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

The LPA agrees to assume and bear the cost of the improvements which exceed the Federal fund maximums for the project as allocated by the State, which are outlined in the LPA Federal ODOT-Let Project Agreement (No. 43747).

The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

The LPA further agrees to pay 100% of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

SECTION IV – Authority to Sign

The LPA hereby authorizes Director of Public Service & Safety (Signature authority) of said City of St. Clairsville (LPA-or its division, department or agency) to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, Director of Public Service & Safety (Signature authority) is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the City of St. Clairsville (LPA) to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

SECTION V – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs. The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION VI – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

PID No.: 124268

SECTION VII-Emergency measure

This Ordinance is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed: January 20 , 2026 .

Attested: Jennifer McMillen
(Clerk)

(Contractual Agent of LPA – title)

1/21/2026

CERTIFICATE OF COPY
STATE OF OHIO

City of St. Clairsville (LPA) of B e l m o n t County, Ohio

I, Jennifer McMillen as Clerk of the City of St. Clairsville (LPA)

of Belmont County, Ohio, do hereby certify that the foregoing is a true and correct copy of

Ordinance 2026-04 (Motion/Ordinance/Resolution) adopted by the legislative Authority of the said

City of St. Clairsville (LPA) on the 20th day of January , 2026 .

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 20th day of January 2026 .

Jen McMillen
(Clerk)

SEAL

City of St. Clairsville (LPA) of Belmont County, Ohio