

COUNCIL AGENDA

November 21, 2022

Committee and Council Meetings can be viewed by accessing YouTube

Council Chambers
7:00 P.M.

ROLL CALL

INVOCATION – Beth Bline

PLEDGE OF ALLEGIANCE - Katie Suttles, 6th Grade, Liberty Middle School

CAUCUS

MINUTES of November 7, 2022

APPOINTMENTS

Mayor Jeff Hall - Appointing John Paul and Eddie Hunt to the City of Newark Board of Zoning Adjustment. John Paul's appointment will expire Dec. 31, 2024 and Eddie Hunt's will expire Dec. 31, 2026. Subsequent appointments will be for 4 year terms.

REPORTS OF STANDING COMMITTEES

Finance
Service

REPORTS FROM CITY OFFICIALS

Brenda Cooper, Tax Administrator's Office – Income Tax Revenue Reports for period ending October 31, 2022

Ohio Division of Liquor Control - Transfer Application from Dans Family Pizza LLC, 400 W. Main St. Newark, Oh, 43055 to Malherbe Girls LLC, 400 W. Main St., Newark, Oh 43055

COMMUNICATIONS

Spencer Barker - 74th Annual Licking County Christmas Courthouse Lighting, planned for November 25th

COMMENTS FROM CITIZENS

ORDINANCES ON SECOND READING

22-43 AN ORDINANCE AMENDING CHAPTER 634 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO RELATIVE TO THE NOISE ORDINANCE OF THE CITY OF NEWARK

22-44 AN ORDINANCE AMENDING CHAPTER 648.04 DISORDERLY CONDUCT OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO RELATIVE TO NOISE CONTROL IN THE CITY OF NEWARK AND DISORDERLY CONDUCT BETWEEN FAMILY OR HOUSEHOLD MEMBERS

ORDINANCES ON FIRST READING

22-45 AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SAFETY DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$440,515.00 INCURRED BY THE NEWARK CITY PROPERTY MAINTENANCE DEPARTMENT WITH RESPECT TO PROPERTY MAINTENANCE VIOLATIONS TO BE PLACED AS A LIEN UPON CERTAIN PARCELS OF REAL PROPERTY SITUATED IN THE CITY OF NEWARK, OHIO.

RESOLUTIONS ON SECOND READING

22-97 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION \$3,872.96 (Appropriate funds back into overtime from reimbursement of HazMat recovery incident. Appropriate funds back into Medical Supplies from the sale of three stair chairs on GovDeals)

22-99 A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE PURCHASE OF FLOCK SAFETY SYSTEM AND CAMERAS

22-100 CI APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$73,500.00 -(1-Equipment to be used on bike path, cemetery roadways & parks parking lots 2-Replacement of 1992 Dump truck, needs transmission, rear end, clutch, leaf springs, door & window)

RESOLUTIONS ON FIRST READING

22-101 APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$442.45 - Appropriate Funds back into Overtime from Special Duty Coverage of Hockey Game)

22-104 Exp APPROPRIATING MONIES FOR THE CURRENT EXPENSES OF THE MUNICIPAL CORPORATION (\$40,000.00 - Increased demand for Legal Services)

22-106 Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical findings report, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.

COMMENTS FROM CITIZENS

MISCELLANEOUS

ADJOURNMENT

BY _____

**AN ORDINANCE AMENDING CHAPTER 634 OF THE CODIFIED
ORDINANCES OF THE CITY OF NEWARK, OHIO
RELATIVE TO THE NOISE ORDINANCE OF THE CITY OF NEWARK**

WHEREAS, the Codified Ordinances of the City of Newark currently provide rules and regulations for the control of noise within the City of Newark, Ohio; and,

WHEREAS, due to the changing landscape of the City with several venues holding music events, the noise control ordinance currently in the codified ordinance requires some revisions in order to fit the current needs of the City and its citizens, and:

WHEREAS, Ordinance 84-42 provided the framework for the issuance of variances for music venues and other locations holding events that may be in violation of noise control ordinance to allow such events to be held under guidelines set by the Director of Safety to protect the citizens residing near or affected by the noise; and,

WHEREAS, in order to successfully enforce the noise ordinance, the variance process needs to be completed and approved by council, and;

WHEREAS, this matter was considered by the Safety Committee of this Council who passed this Ordinance on to the full Council for consideration.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO, THAT:**

SECTION ONE: Chapter 634 of the Codified Ordinances of the City of Newark, Ohio is hereby amended to include the following changes to the listed sections below:

**CHAPTER 634: NOISE CONTROL ORDINANCE OF THE CITY OF
NEWARK**

634.04 SPECIFIC PROHIBITIONS

(a) No person shall do, cause or permit any of the following:

(2) Places of public entertainment. Operate, play or permit the operation or playing of any radio, television, phonograph, drum or other musical instrument, sound amplifier or similar device that produces, reproduces or amplifies sound in any place of public entertainment at a sound level greater than ninety five dBA as read by the slow response on a sound level meter at any point that is normally occupied by a customer, unless a conspicuous and

~~legible sign is located outside such place near each public entrance, stating "WARNING: SOUND LEVELS WITHIN MAY CAUSE PERMANENT HEARING IMPAIRMENT";~~
IN SUCH A MANNER AS TO CAUSE A NOISE DISTURBANCE ACROSS RESIDENTIAL AREAS BETWEEN THE HOURS OF 10 P.M. AND 7 A.M. OF THE FOLLOWING DAY, SUNDAY THROUGH THURSDAY AND BETWEEN THE HOURS OF 11 P.M. AND 7 A.M. FRIDAY AND SATURDAY INTO THE FOLLOWING DAY, UNLESS ISSUED A SPECIAL VARIANCE BY THE DIRECTOR OF PUBLIC SAFETY.

A. SOUND LEVELS WITHIN THE PLACE OF PUBLIC ENTERTAINMENT GREATER THAN NINETY-FIVE DBA AS READ BY THE SLOW RESPONSE ON A SOUND LEVEL METER AT ANY POINT AT A PLACE THAT IS NORMALLY OCCUPIED BY A CUSTOMER ARE NOT PERMITTED UNLESS A CONSPICUOUS AND LEGIBLE SIGN IS LOCATED OUTSIDE SUCH PLACE NEAR EACH PUBLIC ENTRANCE, STATING "WARNING: SOUND LEVELS WITHIN MAY CAUSE PERMANENT HEARING IMPAIRMENT"

(5) Motor vehicles

- A. Operate or permit the operation of any motor vehicle with a gross vehicle weight rating in excess of 10,000 pounds or any auxiliary equipment attached to such a vehicle, for a period longer than five minutes in any hour while the vehicle is stationary, in such a manner as to create a noise disturbance, for reasons other than traffic congestion, between the hours of ~~9:30 p.m.~~ **10:00 P.M.** and 7:00 a.m. of the following day; or

(6) Loading and unloading. Load, unload, open, close or otherwise handle boxes, crates, containers, building materials, garbage cans or similar objects between the hours of ~~9:30~~ **10:00 P.M.** and 7:00 a.m. of the following day in such a manner as to cause a noise disturbance across a residential real property boundary;

(7) Construction. Operate or permit the operation of any tools or equipment used in construction, drilling or demolition work between the hours of ~~9:30 p.m.~~ **10:00 P.M.** and 7:00 a.m. of the following day, such that the sound therefrom creates a noise disturbance across a residential real property boundary, except for emergency work of public service utilities or by special variance. This paragraph does not apply to the use of domestic power tools subject to subdivision (a)(11) of this section.

(8) Emergency signaling devices.

- A. Intentionally sound or permit the sounding outdoors of any fire, burglar or civil defense alarm, siren, whistle or similar stationary emergency signaling device, except for emergency purposes or for testing, as provided in this subsection.

Testing of a stationary emergency signaling device shall occur at the same time of day each time such a test is performed, but not before 7:00 a.m. or after ~~9:30 p.m.~~ **10:00 P.M.** or the closing time of a commercial establishment, whichever occurs later. Any such testing shall use only the minimum cycle test time. In no case shall such test time exceed sixty seconds.

Testing of the complete emergency signaling system, including the functioning of the signaling device and the personnel response to the signaling device, shall not occur before 7:00 a.m. or after ~~9:30 p.m.~~ **10:00 P.M.** In no case shall such test time exceed ten minutes.

(9) Radios, television sets, musical instruments and similar devices. Operate, play or permit the operation or playing of any radio, television, phonograph, drum or other musical instrument, sound amplifier or similar device that produces, reproduces or amplifies sound:

A. Between the hours of ~~9:30 p.m.~~ **10:00 P. M.** and 7:00 a.m. of the following day in such a manner as to create a noise disturbance across a residential real property boundary; or

(10) Loudspeakers and public address systems.

A. Use or operate for any noncommercial purpose any loudspeaker, public address system or similar device between the hours of ~~9:30 p.m.~~ **10:00 P. M.** and 7:00 a.m. of the following day, such that the sound therefrom creates a noise disturbance across a residential real property boundary. Mobile sound vehicles amplifying noncommercial spoken language between ~~9:30 p.m.~~ **10:00 P.M.** and 7:00 a.m. of the following day shall be exempt from this subdivision with a special variance issued by the Director of Public Safety.

B. Use or operate for any commercial purpose any loudspeaker, public address system or similar device such that the sound therefrom between the hours of ~~9:30 p.m.~~ **10:00 P.M.** and 7:00 a.m. of the following day **THAT** creates a noise disturbance on a public right of way or public space;

(11) Domestic power tools. Operate or permit the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, lawnmower or other similar device used outdoors, other than powered snow removal equipment, in residential areas between the hours of ~~9:30 p.m.~~ **10:00 P.M.** and 7:00 a.m. of the following day, so as to cause a noise disturbance across a residential real property boundary; or

(12) Powered model vehicles. Operate or permit the operation of powered model vehicles so as to create a noise disturbance across a residential real property boundary or in a public space between the hours of ~~9:30 p.m.~~ **10:00 P.M.** and 7:00 a.m. of the following day. During the permitted period of operation, maximum sound levels in a residential area shall not exceed sixty dBA measured at a distance of fifty feet from any point on the path of the vehicle.

634.05 MAXIMUM PERMISSIBLE SOUND LEVELS BY RECEIVING LAND USE CATEGORY.

(a) Irrespective and independent of whether or not a source of sound constitutes a violation of any of the provisions of Section 634.04 **AND UNLESS OTHERWISE SPECIFIED**, no person shall operate, cause to be operated or permit on private property any source of sound in such a manner as to create a sound level that exceeds the limits set forth in Table 1 for specific receiving land use categories, when measured at or within the property boundary of the receiving land use.

TABLE 1.
SOUND LEVELS BY RECEIVING LAND USE CATEGORY

Receiving Land Use Category	Time	Sound Level Limit (dBA)
Residential	7:00 a.m. to 10:00 P.M.	60
Residential	10:00 P.M. to 7:00 a.m. of the following day	50
Retail Area	At all times	70

634.11 SPECIAL VARIANCES

(a) The Director of Public Safety may grant special variances in accordance with this section.

(b) Any person seeking a special variance pursuant to this section shall file an application with the Director of Public Safety: **NO LESS THAN 60 DAYS BEFORE THE EVENT FOR WHICH THE VARIANCE IS SOUGHT. IF THE APPLICANT IS A BUSINESS OR VENUE WITH MULTIPLE EVENTS OCCURRING DURING THE YEAR WHICH ARE ANTICIPATED TO REQUIRE A VARIANCE, AN APPLICATION MAY CONTAIN MULTIPLE EVENTS AS LONG AS THE REASON FOR THE REQUEST AND THE NATURE OF THE EVENT ARE THE SAME FOR EACH EVENT.** The application shall contain information that demonstrates that bringing the source of sound or activity, for which the special variance is ~~sought~~ **REQUESTED** into compliance with this chapter would constitute an unreasonable hardship on the applicant, on the community or on other persons. **THE APPLICANT MUST ALSO CONSENT TO AN ONSITE INSPECTION OF THE VENUE IN WHICH THE EVENT IS TO BE HELD IF REQUESTED BY THE DIRECTOR OF PUBLIC SAFETY OR HIS OR HER DESIGNEE.** Notice of an application for a special variance shall be **PUBLISHED** by the Director **OF PUBLIC SAFETY** ~~to persons who frequent the area of the sound or activity and who may be adversely affected by the granting of the variance~~ **ON THE CITY OF NEWARK WEBSITE.** Any individual who claims to be adversely affected by allowance of the special variance may file a **WRITTEN** statement with the Director containing any information to support his or her claim.

(c) In determining whether to grant or deny an application for a special variance, the Director shall balance the **RESULTS OF ANY ONSITE INSPECTION**, the hardship to the applicant, the community and other persons of not granting the special variance against the adverse impact on the health, safety and welfare of the persons affected, the adverse impact on property affected and any other adverse impacts of granting the special variance. Applicants for special variances and persons contesting such variances may be required to submit any information the Director may reasonably require. In granting or denying an application, the Director shall maintain a record for public inspection of the decision and the reasons therefor.

(d) Special variances shall be granted by notice to the applicant, containing all necessary conditions, including a time limit on the permitted activity. A special variance shall not become effective until all conditions are agreed to by the applicant. Noncompliance with any of the conditions of the special variance shall terminate ~~it~~ **THE VARIANCE FOR THAT EVENT AND ANY OTHER EVENTS CONTAINED IN THE VARIANCE REQUEST** and subject the person holding it to those provisions of this chapter regulating the source of sound or activity for which the special variance was granted.

(h) Notice of application for a variance or an extension of a variance shall be given by the Director of Public Safety by publishing ~~once in a newspaper of general circulation~~ **ON THE CITY OF NEWARK WEBSITE** a written notice detailing the substance and content of such application and inviting any interested person to submit **WRITTEN** statements and other information regarding the application. ~~All costs associated with the publication of such notices shall be assessed and paid by the applicant~~ **FEES ASSESSED** shall be paid by the applicant at the time of filing the application in accordance with a schedule of fees formulated by the **DIRECTOR OF PUBLIC SAFETY** and filed with the Clerk of Council.

SECTION TWO: The attached application for the issuance of a variance along with the informational cover sheet are hereby approved.

SECTION THREE: All other sections of 634 of the Codified Ordinance not addressed in the above legislation remain in effect as written.

SECTION FOUR: This Ordinance shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED this _____ day _____, 2022.

President of Council

ATTEST: _____
Clerk of Council

Date filed with Mayor: _____

Date approved by Mayor: _____

_____, Mayor

Approved as to form: _____

Tricia M. Moore
Director of Law

Prepared by the Office of the Director of Law

BY _____

AN ORDINANCE AMENDING CHAPTER 648.04 DISORDERLY CONDUCT OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO RELATIVE TO NOISE CONTROL IN THE CITY OF NEWARK AND DISORDERLY CONDUCT BETWEEN FAMILY OR HOUSEHOLD MEMBERS

WHEREAS, the Codified Ordinances of the City of Newark currently prohibits conduct considered to be disorderly within the City limits; and,

WHEREAS, in consideration of the proposed changes to 634 of the Codified Ordinance regarding noise within the City, it is proposed to amend section 648.04 to provide an alternate section for ease of enforcement of said prohibitions, and;

WHEREAS, in reference to disorderly conduct between family or household members, a former section under 648.04 which specifically addressed domestic disorderly conduct was mistakenly taken out of the legislation when prior legislation was passed. The Law Director's Office is requesting that the section be added back into the codified ordinance as it is a valuable asset in addressing non-physical forms of conduct that cause a disturbance within households and families, and;

WHEREAS, this matter was considered by the Safety Committee of this Council who passed this Ordinance on to the full Council for consideration.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO, THAT:

SECTION 1: The following sections of Chapter 648.04 of the Codified Ordinances of the City of Newark, Ohio are hereby amended to read as follows:

CHAPTER 648.04: DISORDERLY CONDUCT

(6) MAKING, CONTINUING, OR CAUSING TO BE PRODUCED ANY LOUD, UNNECESSARY OR UNUSUAL NOISE OR MUSIC THAT IS LIKELY TO ANNOY, DISTURB OR AGITATE THE COMFORT, REPOSE, HEALTH, OR SAFETY OF OTHERS IN THE MUNICIPAL LIMITS. THE FOLLOWING ACTS, AMONG OTHERS THAT MAY NOT BE LISTED HERE, SHALL BE CONSIDERED TO BE

LOUD, UNNECESSARY AND UNUSUAL NOISE AND AS SUCH SHALL BE IN VIOLATION OF THIS SECTION:

A. RADIOS AND PHONOGRAPHS, ETC. THE USING OR OPERATING OR PERMITTING TO BE OPERATED ANY RADIO, STEREO, AMPLIFIER, PHONOGRAPH, MUSICAL INSTRUMENT, OR OTHER MACHINE OR DEVICE DESIGNED TO PRODUCE OR REPRODUCE ANY SOUND THAT WOULD BE LIKELY TO DISTURB THE COMFORT, PEACE AND QUIET OF NEIGHBORING INHABITANTS OR VEHICLE OPERATORS. ANY SOUND THAT IS PRODUCED OR REPRODUCED FROM DEVICES LISTED ABOVE FROM NON-PUBLIC PLACES OR RESIDENCES AFTER 10:00 P.M. AND BEFORE 7:00 A.M. ON ANY DAY, AND FOR PLACES OF PUBLIC ENTERTAINMENT, AFTER 10:00 P.M. AND BEFORE 7:00 A.M. SUNDAY THROUGH THURSDAY, AND AFTER 11:00 P.M. AND BEFORE 7:00 A.M. FRIDAY AND SATURDAY, THAT MAY BE CLEARLY AND DEFINITELY HEARD BEYOND A DISTANCE OF FIFTY FEET FROM THE STRUCTURE, VEHICLE OR SOURCE OF SOUND SHALL BE PRIMA-FACIE EVIDENCE OF A VIOLATION OF THIS SECTION. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE USING, OPERATING, OR PERMITTING TO BE OPERATED A MACHINE OR DEVICE DESIGNED TO PRODUCE OR REPRODUCE SOUND SHALL NOT VIOLATE THIS SECTION IF THE USE IS INCIDENT TO AN EVENT OPEN TO THE PUBLIC AND SPONSORED BY OR PERMITTED BY ANY OF THE FOLLOWING:

- 1) CITY OF NEWARK;
- 2) AN ORGANIZED SCHOOL-RELATED PROGRAM, ACTIVITY OR EVENT;
- 3) AN EVENT APPROVED BY AND IN COMPLIANCE WITH A VARIANCE GRANTED BY THE SAFETY DIRECTOR.

B. LOUDSPEAKERS OR AMPLIFIERS. THE USING OR OPERATING OR PERMITTING TO OPERATE OR TO BE PLAYED, USED OR OPERATED ANY TYPE OF LOUDSPEAKER, AMPLIFIER, HORN OR OTHER NOISE PRODUCING DEVICE FOR THE PURPOSE OF COMMERCIAL ENTERTAINMENT, ADVERTISING, OR ATTRACTION OF ATTENTION THAT WOULD BE LIKELY TO DISTURB THE COMFORT, PEACE AND QUIET OF NEIGHBORING INHABITANTS OR VEHICLE OPERATORS. ANY SOUND THAT IS PRODUCED OR REPRODUCED FROM DEVICES LISTED ABOVE FROM NON-PUBLIC PLACES OR RESIDENCES AFTER 10:00 P.M. AND BEFORE 7:00 A.M. ON ANY DAY, AND FOR PLACES OF PUBLIC ENTERTAINMENT, AFTER 10:00 P.M. AND BEFORE 7:00 A.M. SUNDAY THROUGH THURSDAY, AND AFTER 11:00 P.M. AND BEFORE 7:00 A.M. FRIDAY AND SATURDAY, THAT MAY BE CLEARLY AND DEFINITELY HEARD BEYOND FIFTY FEET FROM THE SOURCE OF ORIGIN, SHALL BE PRIMA-FACIE EVIDENCE OF A VIOLATION OF THIS SECTION. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, USING OR OPERATING A NOISE- PRODUCING DEVICE OR PERMITTING IT TO OPERATE OR TO BE PLAYED, USED OR OPERATED SHALL NOT VIOLATE THIS SECTION IF THE USE OR OPERATION IS INCIDENT TO ACTIVITIES THAT ARE OPEN TO

THE PUBLIC AND SPONSORED BY OR PERMITTED BY ANY OF THE FOLLOWING:

- 1) THE CITY OF NEWARK;
- 2) AN ORGANIZED SCHOOL-RELATED PROGRAM, ACITIVITY, OR EVENT;
- 3) ANY EVENT APPROVED AND IN COMPLIANCE WITH A VARIANCE GRANTED BY THE SAFETY DIRECTOR.

C. LOADING AND UNLOADING. LOAD, UNLOAD, OPEN, CLOSE OR OTHERWISE HANDLE BOXES, CRATES, CONTAINERS, BUILDING MATERIALS, GARBAGE CANS OR SIMILAR OBJECTS BETWEEN THE HOURS OF **10:00 P.M.** **AND 7:00 A.M.** OF THE FOLLOWING DAY IN SUCH A MANNER AS TO CAUSE A NOISE DISTURBANCE ACROSS A RESIDENTIAL REAL PROPERTY BOUNDARY. THIS SECTION DOES NOT APPLY TO REFUSE COLLECTION VEHICLES WHICH ARE GOVERNED BY SECTION 1860.11 OF THE CODIFIED ORDINANCE.

(c) whoever violates this section is guilty of disorderly conduct.

(1) Except as otherwise provided in division (c)(2) of this section, disorderly conduct is a minor misdemeanor.

(2) Disorderly conduct is a misdemeanor of the fourth degree if any of the following applies:

E. THE VICTIM IS A FAMILY OR HOUSEHOLD MEMBER AS DEFINED IN SECTION 636.17 OF THE NEWARK CODIFIED ORDINANCE AND 2919.25 OF THE OHIO REVISED CODE.

SECTION 2: All other sections of 648.04 of the Codified Ordinance not addressed in the above legislation remain in effect as written.

SECTION 3: This Ordinance shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED this _____ day _____, 2022.

President of Council

ATTEST: _____
Clerk of Council

Date filed with Mayor: _____

Date approved by Mayor: _____

Mayor

Approved as to form: _____

Tricia M. Moore
Director of Law

Prepared by the Office of the Director of Law

BY: _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE NEWARK CITY SAFETY DIRECTOR TO CERTIFY TO THE LICKING COUNTY AUDITOR, THE SUM OF \$440,515.00 INCURRED BY THE NEWARK CITY PROPERTY MAINTENANCE DEPARTMENT WITH RESPECT TO PROPERTY MAINTAINENCE VIOLATIONS TO BE PLACED AS A LIEN UPON CERTAIN PARCELS OF REAL PROPERTY SITUATED IN THE CITY OF NEWARK, OHIO.

WHEREAS, the Newark City Council passed the City of Newark's Property Maintenance Code on the 17th day of January, 2007 and an amendment on the 17th day of June, 2008.

WHEREAS, the Newark City Property Maintenance Department caused to be sent a notice addressed to the individuals or entities identified in Exhibit "A" attached hereto with respect to certain property in City of Newark, directing such individuals or entities to correct violations within a proscribed period of time; and,

WHEREAS, upon failure of the individuals or entities identified in Exhibit "A" to abate violations, Property Maintenance Code Ord. 07-03 authorizes the Newark City Safety Director, his/her authorized employees, agents and contractors to access real property upon which weeds were permitted to grow, structures were unsecured and the accumulation of rubbish existed and correct the conditions existing thereon, thereby expending funds for such violation abatement; and,

WHEREAS, Property Maintenance Code authorizes the Newark City Safety Director to assess against a property any costs incurred to bring the property into compliance, including, but are not limited to, any costs incurred due to the use of employees, materials or equipment of Newark, arising out of contracts for labor, materials, or equipment, costs of services of notice(s), filing of affidavit, title searches, or any other necessary costs.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, AS SET FORTH BELOW:

Section One. That the Safety Director is hereby authorized and directed to certify to the Licking County Auditor for placement upon the real property tax duplicate all costs incurred pursuant the City of Newark Property Maintenance Code to correct conditions at the parcels and collection of the same in accordance with Ohio law as described as follows:

See Exhibit "A" attached hereto and incorporated herein.

Section Two. This Ordinance shall be effective as provided in city of Newark Charter, Article 4.07.

Passed this _____ day of _____, 2022.

PRESIDENT OF COUNCIL

ATTEST: _____

Clerk of Council

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____

Director of Law

Resolution No.22-97

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$3,872.96 (Appropriate funds back into overtime from reimbursement of HazMat recovery incident. Appropriate funds back into Medical Supplies from the sale of three stair chairs on GovDeals)

100.205.5118	Overtime – Fire Uniformed	518.90
100.204.5303	Medical Supplies	3,354.06

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2022.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

RESOLUTION NO: 22-99

BY: _____

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITHOUT COMPETITIVE BIDDING FOR THE PURCHASE OF FLOCK SAFETY SYSTEM AND CAMERAS

WHEREAS, the City of Newark has an opportunity to purchase Flock Safety System and cameras by way of a grant awarded to the City by the State of Ohio; and,

WHEREAS, above conditions concerning the waiver of bidding apply to the fact that the grant was awarded specifically for the purchase and use of the Flock Safety System and cameras; and,

WHEREAS, this matter was considered in regular session by the Service Committee who voted to refer the same to full Council for consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO, THAT:

Section 1: The Director of Public Service is hereby authorized to negotiate and enter into contract for the purchase of Flock Safety System and cameras on behalf of the Newark Police Department, subject to the appropriation of funds.

Section 2: Due to the grant awarded being specifically for the purchase of Flock Safety System and cameras, bidding is hereby waived and the Director of Public Service is authorized and directed to negotiate and enter directly into contract with Flock Safety.

Section 3: This legislation shall become effective at the earliest time permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 2022.

President of Council

Attest: _____
Clerk of Council

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved: _____
Director of Law

Prepared by the Law Director's Office.

Resolution No.22-100 CI

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 335 Capital Improvements Fund, in the amount of \$73,500.00 (1-Equipment to be used on bike path, cemetery roadways & parks parking lots 2-Replacement of 1992 Dump truck, needs transmission, rear end, clutch, leaf springs, door & window)

335.432.5271	FB1000 Hurricane Stand on blower	8,500.00
335.432.5331	Dump Truck with 8 foot dump bed	65,000.00

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2022.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

Resolution No.22-101

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$442.45 (Appropriate Funds back into Overtime from Special Duty Coverage of Hockey Game)

100.205.5118	Overtime, Uniformed	Fire, 442.45
--------------	------------------------	-----------------

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2022.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

Resolution No.22-104 Exp

BY: _____

A RESOLUTION APPROPRIATING MONIES FOR CURRENT EXPENSES OF THE MUNICIPAL CORPORATION

WHEREAS, to properly, efficiently and expeditiously conduct business of the City of Newark in the best interest of its citizens, there is an immediate requirement for a certain financial transaction as indicated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO.

Section 1. There is hereby an appropriation of the unappropriated balance of the 100 General Fund, in the amount of \$40,000.00 (Increased demand for Legal Services)

100.114.5238	Services General	40,000.00
--------------	------------------	-----------

This resolution is a measure providing for an appropriation for current expenses of the municipal corporation; it shall go into effect pursuant to Section 4.07 of the Charter of the City of Newark, Ohio.

Adopted this _____ day of _____, 2022.

President of Council _____

Attest Clerk of Council _____

Date filed with Mayor _____

Date approved by Mayor _____

Mayor _____

Approved as to form Director of Law _____, _____

LEGISLATION CONSENT

Rev. 8/5/2022

Resolution #: 22-106

By: _____

ODOT Project Title: Municipal Bridge Inspection Program

The following is a Resolution enacted by the City of Newark of Licking County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS the (LPA) has determined the need for the described project:

Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical findings report, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.

WHEREAS, this resolution is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety for the preservation of the public peace, health, safety, or welfare.

NOW THEREFORE, be it resolved by the City of Newark of Licking County, Ohio.
(LPA)

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above-described project as follows:

The State shall assume and bear 100% of all the cost for 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 (Exhibit A).

The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the municipality As of October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.

SECTION IV – Utilities and Right-of-Way Statement

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

SECTION V – Project Duration and Consent Applicability

The Project is based on the available funds provided by ODOT aimed at assisting the LPA in reaching compliance with State and Federal laws and policies for bridge inspection. The Project specifics (program duration, PID number, and consultant scope of services (Exhibit A)) shall be provided to the designated LPA Contractual Agent via email sent by ODOT Office of Structural Engineering (OSE).

ODOT will seek additional funds to renew the project in future years. If such funds are allocated, ODOT will send an email with the Project specifics to the designated LPA Contractual Agent seeking approval for the new Project. ODOT will not proceed with any Project that does not have written authorization via email from the designated LPA Contractual Agent.

SECTION VI – Authorization of Project

The Service Director of the City of Newark, Ohio is hereby empowered on behalf of the City of Newark, Ohio to provide written authorization via email to the Director of Transportation to complete the above-described project and any renewals.

SECTION VII – Emergency Measure

The Resolution 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: _____, 2_____.
(Date)

Attested: _____
(Clerk of Council)

(President of Council)

Attested: _____
(Clerk of Council)

(Contractual Agent of LPA – Service Director)

Date Filed with Mayor: _____

Date Approved by Mayor: _____

(Mayor)

Form Approved: _____

(Law Director)

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Newark of Licking County, Ohio
(LPA)

I, _____, as Clerk of the City of Newark of Licking County, Ohio, do hereby
certify that the foregoing is a true and correct copy of _____ adopted by the legislative
Authority of the said City of Newark on the _____ day of _____, 2_____.
(Ordinance/Resolution)

That the publication of such _____ has been made and certified of record according to
Law; that no proceedings looking to a referendum upon such _____ have been taken;
and that such _____ and certificate of publication thereof are of record in _____,
(Ordinance/Resolution)

Page _____.
(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this _____ day of _____ 2_____.

(Clerk)

(CITY SEAL)

City of Newark of Licking County, Ohio

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Newark of Licking County, Ohio.

Attested: _____ Date _____
(Contractual Agent)



For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)

Scope of Services Meeting Date: **/**/**
Approved Final Scope of Services Minutes Date: **/**/**

GENERAL ENGINEERING SERVICES

Central Office, Office of Structural Engineering

Scope of Services

The CONSULTANT may be required to perform the following services on a task order type basis for bridges designated by regulation or by agreement as City or Village inspection responsibility. Consultants must be prequalified for Level 1 Bridge Inspection services, which may include but are not limited to the following:

Task 1 - Scour Tasks

- Task 1A - Scour Critical Assessment
- Task 1B - Scour Plan-of-Action

Task 2 - Load Rating Tasks

- Task 2A - Field Measurements for Load Rating
- Task 2B - Load Rating Calculations

Task 3 – AssetWise Structure Inventory and Review, Including New SNBI Fields

Task 4 – Inspection Procedures

- Task 4A - Fracture Critical Plan
- Task 4B – Underwater Inspection Procedures

Task 5 - Bridge Inspection

- Task 5A – Routine Bridge Inspection
- Task 5B – Fracture Critical Inspection
- Task 5C – Underwater Dive Inspection

Services shall be conducted in accordance with the following:

- ODOT Manual of Bridge Inspection, Latest Version
- ODOT Bridge and Inventory Coding Guide, Latest Version
- ODOT Bridge Design Manual, Section 900), Latest Version
- Hydraulic Engineering Circulars 18, 20 and 23
- The Manual for Bridge Evaluation, Third Edition 2019 interim with revisions, AASHTO

Publication

- Bridge Inspector's Reference Manual, FHWA NHI Publication Number: 12-049,
 Publication Year: 2012
- Underwater Bridge Inspection, FHWA Publication Number: FHWA NHI-10-027,
 Publication Year: 2010

The CONSULTANT shall maintain a project cost accounting system that will segregate costs for individual task orders. The invoicing progress reports shall be detailed enough to show the breakdown of each assigned structure indicating the status of all subtasks. Completion of the individual subtasks in necessary for reimbursement credits.

The duration of the agreement will be twelve (12) months from the authorization date of the agreement.

The Department will be performing an annual Quality Assurance Review (QAR) for each selected consultant in accordance with Manual of Bridge Inspection to ensure accuracy and consistency of the inspection and documentation in AssetWise. This typically includes an office and field review.

The project will be divided into four (4) sub-projects (SP). A CONSULTANT will be selected for each sub-project. Municipalities opted into the previous inspection program will have the option to renew their legislation. Municipalities with population greater than 50,000 people are excluded from the program. The sub-projects have the following general geographic areas, category characteristics, and maximum contract values for the municipalities with municipal inspection responsibility obtained from AssetWise data as of July 2022.

Project: SP01 - District (1, 2, &3), Total Structures = 485*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	192	178	26	0	396
Multi-Span	24	20	31	14	89
Culvert	119	29	1	0	149
Truss	0	1	3	0	4
Fracture Critical Inspection	0	0	2	0	2
Underwater Inspection	0	0	0	0	0
Load Rating**	108	99	29	7	243

* Level 1 Bridge Inspection structures

** Tasked as budget allows w/priority for NBI bridges with many BrR updates

General Engineering Services Scope of Services
Central Office, Office of Structural Engineering
PID No. 117554

Project: SP02 - District (4, 11, &12), Total Structures = 392*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	127	126	35	0	288
Multi-Span	22	25	37	20	104
Culvert	84	40	1	0	125
Truss	1	2	6	0	9
Fracture Critical Inspection	0	0	3	0	3
Underwater Inspection	0	0	0	0	0
Load Rating**	75	76	36	10	197

* Level 1 Bridge Inspection structures

** Tasked as budget allows w/priority for NBI bridges with many BrR updates

Project: SP03 - District (5, 6, &10), Total Structures = 515*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	189	206	40	0	435
Multi-Span	11	11	37	21	80
Culvert	111	87	4	0	202
Truss	0	0	7	0	7
Fracture Critical Inspection	0	0	7	1	8
Underwater Inspection	0	0	0	0	0
Load Rating**	80	87	31	8	259

* Level 1 bridge inspection structures

** Tasked as budget allows w/priority for NBI bridges with many BrR updates

Project: SP04 - District (7, 8 &9), Total Structures = 508*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	177	157	36	1	371
Multi-Span	29	45	49	14	137
Culvert	126	85	3	0	214
Truss	0	0	7	1	8
Fracture Critical Inspection	0	1	4	1	6
Underwater Inspection	0	0	0	0	0
Load Rating	103	101	43	8	255

* Level 1 bridge inspection structures

** Tasked as budget allows w/priority for NBI bridges with many BrR updates

Please note that the total number of structure types is estimated based on current AssetWise data queries, and it may be adjusted when tasks are assigned in the future which may include newly found orphan bridges. The estimated annual contract price value for each sub-project is as follows:

SP01 \$560,000
SP02 \$530,000
SP03 \$570,000
SP04 \$590,000

DBE Participation:

Project	Goal
SP01	10%
SP02	0%
SP03	0%
SP04	0%

CONSULTANT shall clearly designate in the letter of intent the SP(s) they wish to be considered for.

Three (3) copies of the letter of intent shall be submitted. The letter of intent shall demonstrate that the CONSULTANT has a clear understanding of the scope of services.

Price Proposal Due Date: **/**/**

UNDERSTANDING

1. Inspections shall be completed by firm's full-time staff prequalified with ODOT for Level 1 bridge inspection according to the Manual of Bridge Inspection.
2. Task order are intended for maintaining compliance with the FHWA 23-Mertics, Ohio Revised Code, and ODOT policy manuals. Deadlines set by the task orders shall be respected.
3. All reports and records compiled under this agreement shall become the property of the City or Village and shall be housed in the City or Village. ODOT shall receive an electronic copy of plans, analysis files, reports and other items mentioned below.
 - a) CONSULTANT shall perform all applicable updates to ASSETWISE with new or revised information for structure inventory and appraisal data, inspections, scour, fracture critical members, and load ratings.
 - b) CONSULTANT shall submit copies of all reports and calculations electronically, or in hard copies when requested, to the City or Village for inclusion in their bridge records.
 - c) This includes, as applicable, a printed copy of the inspection report, Scour Plan-of-Action, Fracture Critical Plan, load rating report, gusset plate analysis, inspection procedures, and field measurement notes, digital pictures as well as a reproducible digital data file (.pdf, .doc, .xml, and .xls formats).
4. Copies of all transmittal letters and emails related to this Task Order shall be submitted to Central Office, Office of Structural Engineering.
 - a) When required, CONSULTANTS shall locate the original construction plans, as-built, and shop drawings from archive locations specified by the municipality and upload them onto ASSETWISE.

Services to be furnished by CONSULTANT may include:

TASK 1 - SCOUR TASKS

Task 1A – Scour Critical Susceptibility NBIS Item 113) - The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection. Deliverables include field notes, a completed Scour Critical Assessment Checklist as per Appendix I of the 2014 Manual of Bridge Inspection, and any other reference material needed for the bridge owner to properly maintain their bridge files. Channel photos or cross sections maybe tasked under this item if assigned. Please use the latest scour assessment form.

Task 1B - Scour Plan-of-Action - The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection Appendix H for the scope of this task. Deliverables include a completed Scour Plan-of-Action, field notes, calculations, and any other reference material needed by bridge owner to maintain bridge files.

TASK 2 – LOAD RATING TASKS

Task 2A - Field Measurements for Load Rating - Should no plans exist or if additional information is required, each main member shall be field measured for load rating. The condition of the member should be noted on the field documentation. All measurements shall be included in the load rating report.

Task 2B - Load Rating Calculations – A bridge carrying vehicular traffic shall be rated to determine the safe load carrying capacity. The CONSULTANT shall review existing bridge plans and inspection reports and other inspection information such as photographs and estimates of section loss for bridge members and connections. The analysis for existing structures shall be performed for AASHTO HS20-44 [MS 18] (truck, lane, & military) loading for both inventory and operating levels, and for the four Ohio Legal Loads including the special hauling vehicles (2F1, 3F1, 4F1, and 5C1, SU4, SU5, SU6, SU7, Type 3, Type 3S2, Type 3-3, NRL, EV2, and EV3) at operating level. The CONSULTANT shall try to complete the load rating analysis utilizing BrR (Virtis) at first. Hand-calculations or Spreadsheets if BrR is not applicable. The BrR analysis file, other load rating files, and the latest BR100 shall be included with the submittal to OSE.

The inventory and operating ratings shall be coded as per the most recent version of the ODOT Bridge Inventory Coding Guide. Update ASSETWISE Inventory with the load rating results and upload BR100 pdf file.

The electronic deliverable shall include if applicable an Excel spreadsheet or other files used for analysis for each bridge which shall include the member areas, member capacities both with and without section loss, influence lines (can be the ordinates or graph of the lines), dead loads and dead load stresses in members, live loads and live load stresses in members for all truck loadings and the load ratings of the members. Truck loadings to be used for the ratings are specified in BDM Section 900.

The Load Rating Report shall be prepared by a registered or non-registered engineer, and it shall be checked, signed, sealed and dated by an Ohio Registered Professional Engineer.

The Load Rating Report shall explain the method used to calculate the load rating of each bridge.

AASHTO Load Factor Rating (LFR) shall be utilized for all bridges not designed by Load and Resistance Factor Design. AASHTO Load and Resistance Factor Rating (LRFDR) shall be utilized for all structures designed for HL93 loading starting October 2010.

Load Rating Report Submittal to the City or Village shall include:

- a. Two (2) printed copies and one electronic pdf copy of the Load Rating Report for each bridge.
- b. Final summary of inventory and operating ratings for each member and the overall ratings of the structure shall be presented for each live load truck. An acceptable format is ODOT form BR-100.
- c. Analysis program input files. Both input and output files shall be submitted when programs other than BrR or spreadsheets are used.
- d. All calculations related to the load rating.
- e. If applicable, the weight limits posting recommendations including a copy of the standard posting sign; such as R12-1 (24" x 30"), R12-H5 (30" x 48"), and R12-H7 (30" x 30").

TASK 3 – ASSETWISE STRUCTURE INVENTORY AND REVIEW

The scope of this task includes a limited review of the structure inventory data in the ODOT ASSETWISE. In general, the CONSULTANT shall review specific existing ODOT bridge inventory records (as provided by the City and approved by ODOT) of the designated bridge. The CONSULTANT may download the inventory report, which contains inventory data for each bridge on file with ODOT from the ODOT website. The CONSULTANT shall verify this data and determine if the ODOT ASSETWISE structure file information needs to be updated on the system. If no changes are necessary, then no ASSETWISE inventory needs to be filled out. If changes are necessary, the scope of this task shall also include completing and filing inventory updates (and supplements, as needed) in ASSETWISE. The CONSULTANT shall refer to the ODOT Office of Structural Engineering Inventory and Coding Guide of ASSETWISE for inventory coding details. In 2023, ODOT will start the transition toward SNBI, the consultants shall fill out all empty fields for this purposes as communicated by OSE.

TASK 4 – INSPECTION PROCEDURES

Task 4A – Fracture Critical Plan – A Fracture Critical Member Plan and inspection procedure shall be developed and updated. For more details, refer to Chapter 4: Inspection Types in the Manual of Bridge Inspection. It shall include:

1. Sketches of the superstructure with locations of all fatigue and fracture prone details identified.
 - a. Use framing plan or schematic with detail locations labeled and a legend explaining each labeled item on the scheme.
 - b. Use an elevation view for trusses.

- c. Classify similar fatigue/fracture prone details as types (e.g. end of partial cover plate).
2. A table or location of important structural details indicating:
 - a. Type of detail (e.g. end of partial cover plate, short web gap, etc.)
 - b. Location of each occurrence of detail
 - c. AASHTO Fatigue Category of detail
 - d. Identify retrofits previously installed
3. Risk Factors Influencing the inspector access.

Photos and sketches shall be properly referenced. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task.

Task 4B – Underwater Inspection Procedures – An underwater inspection procedure shall be developed. For more details, refer to Chapter 4: Underwater Inspections in the Manual of Bridge Inspection. Please note that ODOT has recently revised the format of the procedures file. The diving team shall fill out or update the latest form and upload it on ASSETWISE prior to performing the actual dives. Please contact OSE for a copy of a blank form if not uploaded on ASSETWISE at the time.

TASK 5 – BRIDGE INSPECTION

Task 5A – Routine Bridge Inspection (ASSETWISE Input) - Perform a routine field inspection of the structure to determine the general condition. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task. Section 1111 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) modified 23 U.S.C.144, requires Ohio to report bridge element level data for NBIS bridges on the National Highway System (NHS) to FHWA. A condition rating or element level inspection will be assigned. This task includes Condition Rating Inspection for non-NBI structures, Condition Rating Inspection for NBI structures, and Element Level Inspection for NBI classified as NHS. The consultant shall probe the channel around the footing in water to determine depth of scour and report the date in AssetWise.

Task 5B – Fracture Critical Inspection - Perform a fracture critical field inspection of fracture critical items. The CONSULTANT shall update the FCM inspection procedure with current photos and descriptions. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task.

Task 5C – Underwater Dive Inspection – Perform Underwater/ In-Water inspection of substructure units according to the cycle shown in ASSETWISE. Emergency underwater inspection may arise for specific structures over the duration of the contract period. Work shall be done in accordance with the reference manuals and inspection procedure. Scour risk shall be evaluated after field and data collection.