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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. 37 - 2021

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR OR HIS  
8 DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE  
9 OHIO RAIL DEVELOPMENT COMMISSION AND CSX  
10 TRANSPORTATION FOR GRADE CROSSING WARNING  
11 DEVICE IMPROVEMENTS AND IMPLEMENTATION OF A  
12 4-QUADRANT LIGHT AND GATE SYSTEM QUIET ZONE AT  
13 THE BAILEY ROAD/CSX RAILROAD CROSSING, AND  
14 DECLARING AN EMERGENCY.  
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17 WHEREAS, the Ohio Rail Development Commission and CSX Transportation (CSX)  
18 have identified the need for grade crossing warning device upgrades at the Bailey  
19 Road/CSX railroad crossing, and;

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21 WHEREAS, the City has requested the implementation of a 4-quadrant light and gate  
22 system quiet zone be implemented at this grade crossing, and;

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24 WHEREAS, the City has agreed to fund 36% of the preliminary engineering and  
25 construction costs of these upgrades, which represents the difference between the  
26 warning device upgrades and the quiet zone implementation.  
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28 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,  
29 County of Summit and State of Ohio, that:

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31 Section 1. The Mayor or his designee be and is hereby authorized to enter into an  
32 agreement with the Ohio Rail Development Commission and CSX Transportation (CSX)  
33 for the grade crossing warning device improvements and implementation of a 4-quadrant  
34 light and gate system quiet zone at the Bailey Road/CSX railroad crossing.  
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36 Section 2. The Director of Finance is hereby authorized and directed to make payment  
37 for same from the Capital Projects Fund, line item Capital Outlay.  
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39 Section 3. Any other ordinances and resolutions or portions of ordinances and  
40 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
41 resolutions or portions of ordinances and resolutions not inconsistent herewith and  
42 which have not previously been repealed are hereby ratified and confirmed.  
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44 Section 4. It is found and determined that all formal actions of this Council  
45 concerning and relating to the adoption of this ordinance were adopted in an open  
46 meeting of this Council, and that all deliberations of this Council and of any of its  
47 committees that resulted in such formal action, were in meetings open to the public, in  
48 compliance with all legal requirements, to the extent applicable, including Chapter 107  
49 of the Codified Ordinances.

50 Section 5. This ordinance is hereby declared to be an emergency measure necessary  
51 for the preservation of the public peace, health, safety, convenience and welfare of the  
52 City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the  
53 affirmative vote of two thirds of the members elected or appointed to Council, it shall take  
54 effect and be in force immediately upon its passage and approval by the Mayor; otherwise  
55 it shall take effect and be in force at the earliest period allowed by law

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Passed: 6-14-2021

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Approved: 6-15-2021

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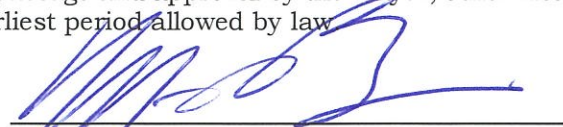
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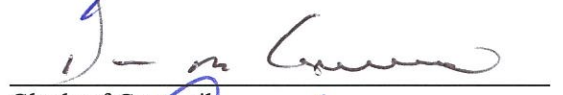
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4/26/21

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President of Council



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Clerk of Council



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Mayor