

Ordinances Passed

ORD. No. 2233-77—To grant a variance from the provisions of Section 2543.02 (b)3, Columbus City Codes, 1959, to permit the County of Franklin to operate a liquified petroleum gas storage tank within the limits of Fire Zone I as defined in Section 2503.02, Columbus City Codes, 1959, and to declare an emergency.

Whereas, the operation of a liquified petroleum gas storage tank is prohibited within the limits of Fire Zone I by Chapter 2543 of the City of Columbus Fire Prevention Code; and

Whereas, the petroleum gas storage tank proposed to be utilized by the County of Franklin for construction of the Annex to the Hall of Justice is to be installed in an area that is within Fire Zone I as defined in Chapter 2503, Columbus City Codes, 1959; and

Whereas, the County of Franklin has agreed to comply with those safety standards and conditions stipulated by the Division of Fire and Section 2543.02, Columbus City Codes, 1959, in consideration of a variation from the terms of 2543.02 (b)3, Columbus City Codes, 1959, being granted; and

Whereas, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to grant a variance from the provisions of Section 2543.02(b)3, Columbus City Codes, 1959, to permit the County of Franklin to operate a liquified petroleum gas storage tank within the limits of Fire Zone I as defined in Section 2503.02, Columbus City Codes, 1959, for the immediate preservation of the public peace, property, health and safety; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That the County of Franklin be, and hereby is, granted a variance from the provisions of Section 2543.02(b)3, Columbus City Codes, 1959, insofar as said Section prohibits the operation of a liquified petroleum gas storage tank within Fire Zone I as defined in Section 2503.02, Columbus City Codes, 1959, subject, however, to the additional conditions specified in this Ordinance.

Section 2. That the variance granted by this Ordinance is conditioned upon, and shall be effective only upon the compliance with the following conditions by the County of Franklin, in addition to compliance with the other provisions set forth in Section 2543.02, Columbus City Codes, 1959.

1. There shall be no open excavations in the Hall of Justice Annex in the vicinity of the liquified gas storage tank operation; all necessary back-filling shall be completed prior to filling the storage tank.

2. A qualified watchman as concurred in by the Division of Fire, shall be on duty twenty-four (24) hours per day and shall check said tank a minimum of three (3) times per hour.

3. The plans for installation of said storage tank shall be submitted to the Division of Fire for inspection prior to approval; said installation shall be made pursuant to City of Columbus regulations and the regulations of the National Fire Prevention Association pertaining to liquified petroleum gas installations.

4. A qualified liquified petroleum gas technician, as concurred in by the Division of Fire, shall be present during the filling and unfilling of the storage tank, in addition to the tank truck driver, Morse-Diesel, Inc., and the permit holder shall have mutual responsibility of insuring that said supervision occurs.

5. The variance hereby granted and any permit granted pursuant to Section 2543.02, Columbus City Codes, 1959, shall expire on May 1, 1978.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed December 1, 1977.

M. D. PORTMAN,

President of Council.

Approved December 1, 1977.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 2234-77—To authorize and direct the Director of the Department of Development to enter into a contract for consultant services necessary to conduct an Indoor Sports Arena Feasibility and Market Analysis Study, and authorize the expenditure of \$75,000.00, and to declare an emergency (\$75,000.00).

Whereas, a recent drive for signatures to put a tax levy on the ballot clearly demonstrated citizen support in Columbus and Franklin County for the building of an indoor sports facility; and,

Whereas, a sound feasibility study and market analysis have been determined necessary before people can make a responsible and meaningful decision at the ballot box on whether to tax themselves, if necessary, for the building of an arena; and,

Whereas, the Mayor and City Council pledged their efforts toward drafting a financially sound plan for filling the request of citizens for an indoor sports arena in the Columbus community; and,

Whereas, the Department of Development produced an outline of how to conduct an Indoor Sports Arena Feasibility and recommended that A Task Force be convened to guide the analysis of feasibility and marketability; and,

Whereas, the Columbus Indoor Sports Arena Task Force was appointed by the Mayor and conducted several meetings reviewing the study outline; and,

Whereas, the study outline is phased and contains several sections including a market analysis, a review of physical planning and design considerations, identification of costs and benefits, a financial analysis, identification of uses, management approaches and any additional items the Task Force deems necessary; and,

Whereas, after several interviews, the Columbus Indoor Sports Arena Task Force has identified a consultant with special and unique qualifications relevant to this project and recommends to City Council and the Department of Development that said consultant be retained to conduct the Indoor Sports Arena Feasibility and Market Analysis Study; and,

Whereas, the City must enter into a contract with said consultant quickly in order to undertake and complete work before the possible placement of a tax levy for construction of the arena on the ballot; and,

Whereas, an emergency exists in the usual daily operation of the Department of Development, Division of Planning, in that it is immediately necessary to enter into this consultant contract for the immediate preservation of the public health, peace, property and safety, now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That the Director of the Department of Development be and is hereby authorized and directed to enter into a contract with a consultant to conduct Phase I of the Indoor Sports Arena Feasibility and Market Analysis Study in an amount not to exceed \$25,000.00.

Section 2. That the expenditure in the amount of \$75,000 or so much thereof as may be necessary be and is hereby authorized from the Department Fund Number 0100 Department Number 218, Code 300, to pay the cost thereof.

Section 3. That for reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed as amended December 1, 1977.

M. D. PORTMAN,

President of Council.

Approved as amended December 1, 1977.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 2235-77—To permit the occupancy of a portion of Fulton Street with LPG Storage Tanks for the Hall of Justice Addition, subject to the terms and conditions herein stipulated.

Whereas, an addition to the Franklin County Hall of Justice is planned; and

Whereas, the installation of two LPG storage tanks has been deemed necessary in order to provide heat for the location; and

Whereas, said installation will encroach upon the public right of way of Fulton Street, east of Front Street; and

Whereas, said encroachment will not interfere with the use of said right-of-way for street purposes; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That the owner of the property, Franklin County Commissioners, be and is hereby granted the right and privilege of occupancy of a portion of right-of-way of Fulton Street by the installation of two (2) LPG storage tanks, in accordance with plans on file in the Office of the City Engineer, and being described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of dedicated Fulton Street, and being more particularly described as follows:

Beginning, for reference, at the south-westerly corner of Lot 229 in the City of Columbus, of record in Deed Book "F", Page 332, said corner being the north-easterly corner of Front Street (82.50 feet in width) and Fulton Street (82.50 feet in width);

Thence East, with the southerly line of Lot 229 and the northerly right-of-way line of Fulton Street, a distance of 100.50 feet to the true place of beginning;

Thence East, continuing with said line, a distance of 70.00 feet to a point;

Thence South, into Fulton Street, a distance of 40.00 feet to a point;

Thence West, a distance of 70.00 feet to a point;

Thence North, a distance of 40.00 feet to the true place of beginning, containing 2800 square feet, more or less.

Subject, however, to the additional conditions following:

Such construction shall be approved by the Chief Inspector of the Division of Building Regulations of the City of Columbus; that the owner, Franklin County Commissioners, its successors and assigns, shall save the City harmless from any and all damages which may arise from or grow out of the construction, use and maintenance of the addition, and said grantee, its successors and assigns, shall defend, at its own cost, every suit in which the City of Columbus, Ohio, shall be made a party, brought and prosecuted for the recovery of any such damages; that the occupancy of the right-of-way is hereby permitted merely as an accommodation to the said grantee and that no right, title or interest of the public is waived or abridged in any way thereby; such permission to use and occupy said portion of Fulton Street, upon which the construction and placement of LPG oil storage tanks will encroach, being granted until such time as said tanks may be razed or removed therefrom.

Section 2. That said encroachment shall be so installed as not to interfere with or damage any utility facilities and, in the event that changes become necessary to accommodate said tanks, the grantee, its successors and assigns, shall pay the entire cost of any necessary changes, relocations, or rearrangement thereof.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed December 1, 1977.

M. D. PORTMAN,

President of Council.

Approved December 1, 1977.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

Bids Wanted

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, and building and loan or savings associations or companies

situated in Franklin County, Ohio whose application for the deposit of public money has been approved by the Columbus Depository Commission that bids will