

CITY OF JEANNETTE

WESTMORELAND COUNTY, PENNSYLVANIA

BILL NO. 91-6

ORDINANCE NO. 91-6

AN ORDINANCE OF THE CITY OF JEANNETTE
THE FILING OF AN EMINENT DOMAIN ACTION
NECESSARY TO COMPLETE THE EMERGENCY
STREAMBANK PROTECTION PROJECT ON BRUSH
CREEK.

BE IT ORDAINED AND ENACTED, And it is hereby Ordained and Enacted by Council of the City of Jeannette, at a regular meeting thereof, held on the 17th day of July, that

WHEREAS: The City of Jeannette, as a third class City, has the specific corporate power to construct levees and ferries; deepening of channels, etc. 53 P.S. 37403 (14), and

WHEREAS: The City has previously expressed its intention to undertake a project called the Brush Creek Streambank Protection Plan in co-operation with the U.S. Army Corps of Engineers, and

WHEREAS: It appears that it is necessary to determine the specific boundaries for the project, and

WHEREAS: It further appears that the Corps of Engineers have prepared preliminary sketches outlining the scope of the project, copies of which are attached hereto and made a part hereof, and marked as Exhibit "A".

NOW, THEREFORE, In consideration of the above and intending to promote the public health, safety and welfare of the citizens of the City of Jeannette, Council adopts the following

- 1) The City hereby declares its intention to undertake and complete the Brush Creek Streambank Protection Plan as described in the Exhibit attached hereto and made a part of this Ordinance.
- 2) The City declares the project to be within the scope of the specific power as set forth in 53 P.S. 37403 (14).

- 3) The City shall undertake whatever steps and procedures are necessary within the scope of the Eminent Domain Code for acquiring any temporary or permanent easements, any temporary or permanent takings or partial takings of real property, within the area bounded on the east by Western Avenue and on the west by Eleventh Street.
- 4) The general nature of the project is to erect and construct a "gabion revetment wall along the southerly side of Brush Creek in the area aforesaid.
- 5) The City Solicitor, Mayor and City Clerk shall be authorized and empowered to undertake whatever legal actions may be necessary to carry out the purpose of this Ordinance and acquire whatever property rights shall be required.
- 6) Any Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.
- 7) This Ordinance shall take effect immediately upon final passage.

IN WITNESS WHEREOF, I have set my hand and seal this
17th day of July 1991.



GLENN D. HOAK, MAYOR

ATTEST:



RICHARD S. LASKEY, CITY CLERK