

ORDINANCE NO. 8-40

By Mr. Stackhouse

Authorizing the payment of the claim of Robert Peyton,

Whereas, on or about December 20th, 1939, the automobile owned and operated by Robert Peyton was damaged by reason of striking a piece of loose pavement at the intersection of Dawson Avenue and Fair Avenue, resulting in damage to a wheel, tire and inner tube thereon, and by reason thereof he has suffered damages in the sum of \$12.68, as follows: Tire \$8.50; Tube \$1.68; Wheel \$2.50 - Total \$12.68, and

Whereas, the Council is of the opinion that there is probably a legal liability on the part of the municipality by reason of the condition of said street at the time of the accident, and that said claim should be allowed and paid,
NOW, THEREFORE:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. That the claim of Robert Peyton in the sum of \$12.68 for damages to his automobile, as hereinabove described, sustained on or about December 20th, 1939, in the manner hereinabove set forth, be and the same is hereby approved and ordered paid.

Section 2. That for the purpose of paying said claim there be and is hereby appropriated from the general fund the sum of 12.68, and the Auditor is hereby authorized and directed to draw a proper voucher therefor, upon receipt of a release properly executed by the said Robert Peyton of all damages arising out of said accident.

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

Passed March 5, 1940.

Attest S. W. Roderick
Clerk

Approved March 5, 1940.

F. H. Bonnet
President of Council

W. A. Schneider
Mayor

The motion was seconded by Mr. Rehn. Thereupon a yea and nay vote on the motion was taken, with the following results: YEAS: Altmaier - Betz - Bonnet - Harlor - Rehn - Stackhouse. No nays. Motion carried.

Thereupon said ordinance was given its first reading.

Mr. Altmaier then moved that the rules requiring ordinances to be fully and distinctly read on three different days be dispensed with in respect of said ordinance, and that it be placed upon its passage. The motion was seconded by Mr. Rehn. A yea and nay vote was then had on the motion with the following results: YEAS: Altmaier - Bonnet - Betz - Harlor - Rehn - Stackhouse. No nays. Motion carried.

Mr. Altmaier then moved the passage and adoption of said ordinance. The motion was seconded by Mr. Rehn. Thereupon a yea and nay vote was taken on the passage and adoption of said ordinance, with the following results: YEAS: Altmaier - Betz - Bonnet - Harlor - Rehn - Stackhouse. No nays. Motion carried.

The mayor then declared said ordinance No. 3-40 duly passed and adopted.

The meeting was unanimously adjourned.

W. A. Schneider
(Signed) W. A. Schneider
Mayor.

Attest:

A. W. Redmick
Auditor.

I do certify further that said ordinance, after its passage as aforesaid, was presented to the mayor for his approval and that he duly approved said ordinance and returned it to council on the 9th day of January, 1940.

I do certify further that no English newspaper was published and of general circulation in said city during the publication period of said ordinance and that publication of said ordinance was duly made by posting true copies thereof in not less than five of the most public places in said city, as determined by the council, each for the period of fifteen days, commencing on the 10th day of January, 1940, as follows:

Parkview & Clifton Aves., Main & Parkview Ave., Main & College Ave., Main & Drexel Ave., Broad & Drexel Ave.

I do certify further that said ordinance has been duly recorded in the records of ordinances of said city.

(Seal)

A. W. Redmick
Auditor.