

RESOLUTION NO. 2017-09

INTRODUCED BY: MAYOR SUSAN K. INFELD

AN ORDINANCE PLACING A MORATORIUM ON SMALL CELL TOWERS AND RELATED EQUIPMENT IN THE CITY OF UNIVERSITY HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, the City of University Heights anticipates the proliferation of small cell towers and related equipment in the rights-of-way of the City; and

WHEREAS, the City of University Heights anticipates litigation regarding the City's right to control its rights-of way; and

WHEREAS, the City of University Heights believes it is in the best interest of the residents of the City to establish this moratorium on the placement of small cell towers and related equipment in the rights-of-way of the City; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, OHIO, THAT:

Section 1. The City of University Heights hereby establishes a moratorium on the placement of small cell towers and related equipment in the City of University Heights.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance of all legal requirements.

Section 3. This Resolution is declared to be an emergency measure for the preservation of the public peace, safety, health and welfare of the citizens of the City of University Heights; such reason being this Resolution must be enacted as necessary in order to place a moratorium in effect prior to House Bill 331 going into effect. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval of the Mayor; otherwise, it shall become effective at the earliest time allowed by law.

CITY OF UNIVERSITY HEIGHTS, OHIO



SUSAN K. INFELD, MAYOR

PASSED: March 6, 2017

ATTEST:



KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:



LUKE F. MCCONVILLE, LAW DIRECTOR