

ORDINANCE NO. 16-17

AN ORDINANCE TO IMPOSE A TEMPORARY MORATORIUM
UPON THE APPROVAL OF ANY APPLICATION FOR CONSTRUCTION
OF AND/OR MODIFICATIONS TO FACILITIES WITHIN THE
RIGHTS-OF-WAY OF THE VILLAGE OF NORTH PERRY
UNTIL 145 DAYS AFTER THE EFFECTIVE DATE OF THIS ORDINANCE,
AND DECLARING AN EMERGENCY.

WHEREAS, the Village of North Perry wishes to establish a new ordinance for management of its public rights-of-way; and

WHEREAS, there have been both technological advancements and legal developments and the Village staff has determined that they need time to review and make major additions to its regulations to address issues relating to the siting of wireless facilities and utilities in a way that addresses local concerns, new standards, and policies as determined by a utilities facilities plan; which will provide the public with access to utility and wireless services, and complies with federal and state law; and

WHEREAS, in order to complete this review, develop a utilities facilities plan/ordinance, and permitting process; a temporary moratorium is imposed upon any approval of applications for access to the Village's rights-of-way for one hundred forty-five days (145) from the effective date of this ordinance; and

WHEREAS, it is imperative to move forward with this ordinance so that the moratorium can be in effect as soon as possible, all for the preservation of the public peace, health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF NORTH PERRY, COUNTY OF LAKE, STATE OF OHIO, as follows:

SECTION 1. That Council and the Administration shall not formally act upon any applications for collocation, construction and/or modification of poles, towers, non-tower supporting structures, antennas, base stations, equipment cabinets, underground vaults and transmission equipment in the rights-of-way for a period of one hundred forty-five days (145) days from the effective date of this ordinance.

SECTION 2. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and all deliberations of this Council, or any of its committees, which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public health, safety and welfare of the residents of the

Village of North Perry, and for the further reasons set forth in the preamble herein above. Therefore, this ordinance shall take effect and be in force immediately upon its passage.

MAYOR

ADOPTED: November 3, 2016

ATTEST: _____
FINANCE DIRECTOR

Reichard motioned to suspend Council rule. Siegel seconded. Callahan, Cutler, L. Klco, Reichard, Siegel, and Thompson voted to approve.

Reichard motioned to adopt. Thompson seconded. Callahan, Cutler, L. Klco, Reichard, Siegel, and Thompson voted to adopt