

ORDINANCE NO. O -15-20

AN ORDINANCE AMENDING TITLE V OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MARIEMONT BY ENACTING CHAPTER 56 RELATIVE TO INSTALLATION OF SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES IN VILLAGE RIGHTS OF WAY: AND TO DECLARE EMGERENCY

WHEREAS, to provide regulations for the construction and use of small-cell facilities within the rights-of-way of the Village of Mariemont to ensure that such facilities are appropriately sited and designed to preserve the health, safety, and welfare of the people of the Village; are maintained in good operation; and have minimal impact on other properties so as not to create a public nuisance; and

WHEREAS, the Village of Mariemont has primary responsibility for regulating the use and occupation of its municipal rights of way; and

WHEREAS, the Village of Mariemont intends that its regulations serve the public, preserve the integrity of the Mariemont Historic District, and provide non-discriminatory and non-burdensome standards and regulations to operator applicants of small-cell facilities in the municipal right-of-way in compliance with state and federal law and regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MARIEMONT, STATE OF OHIO:

Section 1. That Title V of the Codified Ordinances of the Village of Mariemont shall be amended by enacting Chapter 56, Small Cell Facilities and Wireless Support Structures within the Right-of-Way, as set forth in Exhibit A of this Ordinance, which is hereby incorporated as if set forth in full herein.

Section 2. The Council hereby determines that all deliberations and votes of a public body regarding this Ordinance were conducted in an open meeting in compliance with 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 peace, health and safety and shall go into effect immediately. The reason for the emergency is due to time is of the essence in order to prepare the necessary design guidelines.

Passed: June 8, 2020

William A. Brown, Mayor

ATTEST:

Anthony j. Borgerding, Fiscal Officer

I, Anthony Borgerding, Fiscal Officer of the Village of Mariemont, Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: the Concourse, Miami Bluff and Flintpoint Way; the Tennis Court property, on the east side of Plainville Road between Maple and Chestnut Streets; the site of the Municipal Building. Wooster Pike and Crystal Springs Road; the northeast corner of the intersection of Rembold and Miami Road inside the enclosure; the northwest corner of the Old Town Center, intersection of Chestnut and Oak Streets; each for a period of fifteen days commencing on the 9^h day of 2020.

Anthony Borgerding, Fiscal Officer