

**CITY OF OBERLIN, OHIO**

**ORDINANCE No. 19-52 AC CMS**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ADOPT REGULATIONS FOR THE USE OF PUBLIC WAYS FOR SMALL CELL WIRELESS FACILITIES AND SUPPORT STRUCTURES AS WELL AS ASSOCIATED DESIGN GUIDELINES, TO AMEND SUCH REGULATIONS AND GUIDELINES FROM TIME TO TIME AND DECLARING AN EMERGENCY

WHEREAS, it is prudent that the City have a in place regulations for the use of public ways for small cell wireless facilities and wireless support structures as well as associated design guidelines which may be modified from time to time to further improve those regulations and guidelines and to accommodate changes to applicable laws and to incorporate court and administrative interpretations of those laws; and,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the City Manager is authorized to adopt regulations for the use of public ways for small cell wireless facilities and wireless support structures as well as associated design guidelines and to adopt revisions thereto from time to time as deemed necessary by the City Manager.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance 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 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 immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: to authorize the adoption of updated regulations applicable to small cell wireless facilities, support structures and design guideless as soon as is possible so as to facilitate the benefits of such regulations without delay," and shall take effect immediately upon passage.

PASSED:        1<sup>st</sup> Reading: 08/19/2019 (E)  
                     2<sup>nd</sup> Reading: \_\_\_\_\_  
                     3<sup>rd</sup> Reading: \_\_\_\_\_

ATTEST:

  
\_\_\_\_\_  
BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL

  
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BRYAN BURGESS  
PRESIDENT OF COUNCIL

POSTED: 08/19/2019

EFFECTIVE DATE: 08/20/2019