

RECORD OF ORDINANCES

Ordinance No. 2018-47

Passed June 20, 2018

SPONSOR: UTILITIES COMMITTEE

AN ORDINANCE TO CREATE CHAPTER 117 – SMALL CELL FACILITIES AND WIRELESS SUPPORT STRUCTURES WITHIN THE RIGHT-OF-WAY, AND DECLARING AND EMERGENCY.

WHEREAS, pursuant to the Ohio Constitution of the State of Ohio and the Revised Code, municipal corporations have the power to adopt legislation deemed necessary and proper to protect the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restrictions on areas used for business and trades; and,

WHEREAS, the Council finds that regulating small cell facilities and wireless support structures within the Village of Mogadore is necessary and proper to protect the health, safety, welfare, comfort, and peace of the citizens of the Village and therefore, this ordinance is passed as an emergency.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Mogadore, Counties of Summit and Portage, Ohio, as follows:

Section 1: This Council declares that, effective July 1, 2018 the Village’s Business Regulations Code shall be and is hereby amended to create Chapter 117 titled “Small Cell Facilities and Wireless Support Structures Within the Right-of-Way” with the language as set forth in Exhibit “A,” which is attached hereto and incorporated herein.

Section 2: This Council hereby find and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable 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, safety, and welfare of the Village’s residents for the immediate implementation of these rules, and provided this Ordinance receives the affirmative vote of the members elected or appointed to Council, it shall take effect and be enforced immediately upon its passage and approval by the Mayor.

Michael Raddish 6-20-18
President of Council Date

Micha 6-20-18
Mayor Date