



Legislation Text

File #: ORD-073-2020, **Version:** 2

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF GAHANNA, OHIO: Repealing existing Chapter 1181 PERSONAL WIRELESS SERVICE FACILITIES; Enacting new Chapter 1181 PERSONAL WIRELESS SERVICE FACILITIES.

WHEREAS, the Ohio General Assembly enacted H.B. 478 regarding the regulation and placement of small cell wireless technology in municipal rights-of-way; and

WHEREAS, the purpose of this Ordinance is to establish general procedures and standards, consistent with H.B. 478 and all applicable federal, state, and local laws, for small cell wireless technology in the City's rights-of-way and to ensure that small cell facilities and wireless support structures are carefully designed, constructed, modified, and maintained in conformance with all applicable health and safety regulations of the City; and

WHEREAS, the City seeks to enhance the ability of wireless communications carriers to deploy small cell wireless technology in the City effectively and efficiently so that residents and businesses benefit from wireless service availability while still preserving the character of our neighborhoods; and

WHEREAS, the City of Gahanna encourages a competitive wireless marketplace by embracing new technology and practices while protecting the health, safety, and welfare of the public; and

WHEREAS, the Planning Commission held a public hearing on August 26, 2020 the meeting held pursuant to notice and according to law; and

WHEREAS, the Planning Commission on August 26, 2020 recommended to Council the amendment of Chapter 1181, Personal Wireless Service Facilities, of the Codified Ordinances of the City of Gahanna;

WHEREAS, City Council held a public hearing on October 5, 2020, held pursuant to notice and according to law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. That existing Chapter 1181 PERSONAL WIRELESS SERVICE FACILITIES, of the Codified Ordinances of the City of Gahanna be and is hereby repealed.

Section 2. That Chapter 1181 PERSONAL WIRELESS SERVICE FACILITIES be and is hereby enacted as set forth in EXHIBIT A, attached hereto and made a part herein.

Section 3. That this Ordinance shall be in full force and effect after passage by this Council and 30 days after date of signature of approval by the Mayor.