

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 16-55

INTRODUCED BY: Nickell, Kasaris, Antoskiewicz
Co-Sponsor: Langshaw, Marnecheck

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART TWELVE PLANNING AND ZONING CODE, CHAPTER 1290 WIRELESS TELECOMMUNICATIONS FACILITIES, SECTION 1290.02 GENERAL REQUIREMENTS BY CREATING NEW PARAGRAPHS (u), (v) AND (w), DECLARING AN EMERGENCY

WHEREAS: It has been determined to be necessary to amend the Codified Ordinances of the City of North Royalton, Part Twelve Planning and Zoning Code, Chapter 1290 Wireless Telecommunications Facilities, Section 1290.02 General Requirements by creating new Paragraphs (u), (v) and (w) in order to provide for maintenance and inspections and fees for same; and

WHEREAS: Council desires to provide for these amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part Twelve Planning and Zoning Code, Chapter 1290 Wireless Telecommunications Facilities, Section 1290.02 General Requirements of the Codified Ordinances of the City of North Royalton is hereby amended by creating new Paragraphs (u), (v) and (w) which shall herein read as follows:

1290.02 GENERAL REQUIREMENTS.

(u) All wireless telecommunication facilities shall submit a maintenance plan that meets industry standards, as determined by the Building Commissioner, no later than January 1 following the grant of the conditional use permit and thereafter as required under 1290.02(v)(1).

(v) Maintenance and Inspections.

- 1) The operator, lessee, tenant, or owner of a wireless telecommunication facility shall submit a yearly maintenance plan and report to the Building Commissioner, no later than January 1, prepared by a licensed professional engineer(s) which shall verify continued compliance of the facility with all governmental requirements including, but not limited to, the structural integrity and stability of any towers or antennas, electrical safety standards, and auxiliary power source safety standards or other criteria as required or requested by the Building Commissioner.***
- 2) An annual inspection shall be conducted as directed by the Building Commissioner. The inspection shall include an assessment of the wireless communications facility and its environs. The review shall include, but not limited to, general security, landscaping, access, lighting, property maintenance, etc.***
- 3) Notice of any inspection deficiencies shall be corrected by the operator, lessee, tenant or owner of the wireless telecommunication facility within (5) five days.***

(w) Fees for alterations, upgrades, modifications, additions, inspections and new wireless communications facilities shall be administered by the Building Division as prescribed under Section 214.08.

Section 2. This Ordinance shall supersede all previously adopted ordinances in direct conflict herewith.

Section 3. Section 1290.02 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of this section shall remain in full force and effect.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton, Part Twelve Planning and Zoning Code, Chapter 1290 Wireless Telecommunications Facilities, Section 1290.02 General Requirements by creating new Paragraphs (u), (v) and (w) in order to provide for maintenance and inspections and fees for same.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: March 1, 2016

DATE APPROVED: March 2, 2016

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading March 1, 2016

YEAS: Antoskiewicz, Nickell, Langshaw,
Marnecheck, Muller, Kasaris

NAYS: none

ABSENT: Petrusky