

RESOLUTION NO. 2016- 13

A RESOLUTION PLACING A TEMPORARY MORATORIUM,
NOT TO EXCEED ON HUNDRED EIGHTY DAYS (180) DAYS ON THE ISSUANCE OF
ANY PERMITS FOR THE ACTIVATION OR INSTALLATION OF ANY SYSTEM,
STRUCTURE, EQUIPMENT, OR DEVICE FOR THE OPERATION OF DISTRIBUTED
ANTENNA SYSTEMS (DAS), SMALL CELL TECHNOLOGY OR NODES FOR
COMMUNICATION PURPOSES WITHIN THE CITY OF PARMA HEIGHTS, AND
DECLARING AN EMERGENCY

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for the health, safety, and welfare, comfort and peace of the citizens of the municipality, including restricting areas uses for businesses and trades; and,

WHEREAS, this Council and Administration desire to withhold the issuance of any permits to businesses or individuals for the activation or installation of any system, structure, equipment, or device for the operation of distributed antenna systems, small cell technology or nodes for communication purposes within the City of Parma Heights for a temporary period of time, not to exceed one hundred eighty (180) days, while it undertakes a review and/or study of the Ordinances of the City of Parma Heights, including the zoning, utilities, building and business regulation sections of the Parma Heights Codified Ordinances; and,

WHEREAS, this moratorium will allow the Council and the Administration to review the matter and to enact reasonable regulations to protect the health, safety, welfare, peace and comfort for the citizens of the City of Parma Heights;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA HEIGHTS, STATE OF OHIO:

Section 1. The Council and Administration approve a temporary moratorium, not to exceed one hundred eighty (180) days, on the issuance of any permits for the activation or installation of any system, structure, equipment or device for the operation of distributed antenna systems, small cell technology or nodes for communication purposes within the City of Parma Heights.

Section 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3. This ordinance is declared to be an emergency measure for the immediate preservation of the public health, peace and safety of the municipality and for the further reason that a moratorium is needed to enable the study of the permitting of distributed antenna systems, small cell technology or nodes, wherefore, it shall be in full force and effect immediately after

its passage by Council and approval of the Mayor.

PASSED: 11-14-2016

ATTEST: Florence A. Behdani

FILED WITH
THE MAYOR: 11-14-2016

Maria Galt
PRESIDENT OF COUNCIL

11-14-2016
APPROVED

[Signature]
MAYOR