

RESOLUTION NO. 05-2017

Expressing the City of Worthington's Opposition to the Micro Wireless Facility Provisions of Senate Bill 331 and Agreeing to Work in Cooperation with Other Ohio Municipalities to Challenge the Restriction on the City's Constitutional Home Rule Authority.

WHEREAS, on December 7, 2016, the Ohio General Assembly passed Senate Bill 331, which allows for, among other things, micro wireless facility operators to construct and operate micro wireless facilities in the public right of way and upon City structures within the right of way; and,

WHEREAS, the City of Worthington understands the importance of supporting the deployment of advance wireless services throughout the State and has historically worked with telecommunication providers to offer locations within the City for the installation of telecommunication facilities in a manner that respects the health, safety and welfare of Worthington citizens, and,

WHEREAS, Worthington City Council believes that the micro wireless facility provisions of Senate Bill 331 ignore the critical rights of the City to exercise its home rule authority by prohibiting and otherwise restricting the City's ability to effectively manage and control its rights of way and its City-owned facilities within those rights of way; and,

WHEREAS, the City of Worthington supports, and agrees to join, a unified effort by Ohio municipalities to challenge the micro wireless facility provisions of Senate Bill 331 as a legislative strike against the City's constitutional right of home rule.

NOW, THEREFORE, BE IT RESOLVED BY the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That this Council hereby expresses its opposition to the micro wireless facility provisions of Senate Bill 331, passed by the Ohio General Assembly on December 7, 2016, and hereby supports and agrees to cooperate with other Ohio municipalities that stand ready to challenge such provisions as a violation of municipal home rule authority, and such other claims as may be appropriate, subject to an acceptable method of allocation of costs that may be determined by and among the group of interested municipalities.

SECTION 2. That the Clerk of Council be and hereby is instructed to record this Resolution in the appropriate record book.

Approved February 13, 2017

/s/ Bonnie D. Michael
President of City Council

Attest:

/s/ Tanya Maria Word
Temporary Clerk of Council