

RESOLUTION NO. 35-18  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bill Serr ON THE  
18<sup>th</sup> DAY OF June, 2018.

**A RESOLUTION DESIGNATING CERTAIN AREAS OF  
THE CITY OF CENTERVILLE FOR UNDERGROUND  
PLACEMENT OF UTILITY INFRASTRUCTURE WITHIN  
THE PUBLIC RIGHT OF WAY.**

WHEREAS, the State of Ohio adopted House Bill 478 on April 11, 2018, which law was signed by the Governor on May 2, 2018; and which law goes into effect on August 1, 2018, to modify the law regarding wireless service and the placement of small cell wireless facilities in the public way; and

WHEREAS, Section 4939.0314(G) of H.B. 478 allows a local municipality to adopt non-discriminatory requirements designating areas of the community solely for undergrounding of utility structures and facilities in the public way; and

WHEREAS, the City of Centerville wishes to protect the health, safety, and general welfare of those areas where utility structures and facilities are currently located underground in the public way or within recorded utilities easements.

**NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE  
HEREBY RESOLVES:**

Section 1. That certain existing areas of the City of Centerville are characterized by the undergrounding of utility structures and facilities in the public way or within recorded utility easements. All utility structures and facilities proposed within the public way within and adjacent to these areas shall similarly be located underground where above-ground utility installations do not currently exist.

Section 2. One such area includes the neighborhoods commonly known as 'Nestle Creek' and 'Cheltenham,' approximately bounded by the adjacent public ways of Clio Road, Wilmington Pike, E. Alex-Bell Road/SR725, and Bigger Road within the City of Centerville and further designated in "Exhibit A." This Resolution shall apply to all public ways within and adjacent to these areas where above-ground utility installations do not currently exist.

Section 3. One such area includes the neighborhood commonly known as 'Yankee Trace,' approximately bounded by the adjacent public ways of Washington Church Road, E. Social Row Road, Sheehan Road, Paragon Road, and Yankee Street within the City of Centerville and further designated in "Exhibit B." This Resolution shall apply to all public ways within and adjacent to this area where above-ground utility installations do not currently exist.

Section 4. One such area includes the neighborhoods commonly known as 'Plymouth Notch,' 'Springstone Lea,' 'Park Estates,' 'Stationhouse Square,' 'Park Place,' 'East Park Place,' and 'Park Estates' located along East Centerville Station Road and further designated in "Exhibit C." This Resolution shall apply to all public ways within and adjacent to these areas where above-ground utility installations do not currently exist.

Section 5. One such area includes the neighborhood commonly known as 'Franklin East,' approximately bounded by the adjacent public ways of Clio Road, E. Centerville Station Road, and Millerton Drive within the City of Centerville and further designated in "Exhibit D." This Resolution shall apply to all public ways within and adjacent to this area where above-ground utility installations do not currently exist.

Section 6. One such area includes the neighborhoods commonly known as 'Deer Run,' 'Black Oak Forest,' and 'Forest Walk' located along Clio Road within the City of Centerville and further designated in "Exhibit E." This Resolution shall apply to all public ways within and adjacent to these areas where above-ground utility installations do not currently exist.

Section 7. One such area includes the neighborhood commonly known as 'Plymouth Colony,' located along Pine Forest Drive and New London Court within the City of Centerville and further designated in "Exhibit F." This Resolution shall apply to all public ways within and adjacent to this area where above-ground utility installations do not currently exist.

Section 8. One such area includes the neighborhood commonly known as 'Walnut Hills,' located west of Wilmington Pike within the City of Centerville and further designated in "Exhibit G." This Resolution shall apply to all public ways within and adjacent to this area where above-ground utility installations do not currently exist.

Section 9. One such area includes the neighborhood commonly known as 'Centerville Woods,' located south of Spring Valley Pike within the City of Centerville and further designated in "Exhibit H." This Resolution shall apply to all public ways within and adjacent to this area where above-ground utility installations do not currently exist.

Section 10. One such area includes the neighborhoods commonly known as 'La Chapelle' and 'Walnut Creek' located along Wilmington Pike and Alex-Bell Road within the City of Centerville and further designated in "Exhibit I." This Resolution shall apply to all public ways within and adjacent to these areas where above-ground utility installations do not currently exist.

Section 11. One such area includes the neighborhoods commonly known as 'Cornerstone North' and 'Cornerstone South' bounded roughly by Wilmington Pike, Clyo Road, Brown Road, and I-675 within the City of Centerville and further designated in "Exhibit J." This Resolution shall apply to all public ways within and adjacent to these areas where above-ground utility installations do not currently exist.

Section 12. One such area includes the neighborhoods commonly known as 'Pleasant Woods' along Alston Woods Court within the City of Centerville and further designated in "Exhibit K." This Resolution shall apply to all public ways within and adjacent to these areas where above-ground utility installations do not currently exist.

Section 13. This Resolution shall apply to any future area where provisions for underground utilities are made.

Section 14. A utility operator may seek a waiver to the undergrounding or alternative location requirements in accordance with state or local law.


Section 15. Section 9.13(J) of the Unified Development Ordinance which requires underground installation of utilities in new residential subdivisions is not affected by this Resolution.

Section 16. This Resolution shall take effect at the earliest time allowed by law.

PASSED THIS 18<sup>th</sup> day of June, 2018.

  
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Mayor, City of Centerville, Ohio

ATTEST:

  
\_\_\_\_\_  
Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 35-18, passed by the Council of the City of Centerville, Ohio on the 18<sup>th</sup> day of June, 2018.

Carin R. Andrews  
Clerk of the Council

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions.  
Department of Law  
Scott A. Liberman  
Municipal Attorney

# Exhibit A



# Exhibit B





Plymouth Notch

Springstone Lea

Park Estates

Stationhouse Acres

Park Place

East Park Place

Exhibit C

Braewood Trl

Streamside Dr

Harewood Ct

Stonehouse Ct

Station House Rd

Forest Lawn Ct

Park East Ct

Park Creek Dr

Valley Brook Pl

Datchet Ct

Ghirardelli Ct

Jaime Rose Way

E Centerville Station Rd

Carrilon Woods Dr

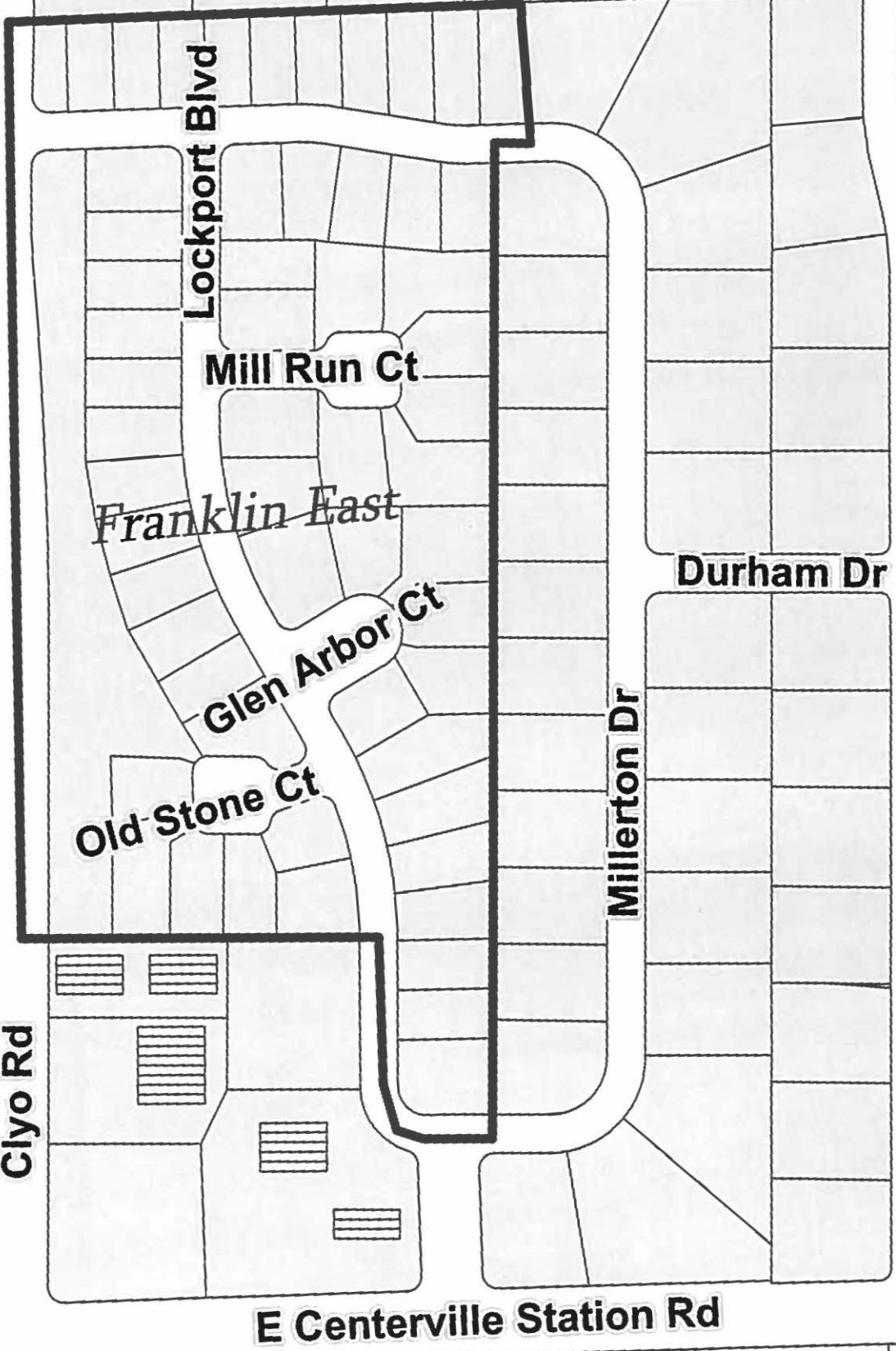
Fenway Ct

Southbury Dr

Brainard Woods Dr

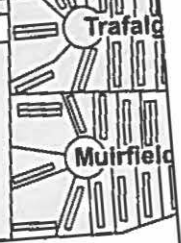
S Oak Ct

**Exhibit D**



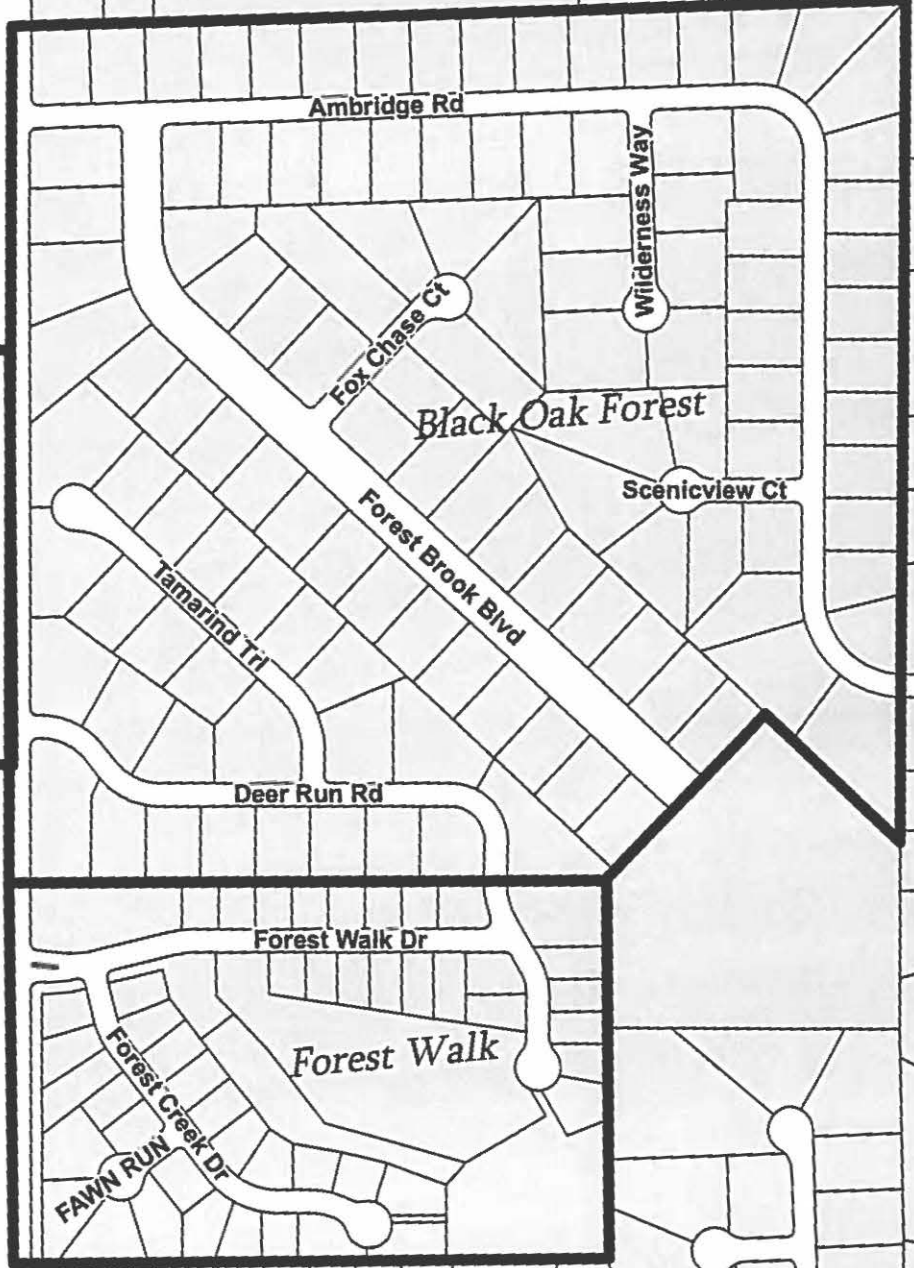
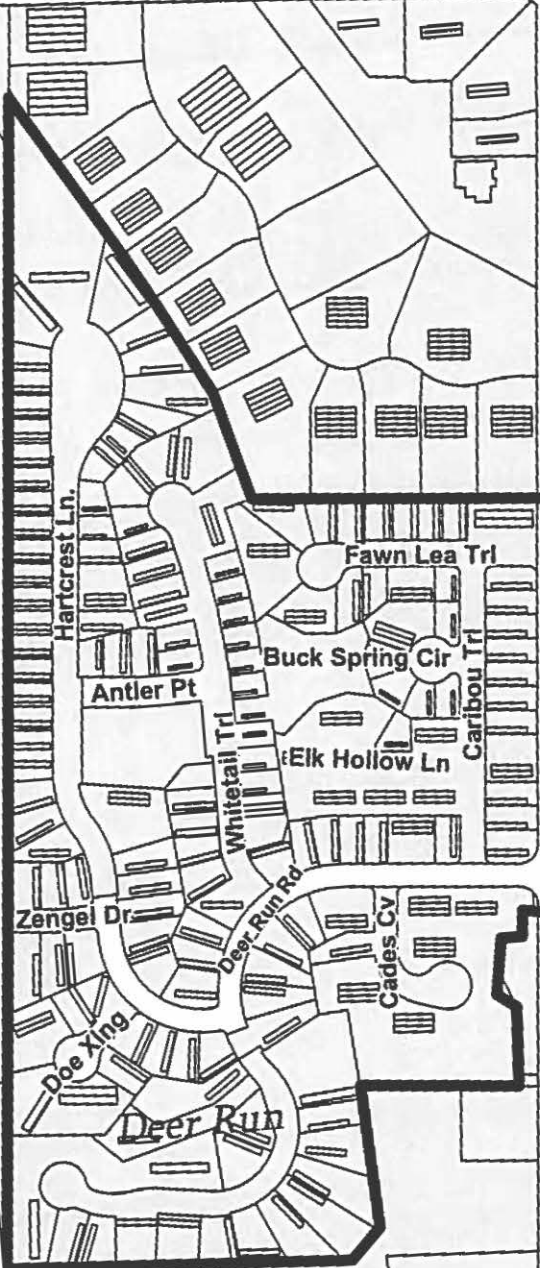


# Exhibit E

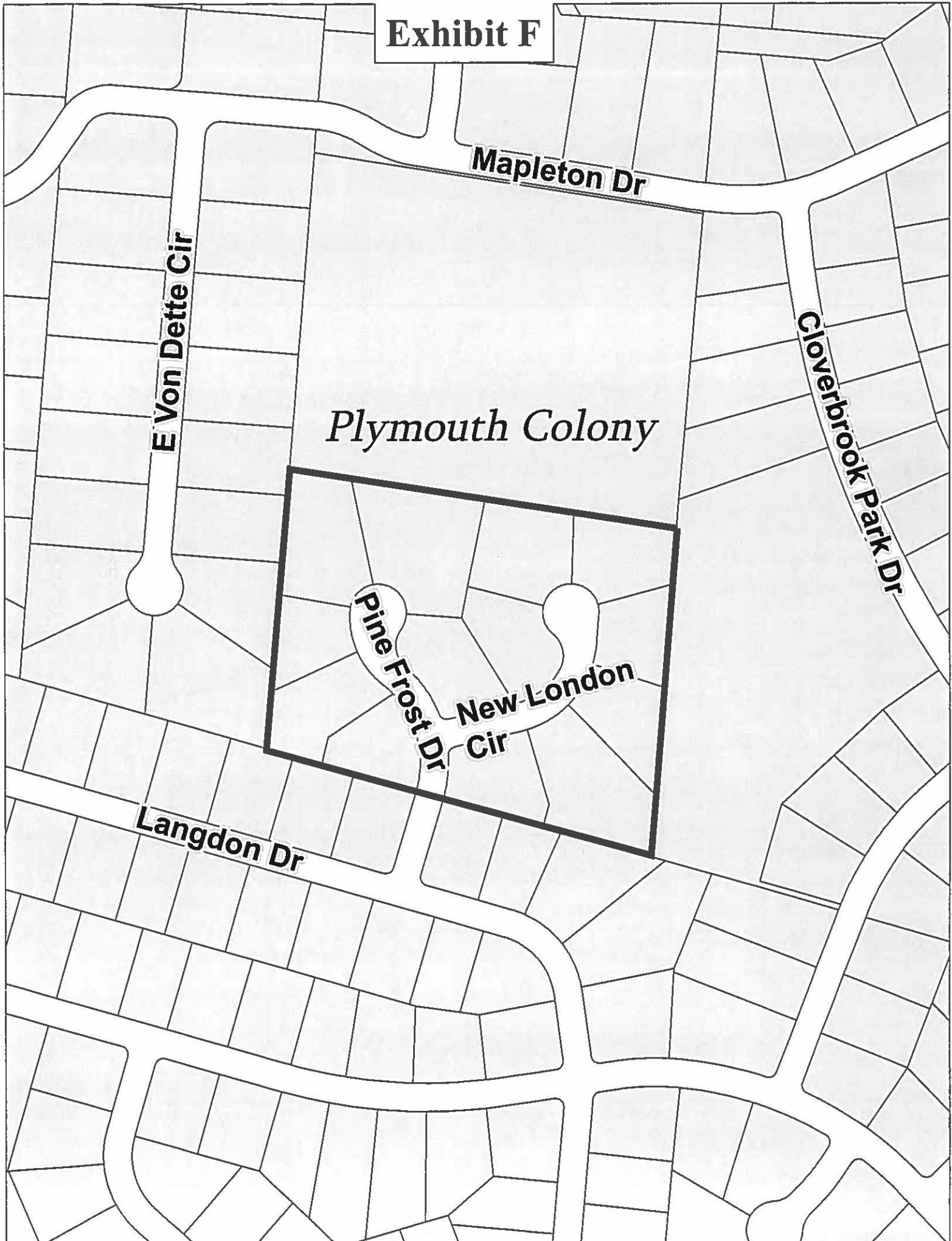


E Alex Bell Rd

Clyo Rd



**Exhibit F**



**E Von Dette Cir**

**Mapleton Dr**

*Plymouth Colony*

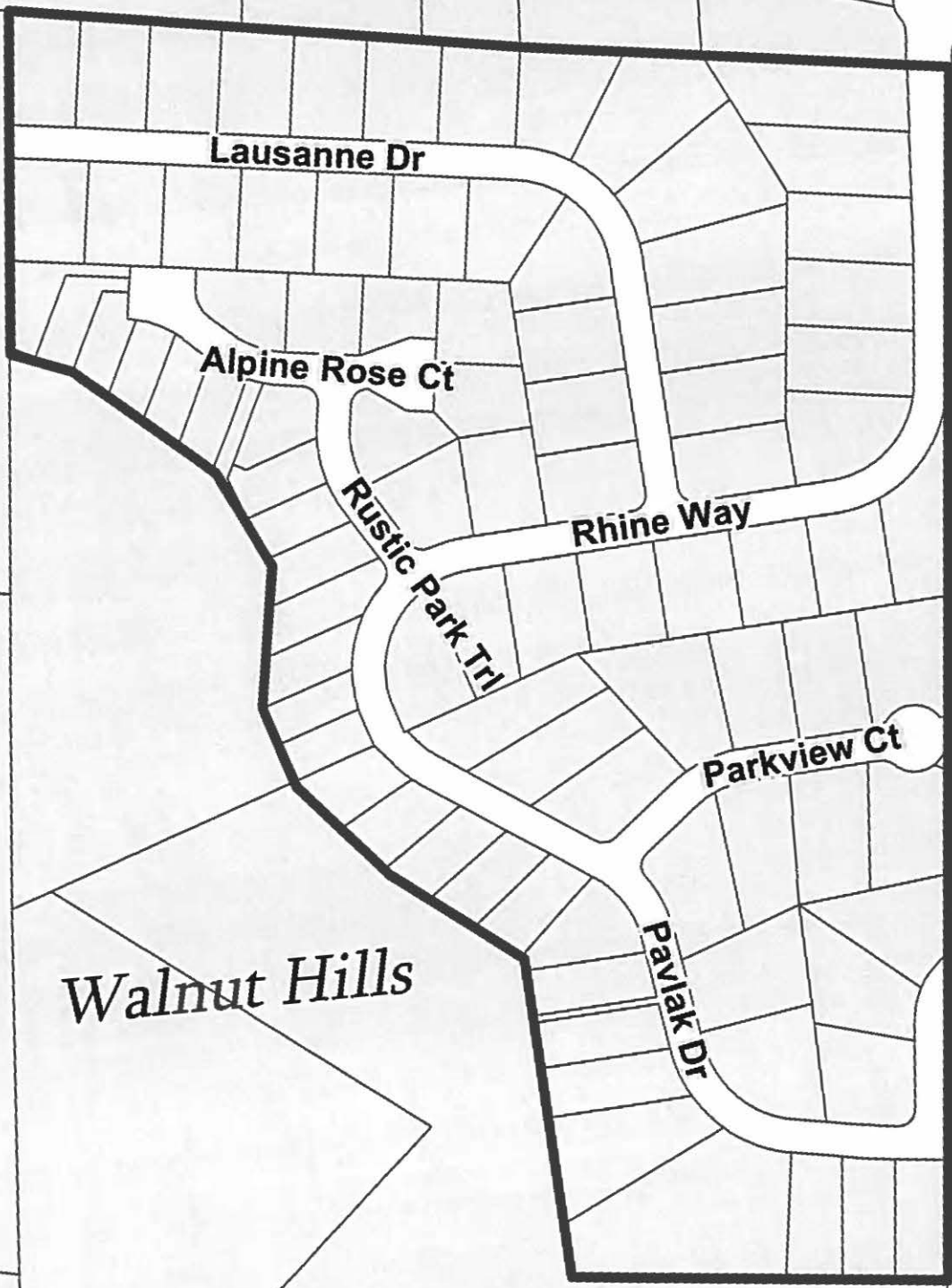
**Cloverbrook Park Dr**

**Pine Frost Dr**

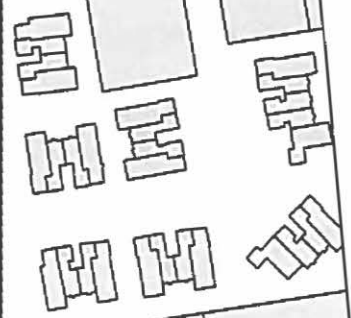
**New-London Cir**

**Langdon Dr**

**Exhibit G**



**Edelweiss Dr**



*Walnut Hills*

**Sycamore View Ct**

**Exhibit H**

Virginia Ave

W Spring Valley Pike

April Lynne Ave

Shawhan Dr

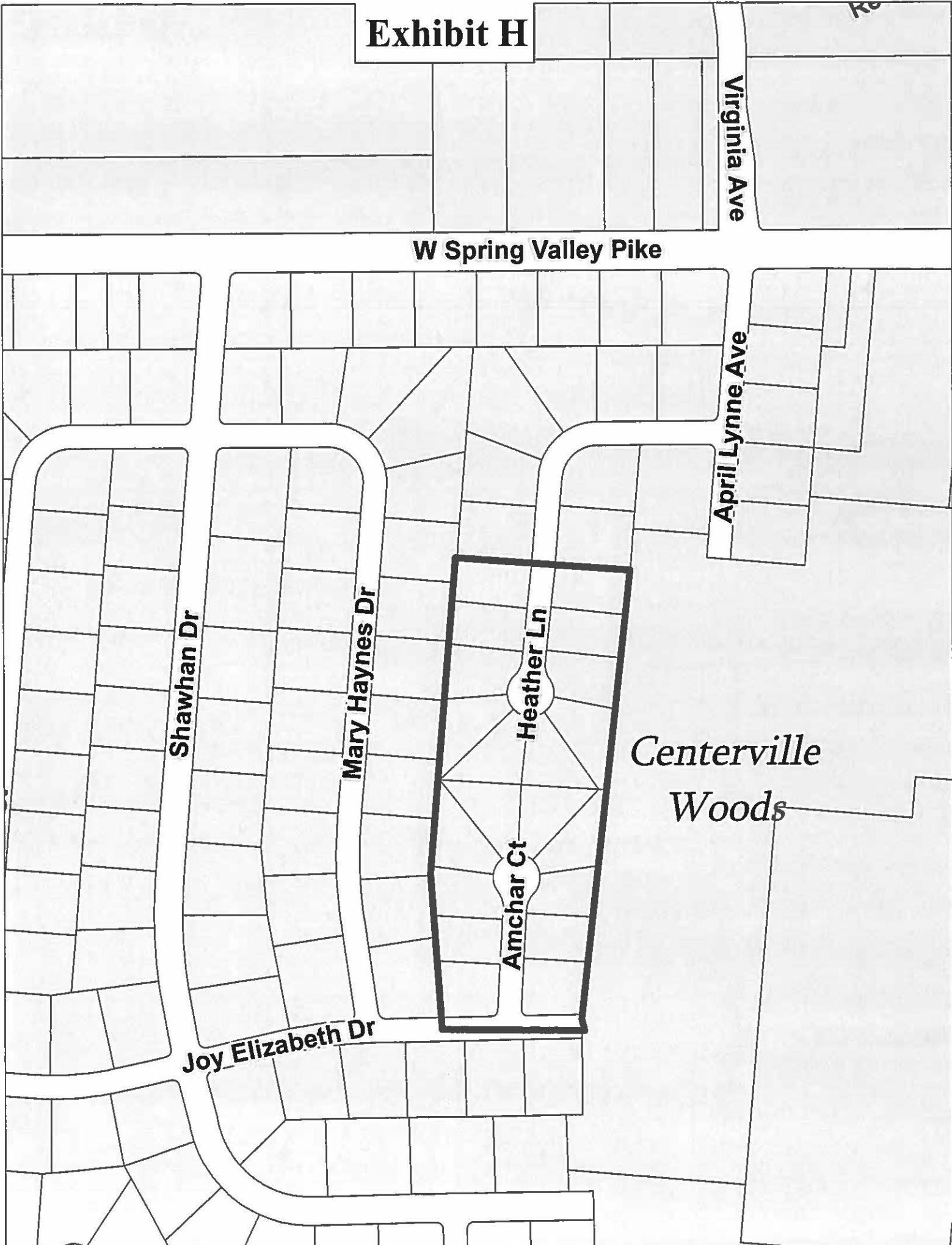
Mary Haynes Dr

Heather Ln

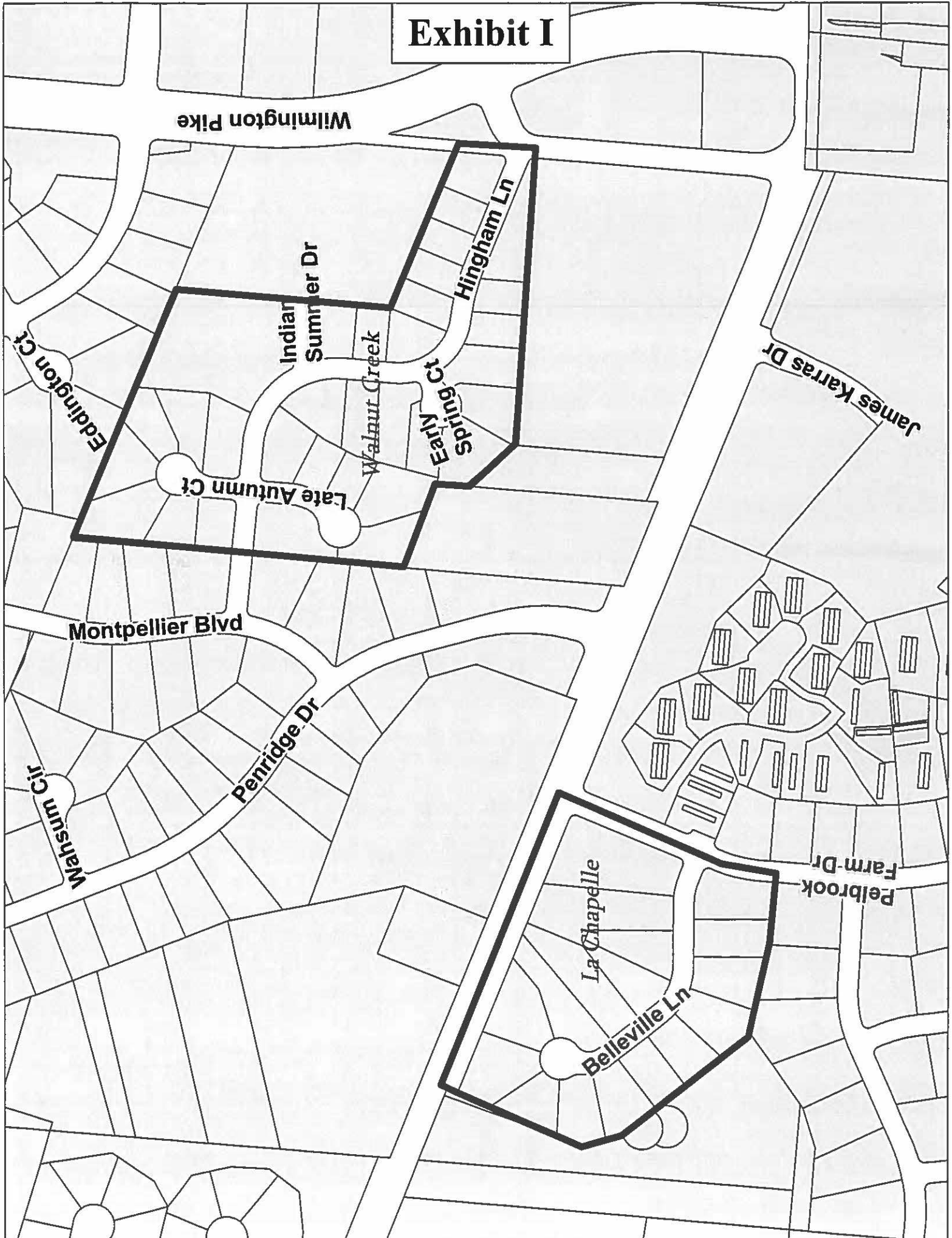
Centerville  
Woods

Amchar Ct

Joy Elizabeth Dr



# Exhibit I



Wilmington Pike

Indian Summer Dr

Hingham Ln

Indian Summer Dr

Walnut Creek

Spring Ct

Edington Ct

Late Autumn Ct

James Karras Dr

Montpellier Blvd

Penridge Dr

Watson Cir

La Chapelle

Belleville Ln

Pelbrook Farm-Dr



Exhibit K

Willowhurst Dr

Zengel Ct

Silvertree Ln

Zengel Dr

Alston Woods Ct

Lake Tree Ct

Pleasant Woods

