

RESOLUTION NO. 51-00
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER James E. Singer ON THE 20th
DAY OF November, 2000.

A RESOLUTION AUTHORIZING AND DIRECTING THAT ALL FRANCHISES, RIGHTS OF WAY OR EASEMENTS GRANTED FOR UTILITY INSTALLATIONS CONTAIN LANGUAGE MAKING SAME SUBJECT TO AMENDMENT TO ACCOUNT FOR REQUIREMENTS IN FUTURE LEGISLATION BY THE CITY REGARDING THE USE OF PUBLIC RIGHTS OF WAY FOR UTILITY INSTALLATION.

WHEREAS, the City of Centerville, Ohio is considering the adoption of comprehensive uniform legislation to govern utility installations within public rights of way; and

WHEREAS, the provisions to be contained in said legislation should receive careful consideration and not be added hastily; and

WHEREAS, the City recognizes that certain utility installations need to be undertaken expeditiously and can not be delayed until said legislation is carefully considered and adopted; and

WHEREAS, the Council of the City of Centerville, Ohio wishes to accommodate said utility installation without relinquishing its right to place reasonable restrictions and conditions on any grants for utility installation within public rights of way as may be contained in said future comprehensive uniform legislation; and


WHEREAS, this Council hereby finds that the correct method for implementing the City's right to impose reasonable restrictions and conditions on any grants for utility installation within public rights of way is to include provisions in any grants made after the effective date of this resolution that said grants may be amended retroactively to include reasonable restrictions and conditions contained in said future comprehensive uniform legislation.

NOW THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:


Section 1. That all future franchises, rights of way or easements permitting the installation of utilities in public rights of way within the City shall contain provisions that same may be amended retroactively to include reasonable restrictions and conditions contained in future comprehensive uniform legislation relating to utility installations in the public rights of way.

PASSED THIS 20th day of November, 2000.



Mayor of the City of
Centerville, Ohio

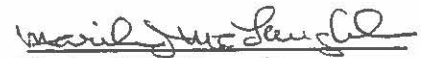
ATTEST:



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. 51-00, passed by the Council of the City of Centerville, Ohio on the 20th day of November, 2000.



Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions
Department of Law
Robert N. Farquhar
Municipal Attorney

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