



Legislation Details (With Text)

File #: 0146-2005 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 1/19/2005 **In control:** Public Service & Transportation Committee
On agenda: 3/28/2005 **Final action:** 3/31/2005

Title: To authorize the Public Service Director to execute those documents necessary to enter into agreements with Central Ohio Transit Authority to permit the installation of illuminated advertising on bus shelters located within City rights-of-way; and to waive those sections of Columbus City Code that prohibit placement of advertising within City rights-of-way to the extent that they may be applicable to the installation of advertising on bus shelters installed and maintained by Central Ohio Transit Authority.

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|------------------------------------|--------|
| 3/31/2005 | 1 | CITY CLERK | Attest | |
| 3/30/2005 | 1 | MAYOR | Signed | |
| 3/28/2005 | 1 | Columbus City Council | Taken from the Table | Pass |
| 3/28/2005 | 1 | Columbus City Council | Approved | Pass |
| 3/28/2005 | 1 | COUNCIL PRESIDENT | Signed | |
| 3/21/2005 | 1 | Columbus City Council | Tabled to Certain Date | Pass |
| 3/7/2005 | 1 | Columbus City Council | Read for the First Time | |
| 2/22/2005 | 1 | CITY ATTORNEY | Reviewed and Approved | |
| 2/22/2005 | 1 | Service Drafter | Sent to Clerk's Office for Council | |
| 2/18/2005 | 1 | SERVICE DIRECTOR | Reviewed and Approved | |
| 2/18/2005 | 1 | Service Drafter | Sent for Approval | |
| 2/10/2005 | 1 | Service Drafter | Sent for Approval | |
| 1/27/2005 | 1 | Service Drafter | Sent for Approval | |
| 1/26/2005 | 1 | Service Reviewer | Reviewed and Approved | Pass |
| 1/19/2005 | 1 | Service Drafter | Sent for Approval | |

Background: The Public Service Department is responsible for the operation, use, and maintenance of public rights-of-way within the City of Columbus. Recent growth in the number of requests for use of these rights-of-way has required the City to establish guidelines regulating such use including, but not limited to, the appearance and the placement of structures and facilities within said rights-of-way. Columbus City Code Chapter 902 restricts the placement of obstructions, including but not limited to, containers, vending equipment, merchandise, signs or advertising of any kind, within the City rights-of-way without prior approval of the Transportation Administrator. Pursuant to a 910 General Right-of-Way Permit, Central Ohio Transit Authority (COTA) is currently permitted to install bus shelters within the public right-of-way to fulfill its statutory duties. COTA has requested permission from the City of Columbus to place illuminated advertising on their bus shelters. The following legislation authorizes the Public Service

Director to execute agreements between the City of Columbus and COTA for the installation of aesthetically pleasing advertising on bus shelters within public right-of-way.

Fiscal Impact: Beginning on the third anniversary of the effective date of the proposed agreement COTA agrees to pay the City a fee equal to 5% of the net advertising sales as compensation for the installation of advertising within the City's rights-of-way. The Public Service Department will use these funds for sidewalk maintenance and repair purposes.

To authorize the Public Service Director to execute those documents necessary to enter into agreements with Central Ohio Transit Authority to permit the installation of illuminated advertising on bus shelters located within City rights-of-way; and to waive those sections of Columbus City Code that prohibit placement of advertising within City rights-of-way to the extent that they may be applicable to the installation of advertising on bus shelters installed and maintained by Central Ohio Transit Authority.

WHEREAS, the Public Service Department is responsible for the operation, use, and maintenance of public rights-of-way within the City of Columbus; and

WHEREAS, recent growth in the number of requests for use of these rights-of-way has required the City to establish guidelines regulating all aspects related to right-of-way use including, but not limited to, the appearance and the placement of structures and facilities within said rights-of-way; and

WHEREAS, Columbus City Code Chapter 902 restricts the placement of obstructions, including but not limited to, containers, vending equipment, merchandise, signs or advertising of any kind, within the City rights-of-way without prior approval of the Transportation Administrator; and

WHEREAS, pursuant to a 910 General Right-of-Way Permit, Central Ohio Transit Authority (COTA) is currently permitted to install bus shelters within the public right-of-way to fulfill its statutory duties; and

WHEREAS, COTA has requested permission from the City to place illuminated advertising on a limited number of their existing bus shelters located downtown along High Street; and

WHEREAS, if this pilot program proves successful COTA retains the right to request permission from the City to install additional illuminated advertising in other areas of City right-of-way; and

WHEREAS, beginning on the third anniversary of the effective date of the proposed agreement COTA agrees to pay the City a fee equal to 5% of the net advertising sales as compensation for the installation of illuminated advertising within City rights-of-way; and

WHEREAS, these funds will be used for sidewalk maintenance and repair purposes; and

WHEREAS, the following legislation authorizes the Public Service Director to execute agreements between the City of Columbus and Central Ohio Transit Authority for the installation of illuminated advertising on bus shelters within public rights-of-way; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Public Service Director be and is hereby authorized to execute those documents reviewed and approved by the Department of Law necessary to allow the City of Columbus to enter into agreements with Central Ohio Transit Authority for the installation of illuminated advertising on bus shelters currently located within public rights-of-way within the City of Columbus.

SECTION 2. That beginning on the third anniversary of the effective date of the proposed agreement COTA shall pay to the City a fee equal to 5% of the net advertising sales as compensation for the installation of illuminated advertising within City rights-of-way.

SECTION 3. That the compensation received by the City of Columbus shall be deposited in the sidewalk maintenance and repair fund.

SECTION 4. That this Council has determined it is in the best interest of the City of Columbus to allow installation of illuminated advertising on bus shelters within City rights-of-way by Central Ohio Transit Authority and hereby waives those provisions of Columbus City Codes (1959) Revised, Section 902.02, that specifically prohibit placement of advertising within City right-of-way.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.