



Legislation Text

File #: 0914-2005, **Version:** 1

Ordinance 2113-2004, passed December 9, 2004, as an emergency measure, authorized the Public Service Director to impose a six (6) month moratorium on the acceptance, consideration, or approval of applications seeking to install pay telephones in the City's right-of-way. The legislation also instructed the Director to thoroughly research the safety, aesthetic, and other considerations that would affect the circumstances under which pay telephones would be authorized and to promulgate regulations that will specifically address the installation, maintenance, and removal of pay telephones in the City's right-of-way. The purpose of the moratorium was to allow time to complete the necessary studies and to develop objective rules and regulations. At this time, the background research has been completed; however, various policy related issues remain to be determined. Additionally, the Public Service Director would like to obtain the public's and the industry's input on this issue and is recommending that a minimum of one public hearing be held prior to issuing rules and regulations. To accommodate these desires the Director is requesting a six (6) month extension of the current moratorium.

To authorize the Public Service Director to extend by an additional 6 months the current moratorium on the acceptance, consideration, or approval of applications seeking to install pay telephones in the City's right-of-way to allow sufficient time for gathering public and industry input on this issue prior to issuing rules and regulations that will specifically address the installation, maintenance, and removal of pay telephones in the City's right-of-way and to declare an emergency.

WHEREAS, Ordinance 2113-2004, passed December 9, 2004, as an emergency measure, authorized the Public Service Director to impose a six (6) month moratorium on the acceptance, consideration, or approval of applications seeking to install pay telephones in the City's right-of-way; and

WHEREAS, the legislation instructed the Director to thoroughly research the safety, aesthetic, and other considerations that would affect the circumstances under which pay telephones would be authorized and to develop regulations that will specifically address the installation, maintenance, and removal of pay telephones in the City's right-of-way; and

WHEREAS, the purpose of the moratorium was to allow time to complete the necessary studies and to develop the necessary rules and regulations; and

WHEREAS, at this time the background research has been completed; however, various policy related issues remain to be determined; and

WHEREAS, the Public Service Director would like to solicit the public's and the industry's input on this issue and is recommending that a minimum of one public hearing be held prior to issuing rules and regulations; and

WHEREAS, the Director is requesting a six (6) month extension of the current moratorium to provide ample time to complete these activities; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to extend for six (6) months the existing moratorium on the consideration of applications for the installation of pay telephones in the City's right-of-way to avoid conflicts that will result from the City's lack of regulations pertaining to this issue, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That the Public Service Director is hereby authorized to extend for six (6) months the existing moratorium on the acceptance, consideration, or approval of applications seeking to install pay telephones in the City's right-of-way.

Section 2. That during this extension period, the Public Service Director will solicit the public's and the industry's input on this issue and will conduct a minimum of one public hearing prior to issuing rules and regulations that will specifically address the installation, maintenance, and removal of pay telephones in the City's right-of-way.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor.