



## Legislation Details (With Text)

**File #:** 0306-2015      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 1/23/2015      **In control:** Public Service & Transportation Committee

**On agenda:** 11/23/2015      **Final action:** 11/24/2015

**Title:** To establish a Utility Corridor District to be identified as the "Morse Road Utility Corridor District". (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Morse Rd Utility Corridor 11 x 17 Final 08814

Date	Ver.	Action By	Action	Result
11/24/2015	1	CITY CLERK	Attest	
11/24/2015	1	MAYOR	Signed	
11/23/2015	1	COUNCIL PRESIDENT	Signed	
11/23/2015	1	Columbus City Council	Approved	Pass
11/16/2015	1	Columbus City Council	Read for the First Time	

**1. Background:** The City has determined that the design and implementation of public improvements directly affect the public health, safety and welfare of citizens who are utilizing the streets, roadways and other public properties as well as the aesthetic character of the City. The City has also made a significant investment in the relocation and burial of previously existing overhead utilities lines in the Morse Road corridor as part of various roadway improvement projects completed within the area. As a result the Department of Public Service is recommending that City Council establish the "Morse Road Utility Corridor District" in order to protect the City's investment and perpetually maintain the resulting aesthetic improvement of this roadway.

The Morse Road Utility Corridor District is bounded and described as follows:

Beginning at the northeast Railroad Right-of-Way west of Sinclair Rd  
Thence easterly to the Limited Access Right-of-Way of I-270  
Thence southerly to the southwest corner of the Limited Access Right-of-Way of I-270  
Thence westerly to the southeast corner Railroad Right-of-Way west of Sinclair  
Thence northerly to the point of beginning.

### Zone 1

All poles placed along the north side of the roadway shall be owned and operated by the City's Department of Public Utilities. All poles placed along the south side of the roadway shall be owned and operated by American Electric Power, however; both agencies may place electrical circuits on either pole line. When construction of new utility facilities cannot be accommodated upon the existing wood poles they must be constructed underground or outside the Morse Road Right-of-Way,

### Zone 2

When construction of new utility facilities cannot be accommodated upon the existing wood or metal poles

facilities must be constructed underground or outside the Morse Road Right-of-Way,

Zone 3

When construction of new utility facilities; facilities shall not be permitted on existing metal poles facilities must be constructed underground or outside the Morse Road Right-of-Way,

The creation of this Utility Corridor District will prohibit the future permanent installation of additional poles, overhead utility lines, wires, cables, transformers or other appurtenances, including transverse overhead crossing of the Right-of-Way, or above ground features on poles within the boundary of the Morse Road Utility Corridor District. This prohibition shall be extended to all parties intending to install utilities within this corridor, excluding those owned and operated by the City of Columbus and overhead electrical transmission facilities. However, the short term temporary installation of overhead and above ground utility features will be permitted to provide emergency service, but shall be removed at the earliest moment possible.

**2. Fiscal Impact:** There is no direct fiscal impact associated the passage of this ordinance; however, the creation of this district will protect the City’s investment to place utilities underground.

To establish a Utility Corridor District to be identified as the “Morse Road Utility Corridor District”. (\$0.00)

**WHEREAS**, the City of Columbus, Ohio is vitally concerned with the use of the various Right-of-Way areas in the City as such Right-of-Way areas are a valuable and limited resource which must be utilized to promote the public health, safety and welfare including the economic development of the City; and

**WHEREAS**, changes in the public utilities and communication industries have increased the demand and need for access to Right-of-Way and placement of facilities and structures therein; and

**WHEREAS**, it is necessary to comprehensively regulate access to, and structures and facilities in, the Right-of-Way to promote efficiency, discourage uneconomic duplication of facilities, minimize the public inconvenience of uncoordinated work in the Right-of-Way, protect the City’s investment in relocation of the existing overhead utilities and promote public safety; and

**WHEREAS**, the City has the right under the laws and Constitution of the State of Ohio, including Article 18, Sections 3 and 4, to regulate public and private entities which use the Right-of-Way; and

**WHEREAS**, Columbus City Council has determined that the design and implementation of public improvements directly affect the public health, safety and welfare of citizens who are utilizing the streets, roadways and other public properties as well as the aesthetic character of the City; and

**WHEREAS**, the Department of Public Service has recommended that the City consider the creation of a specific “Utility Corridor Districts and Districts” (i.e., Four Corners, Ordinance No. 1823-2002, passed 12/02/2002; High/Street Lane Avenue, Ordinance No. 0558-2005, passed 6/9/2005; Pen West, Ordinance No. 0076-2007, passed 4/25/2007; Arena Underground Utility District, Ordinance No.0078-2007, passed 4/25/2007; and the West Third Avenue - Grandview Yard 2977-2013, passed 2/10/2014); and

**WHEREAS**, the creation of a “Utility Corridor District ” will allow the City to protect any investment incurred to relocate utilities onto existing wood poles and eliminate overhead crossings as a part of a roadway or other construction projects; and

**WHEREAS**, the creation of a “Utility Corridor District ” will prohibit the future permanent installation of additional poles and overhead utility crossings within the area so designated, although temporary placement of utilities on wood poles may be permitted to facilitate emergency services; and

**WHEREAS**, the utilities that cannot be accommodated upon the existing poles must be constructed underground or outside the Morse Road Utility Corridor District; and

**WHEREAS**, the following legislation creates an “Utility Corridor District” to be known as the “Morse Road Utility Corridor District” for the purpose of relocating all existing wood poles and eliminate overhead crossings located within the corridor; and

**WHEREAS**, the limits of the Morse Road Utility Corridor District are described generally as being as follows:

Beginning at the northeast Railroad Right-of-Way west of Sinclair Rd  
Thence easterly to the Limited Access Right-of-Way of I-270  
Thence southerly to the southwest corner of the Limited Access Right-of-Way of I-270  
Thence westerly to the southeast corner Railroad Right-of-Way west of Sinclair  
Thence northerly to the point of beginning

Zone 1

All poles placed along the north side of the roadway shall be owned and operated by the City’s Department of Public Utilities. All poles placed along the south side of the roadway shall be owned and operated by American Electric Power, however; both agencies may place electrical circuits on either pole line. When construction of new utility facilities cannot be accommodated upon the existing wood poles they must be constructed underground or outside the Morse Road Right-of-Way,

Zone 2

When construction of new utility facilities cannot be accommodated upon the existing wood or metal poles facilities must be constructed underground or outside the Morse Road Right-of-Way,

Zone 3

When construction of new utility facilities; facilities shall not be permitted on existing metal poles facilities must be constructed underground or outside the Morse Road Right-of-Way,

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

**Section 1.** That a Utility Corridor District to be known as the Morse Road Utility Corridor District is hereby established.

**Section 2.** That the perimeters of this district are described generally as being:

Beginning at the northeast Railroad Right-of-Way west of Sinclair Rd  
Thence easterly to the Limited Access R/W of I-270  
Thence southerly to the southwest corner of the Limited Access R/W of I-270  
Thence westerly to the southeast corner Railroad Right-of-Way west of Sinclair  
Thence northerly to the point of beginning.

Zone 1

All poles placed along the north side of the roadway shall be owned and operated by the City’s Department of Public Utilities. All poles placed along the south side of the roadway shall be owned and operated by American Electric Power, however; both agencies may place electrical circuits on either pole line. When construction of new utility facilities cannot be accommodated upon the existing wood poles they must be constructed underground or outside the Morse Road Right-of-Way,

Zone 2

When construction of new utility facilities cannot be accommodated upon the existing wood or metal poles facilities must be constructed underground or outside the Morse Road Right-of-Way,

Zone 3

When construction of new utility facilities; facilities shall not be permitted on existing metal poles facilities must be constructed underground or outside the Morse Road Right-of-Way,

**Section 3.** That the creation of this district will prohibit the future permanent installation of additional poles and overhead utility crossings within the corridor.

**Section 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.