

Date: June 23, 2021

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager

**202102323**

Subject: EMERGENCY ORDINANCE – MODIFYING CMC CHAPTER 719, “WIRELESS COMMUNICATIONS FACILITIES IN THE RIGHT OF WAY”

---

Attached is an emergency ordinance captioned as follows:

MODIFYING Title VII, “General Regulations,” of the Cincinnati Municipal Code by AMENDING the provisions of Chapter 719, “Wireless Communications Facilities in the Right of Way,” to ensure that the City’s regulation of wireless communication facilities in the public right-of-way is consistent with recent changes to applicable state and federal laws and regulations.

In light of recent changes in state and federal laws and regulations concerning the installation of small cells in the right of way, the City wishes to update the Cincinnati Municipal Code to ensure the provisions of the Cincinnati Municipal Code remain consistent with state and federal laws.

The reason for the emergency is the immediate need to modify Chapter 719, “Wireless Communications Facilities in the Right of Way,” of the Cincinnati Municipal Code to ensure it is consistent with applicable state and federal laws and regulations.

The Administration recommends passage of the attached emergency ordinance.

cc: John S. Brazina, Director, Transportation and Engineering