

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 102 - 2014

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
8 AGREEMENTS TO ALLOW FIBER TECHNOLOGIES NETWORKS,
9 LLC, TO ACCESS THE CITY'S RIGHTS OF WAY AND ELECTRIC
10 POLES FOR THE CONSTRUCTION AND MAINTENANCE OF
11 FIBER OPTIC CABLE, GUY WIRES, NEW POLES AND OTHER
12 TELECOMMUNICATIONS EQUIPMENT, AND DECLARING AN
13 EMERGENCY.

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15 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State
16 of Ohio, that:

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18 Section 1. The Mayor is hereby authorized to enter into a Pole Attachment Agreement to
19 allow Fibertech Technologies Networks, LLC. to install fiber optic cable, guy wires and necessary
20 appurtenances on City electric poles along the City's right of way.

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22 Section 2. The Mayor is hereby authorized to enter into a License Agreement to allow
23 Fibertech Technologies Networks, LLC. to construct and maintain aerial fiber-optic cable, guy
24 wires, new poles and other telecommunications equipment along the City's rights of way.

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26 Section 3. Any other ordinances and resolutions or portions of ordinances and resolutions
27 inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of
28 ordinances and resolutions not inconsistent herewith and which have not previously been
29 repealed are hereby ratified and confirmed.

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31 Section 4. It is found and determined that all formal actions of this Council concerning and
32 relating to the adoption of this ordinance were adopted in an open meeting of this Council and
33 that all deliberations of this Council and of any of its committees that resulted in such formal
34 action were in meetings open to the public, in compliance with all legal requirements including
35 Chapter 107 of the Codified Ordinances.

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37 Section 5. That this ordinance is hereby declared to be an emergency measure necessary for
38 the preservation of the public peace, health, safety, convenience and welfare of the City of
39 Cuyahoga Falls, and provided it receives the affirmative vote of two-thirds of the members elected
40 or appointed to Council, it shall take effect and be in force immediately upon its passage and
41 approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed
42 by law.

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45 Passed: 12/22/2014

46 Mayor Ellen Pyke
47 President of Council

48 Dave Cannon
49 Clerk of Council

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52 Approved: 12-23-2014

53 [Signature]
54 Mayor