



Ohio Revised Code

Section 4939.0311 Consent not required.

Effective: August 1, 2018

Legislation: House Bill 478 - 132nd General Assembly

(A) Consent of a municipal corporation shall not be required for either of the following activities conducted in the public way:

(1) Routine maintenance of wireless facilities;

(2) The replacement of wireless facilities with wireless facilities that are consistent with the municipal corporation's current design guidelines and that are either of the following:

(a) Substantially similar to the existing wireless facilities;

(b) The same size or smaller than the existing wireless facilities.

(B) A municipal corporation may require a work permit for any activity described in division (A) of this section and for any activity for which consent is authorized under section 4939.031 of the Revised Code. Any such permit shall be subject to any applicable law in this chapter.

(C) Notwithstanding the amendments and enactments made to sections 4939.01 to 4939.09 of the Revised Code by H.B. 478 of the 132nd General Assembly, a cable or video service provider shall not be required to obtain permits from a municipal corporation or to pay fees, with the exception of work permits and associated fees, to place, operate, maintain, or replace micro wireless facilities pursuant to an existing franchise or video service authorization under Chapter 1332. of the Revised Code; nor shall a holder of an existing franchise or video service authorization be required to obtain additional authorizations or to pay additional fees for the placement of micro wireless facilities already covered under an existing franchise or video service authorization under Chapter 1332. of the Revised Code.

(D) The permitting procedures and authorizations set forth in the amendments and enactments made to sections 4939.01 to 4939.09 of the Revised Code by H.B. 478 of the 132nd General Assembly



shall apply only to the placement of small cell facilities and wireless support structures in the public way, and do not authorize the construction and operation of a wireline backhaul facility.
