

## ORDINANCE 2017-25

**TO BE ENTITLED: "AN ORDINANCE TO AMEND APPENDIX A – COMPREHENSIVE FEES AND PENALTIES, CHAPTER 16 – STREETS AND SIDEWALKS, ETC., RELATIVE TO CREATING SMALL CELL FACILITY PERMIT FEES AND FEES FOR USE OF CITY-OWNED PROPERTY AND PUBLIC RIGHT-OF-WAY."**

**WHEREAS**, for promoting the public health, safety, comfort, convenience, and general welfare of the people of Franklin, Tennessee, the Board of Mayor and Aldermen is authorized to prescribe regulations and standards that encourage and advance the quality of life within the City; and

**WHEREAS**, the Board of Mayor and Aldermen found that ordinances and policies that regulate land use, guide the maintenance of the city's infrastructure, and facilitate the delivery of essential services must be dynamic and modified from time to time to reflect changes in best practices, model codes, land and labor costs, and safety standards necessary to preserve and promote the private and public interest; and

**WHEREAS**, the Board of Mayor and Aldermen has determined the installation of Small Cell Facilities will enhance wireless technology throughout the City and allow citizens and businesses to communicate and access the Internet more effectively; and

**WHEREAS**, the Board of Mayor and Aldermen has established guidelines and reasonable fees for private entities to construct and install Small Cell Facilities on City-owned property, including the public right-of-way.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF FRANKLIN, TENNESSEE, AS FOLLOWS:**

**SECTION I:** That Appendix A, Chapter 16 —Streets & Sidewalks, etc., of the Franklin Municipal Code be amended by inserting and codifying the following fees to read as follows.

|                                                                              |                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application for Right-of-Way Use Plan Review and Agreement Processing</b> | <b>\$500</b>                                                                                                                                                                                                                   |
| <b>Annual Rate for Use of City-Owned or Leased Poles/Structures</b>          | <b>\$100 minimum per installation (spot location) or as specified in the applicable approved Right-of-Way Use Agreement</b>                                                                                                    |
| <b>Permit/Inspection Fees:</b>                                               | <b>\$100 per installation (spot location). The Street Department has the discretion to issue permits that include single or multiple installations based on the ease of tracking inspections and mapping of installations.</b> |

|                                                  |                                                                                                 |
|--------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <b>Comprehensive General Liability (minimum)</b> | <b>\$ 1,000,000 per occurrence,<br/>combined single limit and<br/>\$ 2,000,000 in aggregate</b> |
| <b>Commercial Automobile Liability</b>           | <b>\$ 1,000,000 per occurrence,<br/>combined single limit each<br/>accident</b>                 |

**SECTION II:** BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, that this ordinance shall take effect from and after its passage on second and final reading, the health, safety, and welfare of the citizens of Franklin, Tennessee, requiring it.

**ATTEST:**

**CITY OF FRANKLIN, TENNESSEE:**

By: \_\_\_\_\_  
**Eric S. Stuckey**  
**City Recorder/Administrator**

By: \_\_\_\_\_  
**Dr. Ken Moore, Mayor**

Approved as to form by:

\_\_\_\_\_  
**Shauna R. Billingsley**  
**City Attorney**

PASSED FIRST READING:

\_\_\_\_\_

PASSED SECOND READING:

\_\_\_\_\_