



Legislation Details (With Text)

File #: 18-0772 **Version:** 1 **Name:** Ord 2018-37 Small Wireless Facilities
Type: Ordinance **Status:** Consent Agenda
File created: 7/18/2018 **In control:** Board of Mayor & Aldermen
On agenda: 8/28/2018 **Final action:** 8/28/2018
Title: Consideration of Ordinance 2018-37, AS AMENDED, An Ordinance to Amend Title 16, Chapter 14, and Appendix A of the City of Franklin's Municipal Code as it Pertains to Small Wireless Facilities in the Public Right-Of-Way. (08/14/18 WS and BOMA 1st Reading 8-0) SECOND AND FINAL READING
Sponsors: Shauna Billingsley, Misty Foy, Paul Holzen
Indexes:
Code sections:
Attachments: 1. 2018-37 ORD Small Cell Ordinance 08-16-2018-no bold or strikethrough.Law Approved 3.pdf, 2. 2018-37 ORD Small Cell Ordinance.Law Approved 2.pdf, 3. 2018-37 ORD Small Cell Ordinance_ Revised per State Law _with Appendix A LAW APPROVED 08-02-2018

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------|----------------------------|--------|
| 8/28/2018 | 1 | Board of Mayor & Aldermen | approved | |
| 8/14/2018 | 1 | Work Session | acknowledged | |
| 8/14/2018 | 1 | Board of Mayor & Aldermen | referred as a Consent Item | Pass |

DATE: July 18, 2018

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Shauna R. Billingsley, City Attorney
Misty Lavender Foy, Assistant City Attorney
Paul Holzen, Director of Engineering

SUBJECT: Consideration of Ordinance 2018-37, AS AMENDED, An Ordinance to Amend Title 16, Chapter 14, and Appendix A of the City of Franklin's Municipal Code as it Pertains to Small Wireless Facilities in the Public Right-Of-Way. (08/14/18 WS and BOMA 1st Reading 8-0) SECOND AND FINAL READING

Purpose

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Ordinance 2018-37, An Ordinance to Amend Title 16, Chapter 14, and Appendix A of the City of Franklin Municipal Code as it Pertains to Small Wireless Facilities in the Public Right-Of-Way.

Background

On April 24, 2018, the Competitive Wireless Broadband Investment, Deployment, and Safety Act of 2018 was passed by the Tennessee General Assembly, which added Tennessee Code Annotated 13-24-401, et seq. This

new state legislation set forth requirements for municipalities in the regulation of small wireless facilities. The amendment to the ordinance is per state law only. No new changes or additions were made to the ordinance.

Financial Impact

Per the new state law, specific fees, including the application fee and annual rates, were mandated and capped. Appendix A is amended per those limitations.

Recommendation

Staff recommends approval of Ordinance 2018-37, an Ordinance to Amend Title 16, Chapter 14, and Appendix A of the City of Franklin's Municipal Code as it pertains to Small Wireless Facilities in the Public Right-of-Way.