



## 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 1<sup>st</sup> 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.