



## Legislation Text

---

**File #:** 18-0772, **Version:** 1

---

**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.