



Legislation Text

File #: 18-0013, **Version:** 1

Summary

To: Town Commission
From: Cathy DeKarz
Date: 1/16/2018

Subject:

Ordinance 515

Summary:

Due to the State's passing of CS/HB 687, which preempts local government control of taxpayer-owned rights-of-way for the placement of "small" or "micro" wireless antennas and equipment, the Town is seeking to amend its ordinances to properly regulate and permit these devices. Since the Commission last saw Ordinance 515, it has been updated and edited by our attorney and staff in order to better meet the needs and vision of the Town.

Previous Commission Action: In July, the Planning and Zoning Board and the Commission read and approved Ordinance 515 on its first reading.

Background/Problem Discussion: As part of the "Advanced Wireless Infrastructure Deployment Act," the Town has both the authority and the responsibility to regulate, by ordinance, certain areas, including but not limited to, permitting processes, objective design standards, insurance coverage, indemnification, performance bonds, security bonds, force majeure, abandonment, authority liability, and/or authority warranties.

The updated version of Ordinance 515 allows for such limitations and regulations, and also gives the Commission the right to pass, via Resolution, future design standards or initiative programs to better regulate and control the placement of small or micro wireless facilities.

Changes from the first reading of 515 are highlighted in yellow, as attached.

Expenditure Challenges N/A

Financial Implications: N/A

Recommendation: Staff recommends approval on the second reading of Ordinance 515.

Proposed Motion I move approval of Ordinance 515 on second reading.