



Legislation Details (With Text)

**File #:** 20-3560      **Name:** ORDINANCE NO. 2020-02 (SMALL CELL WIRELESS)

**Type:** Code Amendments      **In control:** Village Council

**On agenda:** 1/28/2020      **Final action:**

**Title:** ORDINANCE NO. 2020-02 (SMALL CELL WIRELESS)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 23, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY" TO MODIFY CERTAIN STANDARDS AND REGULATIONS RELATING TO COMMUNICATIONS FACILITIES AND

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 23, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY" TO MODIFY CERTAIN STANDARDS AND REGULATIONS RELATING TO COMMUNICATIONS FACILITIES AND OTHER STRUCTURES WITHIN THE VILLAGE'S PUBLIC RIGHTS-OF-WAY CONSISTENT WITH FEDERAL AND STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Code sections:**

- Attachments:** 1. 1. 2020-02 (11.21.19 CLEAN Amendments to Chapter 23 - Communications ROW Ordinance), 2. 2. 2020-02 (11.21.19 REDLINE Amendments to Chapter 23 - Communications ROW Ordinance)

Date	Ver.	Action By	Action	Result
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**ITEM: ORDINANCE NO. 2020-02 (SMALL CELL WIRELESS)**

**AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 23, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY" TO MODIFY CERTAIN STANDARDS AND REGULATIONS RELATING TO COMMUNICATIONS FACILITIES AND OTHER STRUCTURES WITHIN THE VILLAGE'S PUBLIC RIGHTS-OF-WAY CONSISTENT WITH FEDERAL AND STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**REQUEST:** Consideration on Second Reading of Ordinance No. 2020-02 amending Chapter 23 of the Village Code entitled "Communications Facilities Rights-of-Way Ordinance."

**EXPLANATION:** In April, 2019, the Village significantly revised Chapter 23 of its Code of Ordinances in order to comply with revisions to Florida Statute § 337.401 that limit the ability of municipalities to regulate small cell wireless facilities in public rights-of-way. The Florida Legislature has further amended section 337.401 of the Florida Statutes, effective July 1, 2019 and this Ordinance is necessary in order to comply with these recently adopted provisions.

**BUDGET AMENDMENT REQUIRED: NO**

**PUBLIC HEARING:** YES

**QUASI-JUDICIAL:** NO

**FIRST READING:**

**SECOND READING:** YES

**LEGAL SUFFICIENCY:** YES

**FISCAL IMPACT:** NO

**WELLINGTON FUNDAMENTAL:** Responsive Government

**RECOMMENDATION:** Consideration on Second Reading of Ordinance No. 2020-02 amending Chapter 23 of the Village Code entitled "Communications Facilities In The Public Rights-of-Way."