



Legislation Text

File #: 20-3560, Version: 1

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."