



## Legislation Details (With Text)

**File #:** 20-481      **Version:** 5      **Name:**  
**Type:** Ordinance / Regular Agenda      **Status:** Passed  
**File created:** 7/15/2020      **In control:** City Commission  
**On agenda:** 12/8/2020      **Final action:** 12/8/2020

**Title:** P.H. 2020-76: (PUBLIC HEARING 2ND READING)  
 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.46, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY," PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR A BOND; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
 (Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 8, 2020, OCTOBER 27, 2020 & NOVEMBER 10, 2020

FIRST READING: JULY 28, 2020

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Memorandum to Commission - 11-9-2020.pdf, 2. Memorandum to Commission - 10-22-2020.pdf, 3. Memorandum to Commission - 8-31-2020.pdf, 4. Commission Memo.pdf, 5. Redline Version.pdf, 6. Redline Version Revised, 7. Final Version Amendment, 8. Comcast Comments Pompano Beach Ord 120820.pdf, 9. Pompano - Letter to Commissioners.pdf, 10. TMO Letter Pompano Beach Item 25 CC hearing 12-8-2020.pdf

| Date       | Ver. | Action By       | Action                 | Result |
|------------|------|-----------------|------------------------|--------|
| 12/8/2020  | 5    | City Commission | ADOPTED                | Pass   |
| 11/10/2020 | 4    | City Commission | POSTPONED              | Pass   |
| 10/27/2020 | 3    | City Commission | POSTPONED              | Pass   |
| 9/8/2020   | 2    | City Commission | POSTPONED              | Pass   |
| 7/28/2020  | 1    | City Commission | APPROVED FIRST READING | Pass   |

**P.H. 2020-76: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.46, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY," PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND

REVIEW PROCEDURES; PROVIDING FOR A BOND; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**POSTPONED FROM SEPTEMBER 8, 2020, OCTOBER 27, 2020 & NOVEMBER 10, 2020**

**FIRST READING: JULY 28, 2020**

(Staff Contact: John Sfiropoulos)

**Summary Explanation/Background:**

In 2017, Florida enacted the "Advanced Wireless Infrastructure Deployment Act", codified in Subsection 337.401(7), Florida Statutes, creating new requirements and allowances for installation of small wireless facilities in City right-of-way. As a result, we amended our Code of Ordinances to be in compliance with the Statute and it was approved by City Commission on June 26th, 2018.

More recently in 2019, Florida Legislature amended Section 337.401 ("SB 1000"). Consequently, City retained services from outside counsel to assist in the attached, proposed code amendment to be in compliance with this recent amended Statute.

These are predominately "housekeeping" items and have no substantive effect on our code as it currently reads.

**Origin of request for this action:** Staff

**Fiscal impact and source of funding:** N/A