

Legislation Text

File #: 18-255, **Version:** 1

P.H. 2018-56: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING AN ADDITIONAL 90-DAY TEMPORARY MORATORIUM TO PROHIBIT THE ACCEPTANCE OR PROCESSING OF ANY APPLICATION FOR A PERMIT, DEVELOPMENT ORDER, OR ANY OTHER OFFICIAL ACTION OF THE CITY HAVING THE EFFECT OF PERMITTING OR ALLOWING THE CONSTRUCTION OF WIRELESS COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY CONTROLLED BY THE CITY; PROVIDING FOR EARLY TERMINATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

Summary Explanation/Background:

In 2017, the "Advanced Wireless Infrastructure Deployment Act" was codified in Subsection 337.401(7), Florida Statutes. This Act creates new requirements and allowances for local governments related to the installation of small wireless facilities in public rights-of-way. As a result of this Act, municipalities are required to revise their Codes to be in compliance.

We have already drafted a proposed Code amendment, however, based on recent comments initiated by the "Communications" industry regarding our proposed amendment to City Code Section 100.46, "Communications Facilities in the Public Rights-of-Way", we are requesting a 90-day moratorium extension in effort to address industry concerns while at the same time remain in compliance with the new state statute.

Origin of request for this action: Staff

Fiscal impact and source of funding: N/A