



Legislation Details (With Text)

File #: 160798. **Version:** 1 **Name:** EXTENSION OF MORATORIUM ON CONSTRUCTION OF WIRELESS COMMUNICATION FACILITIES IN PUBLIC RIGHTS-OF-WAY (B)

Type: Ordinance **Status:** Adopted

File created: 2/27/2017 **In control:** City Attorney

On agenda: 3/16/2017 **Final action:** 4/6/2017

Title: EXTENSION OF MORATORIUM ON CONSTRUCTION OF WIRELESS COMMUNICATION FACILITIES IN PUBLIC RIGHTS-OF-WAY (B)

Ordinance No. 160798

An ordinance of the City of Gainesville, Florida, readopting and ratifying Ordinance No. 160401, and extending time period of the temporary moratorium to prohibit the filing, acceptance or processing of any permit, development order, or any other official action of the City having the effect of permitting or allowing the construction of wireless communication facilities in the public right-of-way within the city limits; providing a severability clause; providing repealing clauses; and providing an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 160798A_draft ordinance_20170316.pdf, 2. 160798_ordinance_20161020

Date	Ver.	Action By	Action	Result
4/6/2017	1	City Commission	Adopted on Final Reading (Ordinance)	Pass
3/16/2017	1	City Commission	Adopted on First Reading (Ordinance)	Pass

EXTENSION OF MORATORIUM ON CONSTRUCTION OF WIRELESS COMMUNICATION FACILITIES IN PUBLIC RIGHTS-OF-WAY (B)

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An ordinance of the City of Gainesville, Florida, readopting and ratifying Ordinance No. 160401, and extending time period of the temporary moratorium to prohibit the filing, acceptance or processing of any permit, development order, or any other official action of the City having the effect of permitting or allowing the construction of wireless communication facilities in the public right-of-way within the city limits; providing a severability clause; providing repealing clauses; and providing an effective date.

The City Commission adopt the proposed ordinance.

Ordinance No. 160401 was adopted by the City Commission on October 20, 2016, imposing a temporary moratorium on construction of wireless communication facilities in the public right-of-way. The current time period ends on April 6, 2017. Subsequent to the adoption of the moratorium, both the Federal Communication Commission and the Florida State Legislature are considering proposed regulations which could affect the City's ability to regulate wireless telecommunication facilities in the rights-of-way. The City is engaged in both the FCC Public Notice proceeding and the proposed bills filed in the Florida Legislature. In addition, the City staff is considering appropriate regulations of such facilities in the public rights-of-way, which would take into consideration the concerns of the City's residents and businesses, GRU and GRUCom, as well as the wireless

industry. The extended time period will end on October 7, 2017, or sooner if the City adopts the necessary implementing ordinances.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and shall become effective April 6, 2017.