



Legislation Details (With Text)

File #: 18-211 **Version:** 2 **Name:** ORD Amending Ch 26 of the Code Small Cell Ordinance
Type: Ordinance **Status:** Adopted
File created: 6/27/2018 **In control:** City Council
On agenda: 7/24/2018 **Final action:** 7/24/2018
Title: Communication from the City Manager and Director of Public Works with a Request to ADOPT an ORDINANCE Amending CHAPTER 26 of the CODE of the City of Peoria (Streets, Sidewalks and Other Public Places) to Include ARTICLE X (SMALL CELL ANTENNA/TOWER RIGHT-OF-WAY SITING). REVISED ORDINANCE ATTACHED.

Sponsors:

Indexes: Goal 1 - Financially Sound City, Goal 3 - Beautiful Peoria, Goal 4 - Grow Peoria, Have an efficient government., Invest in our infrastructure and transportation, Reinvest in neighborhoods

Code sections:

Attachments: 1. ORD NO. 17,598 (Item No. 18-211), 2. Small_Wireless_Facilities_Deployment_Ordinance, 3. Mobilite Example Photos

Date	Ver.	Action By	Action	Result
7/24/2018	2	City Council	adopted	Pass
7/10/2018	1	City Council	received and filed	Pass

ACTION REQUESTED:

Communication from the City Manager and Director of Public Works with a Request to ADOPT an ORDINANCE Amending CHAPTER 26 of the CODE of the City of Peoria (Streets, Sidewalks and Other Public Places) to Include ARTICLE X (SMALL CELL ANTENNA/TOWER RIGHT-OF-WAY SITING). **REVISED ORDINANCE ATTACHED.**

BACKGROUND: Council accepted the First Reading of this proposed Ordinance at its Regular Meeting on July 10, 2018. The attached ordinance was revised since its First Reading. Specific design criteria have been removed from the ordinance and will be included in a separate communication to revise an existing portion of the Code.

A new law in Illinois, signed by Governor Bruce Rauner on April 12, 2018, allows that additional telecommunication hardware may be added to utility poles, light poles and other structures in the public right-of-way as wireless carriers implement 5G technology and enhance cellular transmission.

The attached, proposed ordinance will implement the regulations allowed by the Small Wireless Facilities Deployment Act (Public Act 100-0585). New devices, commonly known as "small cells," and antennas could start to be installed on authorized structures throughout our community.

The proposed ordinance requires wireless telecommunications providers to submit permit applications and pay applicable fees up to the limits in state law for the use of the public right-of-way.

The proposed ordinance protects our ability to provide public safety services to residents as needed, while ensuring access to new 5G technology and improved opportunities through additional technological advancements.

FINANCIAL IMPACT: Minor. City will receive application fees from providers in the range of \$350 to \$1,000

per device, which will assist in covering staff review time. Annual charges of \$200 per installation will also be charged where City poles are employed.

NEIGHBORHOOD CONCERNS: There are a variety of ways in which wireless providers can attach equipment to utility poles, some of which are more aesthetically pleasing than others. This ordinance seeks to deter installation of excessively large or unsightly equipment within the confines of existing state and federal statutes. It will also protect the integrity of City equipment and safety of citizens, contractors, and staff. Also attached are photos of recent example installations in Indianapolis, IN; Addison, IL; and Bloomington, IL by Mobilitie, a company from which the City has already received an application for placement of small cell devices.

IMPACT IF APPROVED: The City will meet the August 1, 2018 deadline for implementing a fee structure and ordinance in accordance with the timeline outlined in the associated state ordinance.

IMPACT IF DENIED: Wireless providers will still be able to attach their devices to poles in the right-of-way, but the City will have decreased ability to regulate their design and placement.

ALTERNATIVES: None

EEO CERTIFICATION NUMBER: NA

WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?

1. Grow Peoria
2. Financially Sound City
3. Beautiful Peoria

WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?

1. Invest in our infrastructure and transportation.
2. Have an efficient government.
3. Reinvest in neighborhoods.

DEPARTMENT: Public Works