

ORDINANCE NUMBER 2815-A

AN ORDINANCE AMENDING ORDINANCE NUMBER 2815 TO ESTABLISH A FEE STRUCTURE FOR SMALL CELL TECHNOLOGY FACILITIES IN THE CITY OF VESTAVIA HILLS, ALABAMA AS ESTABLISHED BY ORDINANCE NUMBER 2814

WHEREAS, on December 17, 2018, the Vestavia Hills City Council in a regularly scheduled City Council meeting following a public hearing voted to adopt and approve Ordinance Number 2814 to enact new regulations that apply to placement of Small Cell Technology Facilities ("Facilities" as defined in Ordinance Number 2814 and used herein) along public rights-of-way and on private properties within the City of Vestavia Hills; and

WHEREAS, the regulations established in Ordinance Number 2814 will be codified in a Chapter 16.5 of the Vestavia Hills Code of Ordinances ("Code") entitled "Telecommunications"; and

WHEREAS, Sections 2E and 3C of Ordinance Number 2814 provide that certain fees be paid by personal wireless service providers or applicants in connection with the review of applications, initial issuance and annual reissuance of permits required to construct, place, maintain and operate Facilities in the City; and

WHEREAS, on December 17, 2018, the Vestavia Hills City Council adopted and approved Ordinance Number 2815, amending Chapter 16.5 of the Code to set forth the level of fees contemplated in Sections 2E and 3C of Ordinance Number 2814; and

WHEREAS, the City Council feels it is in the best public interest to amend Ordinance Number 2815 and Chapter 16.5 of the Code to amend the level of fees contemplated in Sections 2E and 3C of Ordinance Number 2814.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, That Ordinance Number 2815 and Section 16.6 of The Vestavia Hills Code Of Ordinances Be Amended **effective June 1, 2020** To Include The Fees Set Forth In This **Ordinance Number 2815-A**, As Follows:

"SMALL CELL TECHNOLOGY FACILITIES FEE STRUCTURE"

DESCRIPTION	FEE
Permits to Place and Operate Facilities on Public Right-of-Way	
Permit Application and Review Fee-The First five small wireless facilities included in a single application (Ord. No. 2814)	\$500.00

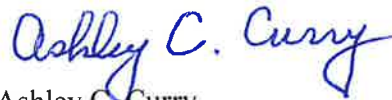
Permit Application and Review Fee- Each Additional small wireless facility in excess of the above initial five included in one application (Ord. No. 2814)	\$100.00
Permit Application and Review Fee – For installation of a new pole together with the mounting or installation of an associated small wireless facility in the right-of-way.	1,000.00
Annual License Fee per Support Structure (Ord. No. 2814)	\$270.00
Permits to Place and Operate Facilities on Private Property	
Permit Application and Review Fee- The First five small wireless facilities included in a single application (Ord. No. 2814)	\$500.00
Permit Application and Review Fee- Each Additional small wireless facility in excess of the above initial five included in one application (Ord. No. 2814)”	\$100.00

Section 2. Repealer. All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Vestavia Hills, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.

Section 3. Severability. If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

Section 4. Effective Date. This ordinance shall become effective immediately upon adoption and publication as provided by law.

DONE, ORDERED, APPROVED and ADOPTED this the 26th day of August, 2019.



Ashley C. Curry
Mayor

ATTESTED BY:




Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 2815-A is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 26th day of August, 2019, as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Public Library, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the ___ day of _____, 2019.


Rebecca Leavings
City Clerk