



**City of Coral Gables
CITY COMMISSION MEETING
October 8, 2019**

ITEM TITLE:

Ordinance on First Reading.

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF CORAL GABLES BY AMENDING ARTICLE III, CHAPTER 70, SECTIONS 70-76 THROUGH 70-91, THE “CORAL GABLES COMMUNICATIONS RIGHTS-OF-WAY ORDINANCE”; PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION; PROVIDING FOR THE REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR A PERFORMANCE CONSTRUCTION BOND AND PERMANENT PERFORMANCE BOND TO PLACE OR MAINTAIN COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING FOR CONSTRUCTION METHODS; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

BRIEF HISTORY:

In 2019, the City Commission adopted Ordinance No. 2019-08, to implement amendments to Florida Statutes, including the Florida Advanced Wireless Infrastructure Deployment Act (“Small Cell Statute”) that became effective July 1, 2018. In 2019, Florida passed CS/CS/CS/SB 1000 (“SB 1000”) which further amended Section 337.401, Florida Statutes, effective July 1, 2019. The proposed Ordinance amends the City Code consistent with the 2019 amendments to Florida Statutes. In particular, the Ordinance amendments include the following provisions: definitions; registration; requirements and exceptions for permits; application requirements and procedures; construction and permanent performance bond requirements; and construction requirements.

We provided notice of this hearing to the Secretary of State as required by Florida Statutes, and will distribute a draft of the Ordinance to industry members for input. We anticipate making further revisions before a second hearing on the Ordinance based on comments received to address technical issues with application procedures and objective design standards for facilities. It should be noted that the Florida League of Cities and a few individual municipalities are suing to challenge portions of the Small Cell Statute, which may lead to further revisions to the Code.

ATTACHMENT(S):

1. Draft Ordinance