



## Legislation Text

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**File #:** 21-525, **Version:** 1

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**ITEM TITLE:**

Consider an ordinance creating Sections 20-5-501 through 20-5-509, Article 20-5, Chapter 20, Lawton City Code 2015, by creating regulations for small cell wireless facilities, creating submittal requirements and who administers the revocable permit for council consideration, creating requirements for construction and maintenance of the facilities, providing for severability, and establishing an effective date.

**INITIATOR:** Richard Rogalski, Deputy City Manager

**STAFF INFORMATION SOURCE:** Rusty Whisenhunt, Public Utilities Director  
Charlotte Brown, Code Plans Supervisor

**BACKGROUND:** Over the past couple of years, there have been multiple inquiries about installation of above-ground small cell communications facilities. These facilities are required to deliver 5G coverage in areas that are difficult to serve. Due to the number of facilities needed to provide adequate coverage, they are primarily installed within the public right-of-way. While Chapter 20 does provide for the issuance of a revocable permit for underground communications cable and pipelines to be installed within city right-of-way, it does not currently address above ground small cell towers and facilities. Telecommunication towers located on private property are addressed in Chapter 6 of Lawton City Code. This ordinance allows for small cell wireless facilities to be constructed on the right-of-way within the City of Lawton with a revocable permit issued by City Council, provided that they can meet certain requirements, such as a minimum of 10 feet from a sanitary sewer main, shall be located on the opposite side of the roadway or other public way from a public water main, no facility shall impede an existing or proposed sidewalk, no more than 50 feet in height, and the adjacent property owner shall provide written permission for the small cell wireless facility to be located adjacent to their property. The ordinance also allows for exceptions to be granted by City Council if the requirements are found to be infeasible. The ordinance also sets an annual use fee required in order to continue to be placed in the right-of-way.

**EXHIBIT:** Ordinance No. 2021- \_\_\_\_

**KEY ISSUES:** Do we want to allow the small cell wireless facilities to be located within the right-of-way.

**FUNDING SOURCE:** N/A

**STAFF RECOMMENDED COUNCIL ACTION:** Adopt Ordinance No. 2021-\_\_\_\_, waive the reading of the ordinance, read the title only.