

ORDINANCE NO. 2003-1

AN ORDINANCE OF THE TOWN OF GREENWOOD, FLORIDA; PROVIDING FOR AN INTERIM APPLICATION PROCESS FOR THE ERECTION OF WIRELESS TELECOMMUNICATION FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by the enactment of the Telecommunications Act of 1996, there is anticipated substantial growth in the erection of wireless telecommunications facilities; and

WHEREAS, there has been discussion concerning the construction of such facilities within the Town of Greenwood; and

WHEREAS, there are significant shortcomings with respect to the Town's current law; and

WHEREAS, the Town wishes to implement, revise or replace such laws as necessary to more effectively protect the health, safety and welfare of the community, and to remove or change certain sections pursuant to recent case law to assure the orderly development of wireless technology in the community, including but not limited to the development of procedures governing the filing of an application, and for reviewing and analyzing an application, and for granting a permit to construct and use wireless telecommunications facilities or other tall structures for the purpose of providing wireless communications services; and

WHEREAS, a reasonable time for the Town to complete its aforementioned review, and for the Town to enact any required legislation resulting therefrom is deemed to be three (3) months from the date this ordinance becomes effective; and

WHEREAS, the Town has no pending applications for wireless telecommunications facilities; and

WHEREAS, this interim application process is not meant to be prohibitive or exclusionary in nature, and during the interim application process, applications for a building permit, special use permit or site plan approval, or use variance or other necessary Town approval for a monopole, lattice tower or other telecommunications antennae installations, including, but not limited to cellular antennae installations, shall be accepted and processed by the Town. However, in accepting an application during the period of this interim application process any application must be accompanied by payment of \$5,000.00 interim application fee, and further, if a permit is issued it will be issued pursuant to any changes in the ordinances and laws of the Town of Greenwood made during this interim period.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF GREENWOOD:

SECTION 1. There is hereby enacted an interim application process not to exceed three months on the issuance of permits by the Town of Greenwood on the applications for the construction of wireless telecommunications facilities and related facilities.

SECTION 2. This ordinance shall become effective immediately upon its final passage and adoption.

Proposed ordinance presented to the Town Council of the Town of Greenwood, Florida, and read in full, and discussed with an opportunity for interested persons to be heard at the July 8, 2003, regular meeting.

Proposed ordinance noticed once in a newspaper of general circulation in the Town of Greenwood, Florida, at least ten days prior to its adoption.

Proposed ordinance read by title before the Town Council of the Town of Greenwood, Florida, at the August 12, 2003, regular meeting, interested parties who appeared before the Town Council being heard, and proposed ordinance passed by at least two affirmative votes of members of the Town Council of the Town of Greenwood, Florida at said meeting.

PASSED AND ORDAINED THIS 12th day of August, 2003.

Charles Sanders
Charles Sanders, Mayor

ATTEST:

Suzanne M. NeSmith, CMC
Suzanne M. NeSmith, CMC
Town Clerk

[SEAL]

