



Legislation Details (With Text)

File #: ORD 2018-009
Name: Repeal and Transfer of Wireline Communications Facilities Permitting
Type: Ordinance
Status: Passed
File created: 3/6/2018
In control: City Commission
On agenda: 6/28/2018
Final action: 6/28/2018

Title: AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY REPEALING IN ITS ENTIRETY CHAPTER 6.5, "CABLE COMMUNICATIONS;" BY REPEALING IN ITS ENTIRETY CHAPTER 22, "FRANCHISING AND LICENSING;" AND BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE I, "ADMINISTRATION, REGULATIONS AND PROCEDURES," DIVISION 3, "IMPLEMENTATION PROCEDURES," SECTION 13-40, "ENGINEERING PERMITS," TO PROVIDE FOR CONSISTENT REGULATIONS REGARDING PERMIT ISSUANCE FOR CONSTRUCTION IN THE CITY. (SECOND READING)(PUBLIC HEARING)

Sponsors:

Indexes: Chapter 22, Chapter 6.5, Ordinance

Code sections:

Attachments: 1. ORDINANCE 2018-009-Repeal Ch. 6.5 & 22-Replace Permitting Regs, 2. MINUTES-Draft Excerpt 2018-0509 PZ Mtg

Date	Ver.	Action By	Action	Result
6/28/2018	1	City Commission		
5/24/2018	1	City Commission		
5/10/2018	1	City Commission		

AGENDA ITEM REPORT

TITLE:

AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY REPEALING IN ITS ENTIRETY CHAPTER 6.5, "CABLE COMMUNICATIONS;" BY REPEALING IN ITS ENTIRETY CHAPTER 22, "FRANCHISING AND LICENSING;" AND BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE I, "ADMINISTRATION, REGULATIONS AND PROCEDURES," DIVISION 3, "IMPLEMENTATION PROCEDURES," SECTION 13-40, "ENGINEERING PERMITS," TO PROVIDE FOR CONSISTENT REGULATIONS REGARDING PERMIT ISSUANCE FOR CONSTRUCTION IN THE CITY. (SECOND READING)(PUBLIC HEARING)

BACKGROUND:

This item was approved on First Reading at the May 10, 2018, City Commission Meeting and was tabled on Second Reading at the May 24, 2018, City Commission Meeting.

Recent changes to state laws regarding certain uses of the City's rights-of-way have encouraged a comprehensive review of the City's Code of Ordinances to ensure consistent regulations among old and new Code provisions. As a result, City staff has identified certain regulations within its Code pertaining to communications services that need updating. Chapter 6.5, Cable Communications," and

many portions within Chapter 22, "Franchising and Licensing," are outdated and inconsistent with current federal and state laws.

DISCUSSION:

In order to avoid confusion between old and new communications services regulations within the City, staff recommends repealing Chapter 6.5, "Cable Communications," and Chapter 22, "Franchising and Licensing," in their entirety. The relevant portions of Chapter 22, "Franchising and Licensing," that addressed the engineering permit process for construction of wireline communications facilities within the City were transferred to Section 13-40, "Engineering Permits," and cross-referenced within the newly enacted Section 13-540, "Permits," within Subdivision IX, "Communications Facilities."

RECOMMENDATION:

Staff recommends approval of this Ordinance.

FISCAL IMPACT: N/A